

IMPEACHMENT OF PRESIDENT  
DONALD JOHN TRUMP

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Impeachment Inquiry Public Hearings Before the House  
Permanent Select Committee on Intelligence: Transcripts



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3

4

5            IMPEACHMENT INQUIRY: FIONA HILL AND DAVID HOLMES

6            Thursday, November 21, 2019

7            U.S. House of Representatives,

8            Permanent Select Committee on Intelligence,

9            Washington, D.C.

10

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13            The committee met, pursuant to call, at 9:05 a.m., in Room 1100, Longworth  
14            House Office Building, the Honorable Adam Schiff (chairman of the committee) presiding.

15            Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley,  
16            Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway,  
17            Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

18

1

2           The Chairman. The committee will come to order.

3           Good morning, everyone.

4           This is the seventh in a series of the public hearings the committee will be holding  
5 as part of the House of Representatives' impeachment inquiry.

6           Without objection, the chair is authorized to declare a recess of the committee at  
7 any time.

8           There is a quorum present. We will proceed today in the same fashion as our  
9 other hearings. I will make an opening statement. Then Ranking Member Nunes will  
10 have the opportunity to make a statement. Then we will turn to our witnesses for their  
11 opening statements and then to questions.

12           For audience members, we welcome you and respect your interest in being here.  
13 In turn, we ask for your respect as we proceed with today's hearing. It is the intention  
14 of the committee to proceed without disruptions. As chairman, I'll take all necessary  
15 and appropriate steps to maintain order and ensure that the committee is run in  
16 accordance with House rules and House Resolution 660.

17           With that, I now recognize myself to give an opening statement in the  
18 impeachment inquiry into Donald J. Trump, the 45th President of the United States.

19           Yesterday morning, the committee heard from Ambassador Gordon Sondland, the  
20 American Ambassador to the European Union, the de facto leader of the Three Amigos,  
21 who had regular access to President Donald Trump and pressed the new Ukrainian  
22 President, Volodymyr Zelensky, for two investigations Trump believed would help his  
23 reelection campaign.

24           The first investigation was of a discredited conspiracy theory that Ukraine, and not  
25 Russia, was responsible for interfering in our 2016 election.

1           The second investigation was into the political rival Trump apparently feared  
2 most, Joe Biden. Trump sought to weaken Biden and to refute the fact that his own  
3 election had been helped by a Russian hacking and dumping operation and Russian social  
4 media campaign directed by Vladimir Putin.

5           Trump's scheme stood in contrast to the longstanding, bipartisan foreign policy of  
6 the United States by undermining military and diplomatic support for a key ally and set  
7 back U.S. anticorruption efforts in Ukraine.

8           In conditioning a meeting with Zelensky and then military aid on securing an  
9 investigation of his rival, Trump put his personal and political interests above the United  
10 States. As Ambassador Sondland would later tell career Foreign Service Officer David  
11 Holmes immediately after speaking to the President, Trump did "not give a [expletive]"  
12 about Ukraine. He cares about "big stuff" that benefits him, like the "Biden  
13 investigation" that Giuliani was pushing.

14           David Holmes is here with us today. He is a Foreign Service officer currently  
15 serving as the Political Counselor at the U.S. Embassy in Kyiv.

16           Also with us is Dr. Fiona Hill, whose job as the National Security Council Senior  
17 Director for European and Russian Affairs encompassed the coordination of U.S. policy  
18 towards Ukraine. Dr. Hill left the NSC in July, after more than 2 years in that position.

19           Dr. Hill and Mr. Holmes each provide a unique perspective on issues relating to  
20 Ukraine, Dr. Hill from Washington, D.C., and Mr. Holmes from on the ground in Kyiv.

21           In early 2019, Dr. Hill became concerned by the increasing prominence of Rudy  
22 Giuliani, the President's personal lawyer, who was, as she has testified, asserting quite  
23 frequently on television, in public appearances, that he had been given some authority  
24 over matters related to Ukraine.

25           Hill was not alone in her concerns. Her boss, National Security Adviser John

1 Bolton, was also paying attention, as were other NSC and State Department officials,  
2 including Holmes at the U.S. Embassy in Kyiv.

3 Bolton viewed Giuliani as a "hand grenade that is going to blow everybody up"  
4 and was powerless to prevent the former mayor from engineering former U.S.  
5 Ambassador to Ukraine Marie Yovanovitch's firing in late April or her recall. Holmes was  
6 stunned by the intensity and consistency of media attacks on Yovanovitch by name as a  
7 U.S. ambassador and the scope of the allegations that were leveled against her.

8 Yovanovitch's dismissal as a result of Giuliani's smear campaign was one of several  
9 things that unsettled Dr. Hill. Another was the role of Gordon Sondland, who emerged  
10 as a key player in Ukraine policy in May when he was named as part of the U.S.  
11 delegation, led by Secretary Rick Perry, to President Zelensky's inauguration.

12 Lieutenant Colonel Alexander Vindman also attended the inauguration and, as  
13 Holmes recalls, during a meeting with President Zelensky, took the opportunity to advise  
14 the new Ukraine leader to stay out of U.S. domestic politics.

15 Another concern that arose for Dr. Hill around this time was her discovery of a  
16 potential NSC back channel on Ukraine. Hill learned that an NSC staff member, who did  
17 not work on Ukraine and for her, may have been providing Ukraine-related information to  
18 President Trump that Dr. Hill was not made aware of.

19 According to Holmes, following the Zelensky inauguration, Sondland and Perry  
20 took a very active and unconventional role in formulating our priorities for the new  
21 Zelensky administration and personally reaching out to President Zelensky and his senior  
22 team.

23 Sondland's newfound assertiveness also concerned Dr. Hill, who previously had  
24 enjoyed a cordial working relationship with the Ambassador. On June 18, 2019, Hill had  
25 a blowup with Sondland when he told her that he was in charge of Ukraine policy.

1 Dr. Hill testified that Sondland "got testy with me, and I said, 'Who has put you in charge  
2 of it?' He said, 'The President.'"

3 On July 10th, Dr. Hill was part of a meeting at the White House with a group of  
4 U.S. and Ukrainian officials, including Bolton, Sondland, and Energy Secretary Perry,  
5 another of the Three Amigos. The meeting was intended, among other things, to give  
6 the Ukrainians an opportunity to convey that they were anxious to set up a meeting, a  
7 first meeting, between their new President and President Trump.

8 Sondland interjected to inform the group that, according to White House Chief of  
9 Staff Mick Mulvaney, the White House meeting sought by the Ukrainian President with  
10 Trump would happen if Ukraine undertook certain investigations. Hearing this, Bolton  
11 abruptly ended the meeting.

12 Undeterred, Sondland brought the Ukrainian delegation and the NSC Director for  
13 Ukraine, Lieutenant Colonel Alexander Vindman, downstairs to another part of the White  
14 House, where they were later joined by Dr. Hill. In this second meeting, Sondland was  
15 more explicit: Ukraine needed to conduct investigations if they were to get a meeting at  
16 all.

17 Bolton directed Dr. Hill to report this to NSC Legal Advisor John Eisenberg, telling  
18 her, "You go and tell Eisenberg that I am not part of whatever drug deal Sondland and  
19 Mulvaney are cooking up on this, and you go ahead and tell him what you've heard and  
20 what I've said." Dr. Hill did so, as did Lieutenant Colonel Vindman, who separately  
21 approached the same lawyers with his concerns.

22 On July 18, the day before Dr. Hill left her post at the NSC, Holmes participated in  
23 a secure interagency video conference on Ukraine. Towards the end of the meeting, a  
24 representative from the Office of Management and Budget announced that the flow of  
25 nearly \$400 million in security assistance for Ukraine was being held up. The order had

1 come from the President and had been conveyed to OMB by Acting White House Chief of  
2 Staff Mick Mulvaney without further explanation.

3 Holmes, unaware of the hold prior to the call, was shocked. He thought the  
4 suspension of aid was extremely significant, undermining what he had understood to be  
5 longstanding U.S. national security goals in Ukraine.

6 One week later, on July 25th, President Trump spoke with President Zelensky by  
7 phone. When President Zelensky brought up U.S. military support and noted that  
8 Ukraine would like to buy more Javelin anti-tank missiles from the United States, Trump  
9 responded by saying, "I would like you to do us a favor, though."

10 Trump then requested that Zelensky investigate the discredited conspiracy theory  
11 that Ukraine interfered in the 2016 election. Even more ominously, Trump asked  
12 Zelensky to look into the Bidens.

13 Neither request had been included in the official talking points for the call  
14 prepared by the NSC staff, but both were in Donald Trump's personal interest and the  
15 interest of his 2020 reelection campaign. And the Ukraine President knew about both in  
16 advance, in part because of efforts by Ambassadors Sondland and Volker to make him  
17 aware of President Trump's demands.

18 The next day, July 26, in Kyiv, Holmes served as a note-taker during a meeting  
19 between Acting Ambassador Bill Taylor, Volker, and Sondland with President Zelensky  
20 and other senior Ukrainian officials. Zelensky said that, on the previous day's call,  
21 President Trump had, quote, "three times" raised "some very sensitive issues," that he  
22 would have to follow up on those issues when they met "in person."

23 Although he did not realize it at the time, Holmes came to understand that the  
24 sensitive issues were the investigations that President Trump demanded on the July 25th  
25 call.

1           Following the meeting with Zelensky, Holmes accompanied Sondland to a  
2 separate meeting with one of the Ukrainian President's top advisors, Andriy Yermak, but  
3 Holmes was not allowed into the meeting and waited for 30 minutes while Sondland and  
4 the Ukrainian met alone, without any note-takers to record what they said.

5           After the meeting, Sondland, Holmes, and two other State Department staff went  
6 to lunch at a nearby restaurant and sat on an outdoor terrace. At some point during the  
7 meal, Sondland pulled out his cell phone, placed a call to the White House, and asked to  
8 be connected to the President.

9           When Trump came on the line, Holmes could hear the President's voice clearly.  
10 Holmes recalled that, quote, "the President's voice was very loud and recognizable, and  
11 Ambassador Sondland held the phone away from his ear for a period of time, presumably  
12 because of the loud volume."

13           Sondland said he was calling from Kyiv. He told the President that President  
14 Zelensky "loves your ass." Holmes then heard President Trump ask, "So he's going to do  
15 the investigation?" Ambassador Sondland replied, "He's going to do it," adding that  
16 President Zelensky will do "anything you ask him."

17           After the call ended, Holmes took the opportunity to ask Sondland for his candid  
18 impression of the President's views on Ukraine. It was at this point that Sondland  
19 revealed that President Trump doesn't "give a [expletive]" about Ukraine. The President  
20 only cares about "big stuff" that benefits the President, like the "Biden investigation" that  
21 Mr. Giuliani was pushing.

22           A month later, National Security Advisor Bolton traveled to Kyiv. Between  
23 meetings with Ukrainian Government officials, Holmes heard Bolton express to  
24 Ambassador Bill Taylor his frustration about Mr. Giuliani's influence with the President.  
25 Bolton made clear, however, there was nothing he could do about it.

1           Bolton further stated that the hold on security assistance would not be lifted prior  
2 to the upcoming meeting between President Trump and Zelensky in Warsaw, where it  
3 would hang on whether Zelensky was able to favorably impress President Trump.

4           Trump canceled his trip to Warsaw, but Sondland, Volker, and others continued to  
5 press for a public announcement of the opening of investigations by Zelensky.

6           On September 8, Taylor told Holmes that, quote, "now they're insisting Zelensky  
7 commit to the investigation in an interview with CNN." Holmes was surprised the  
8 requirement was so specific and concrete, since it amounted to nothing less than a,  
9 quote, "demand that President Zelensky personally commit to a specific investigation of  
10 President Trump's political rival on a cable news channel," unquote.

11           On September 9, this committee, along with the Foreign Affairs and Oversight  
12 Committees, launched our investigation of this corrupt scheme. President Trump  
13 released the hold on aid 2 days later. As CNN's Fareed Zakaria has revealed, the  
14 Ukrainians canceled the CNN interview shortly thereafter.

15           Two weeks later, on September 25th, the transcript of the July 25th call was  
16 released by the White House, and the details of the President's scheme started coming  
17 into view.

18           In the coming days, Congress will determine what response is appropriate. If the  
19 President abused his power and invited foreign interference in our elections, if he sought  
20 to condition, coerce, extort, or bribe a vulnerable ally into conducting investigations to  
21 aid his reelection campaign and did so by withholding official acts -- a White House  
22 meeting or hundreds of millions of dollars of needed military aid -- it will be for us to  
23 decide whether those acts are compatible with the Office of the Presidency.

24           I now recognize Ranking Member Nunes for any remarks he would like to make.

25           [The statement of the chairman follows:]

1

2 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           Mr. Nunes. Thank you.

2           Throughout these bizarre hearings, the Democrats have struggled to make the  
3 case that President Trump committed some impeachable offense on his phone call with  
4 Ukrainian President Zelensky. The offense itself changes depending on the day, ranging  
5 from quid pro quo, to extortion, to bribery, to obstruction of justice, then back to quid  
6 pro quo.

7           It's clear why the Democrats have been forced onto this carousel of accusations.  
8 President Trump had good reason to be worried of Ukrainian election meddling against  
9 his campaign and of widespread corruption in that country.

10          President Zelensky, who didn't even know aid to Ukraine had been paused at the  
11 time of the call, has repeatedly said there was nothing wrong with the conversation.  
12 The aid was resumed without the Ukrainians taking the actions they were supposedly  
13 being coerced into doing.

14          Aid to Ukraine under President Trump has been much more robust than it was  
15 under President Obama, thanks to the provision of Javelin anti-tank weapons.

16          As numerous witnesses have testified, temporary holds on foreign aid occur fairly  
17 frequently for many different reasons. So how do we have an impeachable offense  
18 here, when there's no actual misdeed and no one even claiming to be a victim?

19          The Democrats have tried to solve this dilemma with a simple slogan: "He got  
20 caught." President Trump, we are to believe, was just about to do something wrong,  
21 and getting caught was the only reason he backed down from whatever nefarious  
22 thought crime the Democrats are accusing him of almost committing.

23          I once again urge Americans to continue to consider the credibility of the  
24 Democrats on this committee who are now hurling these charges. For the last 3 years,  
25 it's not President Trump who got caught; it's the Democrats who got caught.

1           They got caught falsely claiming they had more than circumstantial evidence that  
2 Trump colluded with Russians to hack the 2016 election. They got caught orchestrating  
3 this entire farce with the whistleblower and lying about their secret meetings with him.  
4 They got caught defending the false allegations of the Steele dossier, which was paid for  
5 by them.

6           They got caught breaking their promise that impeachment would only go forward  
7 with bipartisan support because of how damaging it is to the American people. They got  
8 caught running a sham impeachment process featuring secret depositions, hidden  
9 transcripts, and an unending flood of Democrat leaks to the media.

10           They got caught trying to obtain nude photos of President Trump from Russian  
11 pranksters pretending to be Ukrainians. And they got caught covering up for Alexandra  
12 Chalupa, a Democratic National Committee operative who colluded with Ukrainian  
13 officials to smear the Trump campaign, by improperly redacting her name from  
14 deposition transcripts and refusing to let Americans hear her testimony as a witness in  
15 these proceedings.

16           That is the Democrats' pitiful legacy in recent years. They got caught.

17           Meanwhile, their supposed star witness testified that he was "guessing" that  
18 President Trump was tying Ukrainian aid to investigations, despite no one telling him that  
19 was true and the President himself explicitly telling him the opposite, that he wanted  
20 nothing from Ukraine.

21           Ladies and gentlemen, unless the Democrats once again scramble their kangaroo  
22 court rules, today's hearing marks the merciful end of this spectacle in the impeachment  
23 committee, formerly known as the Intelligence Committee.

24           Whether the Democrats reap the political benefit they want from this  
25 impeachment remains to be seen, but the damage they have done to this country will be

1 long-lasting. With this wrenching attempt to overthrow the President, they have pitted  
2 Americans against one another and poisoned the mind of fanatics who actually believe  
3 the entire galaxy of bizarre accusations they have leveled against the President since the  
4 day the American people elected him.

5 I sincerely hope the Democrats end this affair as quickly as possible so our Nation  
6 can begin to heal the many wounds it has inflicted on us. The people's faith in  
7 government and their belief that their vote counts for something has been shaken.

8 From the Russia hoax to the shoddy Ukrainian sequel, the Democrats got caught.  
9 Let's hope they finally learn a lesson, give their conspiracy theories a rest, and focus on  
10 governing, for a change.

11 In addition, Mr. Chairman, pursuant to House rule XI, clause 2(j)(1), the Republican  
12 members transmit our request to convene a minority day of hearings. To date, you  
13 have blocked key witnesses that we have requested from testifying in this partisan  
14 impeachment inquiry. This rule is not displaced by H. Res. 660, and, therefore, under  
15 House rule XI, clause 1(a), it applies to the Democrats' impeachment inquiry. We look  
16 forward to the chair promptly scheduling an agreed-upon time for the minority day of  
17 hearings so that we can hear from key witnesses that you have continually blocked from  
18 testifying.

19 I'd also like to take a quick moment on an assertion Ms. Hill made in the  
20 statement that she submitted to this committee, in which she claimed that some  
21 committee members deny that Russia meddled in the 2016 election.

22 As I noted in my opening statement on Wednesday, that in March 2018,  
23 Intelligence Committee Republicans published the results of a year-long investigation into  
24 Russian meddling. The 240-page report analyzed 2016 Russian meddling campaign, the  
25 U.S. Government reaction to it, Russian campaigns in other countries, and provided

1 specific recommendations to improve American election security.

2 I'm going to ask my staff to hand these reports to our two witnesses today, just so  
3 they can have a recollection of their memory.

4 As America may or may not know, Democrats refused to sign on to the Republican  
5 report. Instead, they decided to adopt minority views filled with collusion conspiracy  
6 theories.

7 Needless to say, it is entirely possible for two separate nations to engage in  
8 election meddling at the same time, and Republicans believe we should take meddling  
9 seriously by all foreign countries regardless of which campaign is the target.

10 I'd like to submit for the record a copy of our report, titled, "Report on Russian  
11 Active Measures."

12 [The report follows:]

13

14 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           Mr. Nunes. I yield back.

2           [The statement of Mr. Nunes follows:]

3

4           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           The Chairman. Today, we are joined by Dr. Fiona Hill and David Holmes.

2           Dr. Fiona Hill is a former Deputy Assistant to the President and Senior Director for  
3 Europe and Russia on the National Security Council. Before returning to government,  
4 she was a senior fellow at the Brookings Institution, where she directed the Center on the  
5 United States and Europe. She had previously worked at the National Intelligence  
6 Council, the Eurasia Foundation, and the John F. Kennedy School of Government.

7           David Holmes is the Political Counselor at the U.S. Embassy in Kyiv, where he  
8 serves as the senior policy and political advisor to Ambassador Taylor, who testified  
9 earlier in these hearings. He is a career Foreign Service officer. He has previously  
10 served in Moscow, New Delhi, Kabul, Bogota, and Pristina. He has also served on the  
11 staff of the National Security Council as special assistant to the United States Secretary of  
12 State.

13           Two final points before our witnesses are sworn.

14           First, witness depositions as part of this inquiry were unclassified in nature, and all  
15 open hearings will also be held at the unclassified level. Any information that may touch  
16 on classified information will be addressed separately.

17           Second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to  
18 retaliate against any U.S. Government official for testifying before Congress, including you  
19 or any of your colleagues.

20           If you would please rise, raise your right hand, I will begin by swearing you in.

21           Do you swear or affirm that the testimony you're about to give is the truth, the  
22 whole truth, and nothing but the truth, so help you God?

23           Let the record show that the witnesses answered in the affirmative.

24           Thank you, and you may be seated.

25           The microphones are sensitive, so you'll need to speak directly into them.

1 Without objection, your written statements will be made part of the record.

2 With that, Mr. Holmes, you are now recognized for your opening statement, and  
3 when you conclude, Dr. Hill, you'll be immediately recognized thereafter for your opening  
4 statement.

5 Mr. Holmes. Thank you. Good morning, Mr. Chairman, Ranking Member  
6 Nunes, and members of the committee.

7 My name is David Holmes, and I'm a career Foreign Service officer with the  
8 Department of State. Since August 2017, I have been the Political Counselor at the  
9 U.S. Embassy in Kyiv, Ukraine.

10 While it is an honor to appear before you today, I want to make clear that I did not  
11 seek this opportunity to testify today. Since you determined that I may have something  
12 of value to these proceedings and issued a subpoena, it is my obligation to appear and to  
13 tell you what I know.

14 Indeed, as Secretary Pompeo has stated, I hope everyone who testifies will do so  
15 truthfully and accurately. When they do, the oversight role will have been performed,  
16 and I think America will come to see what took place here.

17 That is my only goal: to testify truthfully and accurately to enable you to  
18 perform that role. And, to that end, I have put together this statement to lay out as best  
19 I can my recollection of events that may be relevant to this matter.

20 By way of background, I have spent my entire professional career as a Foreign  
21 Service officer. Like many of the dedicated public servants who have testified in these  
22 proceedings, my entire career has been in the service of my country.

23 I'm a graduate of Pomona College in Claremont, California, and received degrees  
24 in international affairs from the University of St. Andrews in Scotland and from Princeton  
25 University's Woodrow Wilson School of Public and International Affairs.

1 I joined the Foreign Service in 2002 through an apolitical, merit-based process  
2 under the George W. Bush administration. And I have proudly served administrations of  
3 both parties and worked for their appointees, both political and career.

4 Prior to my current post in Kyiv, Ukraine, I served in the Political and Economic  
5 Sections at the U.S. Embassy in Moscow, Russia. In Washington, I served on the  
6 National Security Council staff as director for Afghanistan and as a special assistant to the  
7 Under Secretary of State. My prior overseas assignments include New Delhi, India;  
8 Kabul, Afghanistan; Bogota, Colombia; and Pristina, Kosovo.

9 As the Political Counselor at the U.S. Embassy in Kyiv, I lead the Political Section,  
10 covering Ukraine's internal politics, foreign relations, and security policies, and I serve as  
11 the senior policy and political advisor to the Ambassador.

12 The job of an embassy political counselor is to gather information about the host  
13 country's political landscape, to report back to Washington, to represent U.S. policies to  
14 foreign contacts, and to advise the Ambassador on policy development and  
15 implementation.

16 In this role, I'm a senior member of the Embassy's country team and continually  
17 involved in addressing issues as they arise. I'm also often called upon to take notes in  
18 meetings involving the Ambassador or visiting senior U.S. officials with Ukrainian  
19 counterparts. For this reason, I have been present in many of the meetings with  
20 President Zelensky and his administration, some of which may be germane to this inquiry.

21 While I'm a political counselor at the Embassy, it is important to note that I am not  
22 a political appointee or engaged in U.S. politics in any way. It is not my job to cover or  
23 advise on U.S. politics. On the contrary, I'm an apolitical foreign policy professional, and  
24 my job is to focus on the politics of the country in which I serve so that we can better  
25 understand the local landscape and better advance U.S. national interests there.

1           In fact, during the period that we'll cover today, my colleagues and I followed  
2 direct guidance from Ambassador Yovanovitch and Ambassador Taylor to focus on doing  
3 our jobs as foreign policy professionals and to stay clear of Washington politics.

4           I arrived in Kyiv to take up my assignment as Political Counselor in August 2017, a  
5 year after Ambassador Yovanovitch received her appointment. From August 2017 until  
6 her removal from post in May 2019, I was Ambassador Yovanovitch's chief policy advisor  
7 and developed a deep respect for her dedication, determination, decency, and  
8 professionalism.

9           During this time, we worked together closely, speaking multiple times per day,  
10 and I accompanied Ambassador Yovanovitch to many of her meetings with senior  
11 Ukrainian counterparts.

12           Our work in Ukraine focused on three policy priorities: peace and security,  
13 economic growth and reform, and anticorruption and rule of law. These policies  
14 matched the three consistent priorities of the Ukrainian people since 2014, as measured  
15 in public opinion polling -- namely, an end to the conflict with Russia that restores  
16 national unity and territorial integrity, responsible economic policies that deliver  
17 European standards of growth and opportunity, and effective and impartial rule-of-law  
18 institutions that deliver justice in cases of high-level official corruption.

19           Our efforts on this third policy priority merit special mention because it was  
20 during Ambassador Yovanovitch's tenure that we achieved the hard-fought passage of a  
21 law establishing an independent court to try corruption cases. These efforts strained  
22 Ambassador Yovanovitch's relationship with former President Poroshenko and some of  
23 his allies, including Prosecutor General Yuriy Lutsenko, who resisted fully empowering  
24 truly independent anticorruption institutions that would help ensure that no Ukrainians,  
25 however powerful, were above the law.

1           Despite this resistance, the Ambassador and the Embassy kept pushing  
2 anticorruption and other priorities of our policy towards Ukraine.

3           Beginning in March 2019, the situation at the Embassy and in Ukraine changed  
4 dramatically. Specifically, the three priorities of security, economy, and justice and our  
5 support for Ukrainian democratic resistance to Russian aggression became overshadowed  
6 by a political agenda promoted by former New York City Mayor Rudy Giuliani and a cadre  
7 of officials operating with a direct channel to the White House.

8           That change began with the emergence of press reports critical of Ambassador  
9 Yovanovitch and machinations by then-Prosecutor General Lutsenko and others to  
10 discredit her.

11           In mid-March 2019, an Embassy colleague learned from a Ukrainian contact that  
12 Mr. Lutsenko had complained that Ambassador Yovanovitch had, quote, "destroyed him"  
13 with her refusal to support him until he followed through with his reform commitments  
14 and ceased using his position for personal gain.

15           In retaliation, Mr. Lutsenko made a series of unsupported allegations against  
16 Ambassador Yovanovitch, mostly suggesting that Ambassador Yovanovitch improperly  
17 used the Embassy to advance the political interests of the Democratic Party.

18           Among Mr. Lutsenko's allegations were that the Embassy had ordered the  
19 investigation of a former Ukrainian official solely because that former official was  
20 allegedly the main Ukrainian contact of the Republican Party and of President Trump  
21 personally and that the Embassy had allegedly pressured Lutsenko's predecessor to close  
22 a case against a different former Ukrainian official solely because of an alleged  
23 connection between that official's company, Burisma, and former Vice President Biden's  
24 son.

25           Mr. Lutsenko also claimed that he had never received \$4.4 million in U.S. funds

1 intended for his office and that there was a tape of a Ukrainian official saying that he was  
2 trying to help Hillary Clinton win the 2016 election.

3 Finally, Mr. Lutsenko publicly claimed that Ambassador Yovanovitch had given him  
4 a do-not-prosecute list containing the names of her supposed allies, an allegation the  
5 State Department called an outright fabrication and that Mr. Lutsenko later retracted.

6 Mr. Lutsenko said that, as a result of these allegations, Ambassador Yovanovitch  
7 would face serious problems in the United States.

8 Public opinion polls indicated the Ukrainians generally did not believe  
9 Mr. Lutsenko's allegations. And on March 22nd, President Poroshenko issued a  
10 statement in support of Ambassador Yovanovitch.

11 Following Mr. Lutsenko's allegations, Mr. Giuliani and others made a number of  
12 public statements critical of Ambassador Yovanovitch, questioning her integrity and  
13 calling for her removal from office. Mr. Giuliani was also making frequent public  
14 statements pushing for Ukraine to investigate interference in a 2016 election and issues  
15 related to Burisma and the Bidens.

16 For example, on May 1st, 2019, The New York Times reported that Mr. Giuliani  
17 had, quote, "discussed the Burisma investigation and its intersection with the Bidens with  
18 the ousted Ukrainian prosecutor general and the current prosecutor."

19 On May 9th, The New York Times reported that Mr. Giuliani said he planned to  
20 travel to Ukraine to pursue investigations into the 2016 election interference and into the  
21 involvement of former Vice President Biden's son in a Ukrainian gas company.

22 Over the next few months, Mr. Giuliani also issued a series of tweets asking,  
23 quote, why Biden shouldn't be investigated; attacking, quote, the new President of  
24 Ukraine, Zelensky, for being silent on the 2016 election and Biden investigations; and  
25 complaining about The New York Times attacking him for, quote, exposing the Biden

1 family history of making millions from Ukrainian criminals.

2           Around this time, the Ukrainian Presidential election was approaching, and  
3 political newcomer and entertainer Volodymyr Zelensky, who had played a president on  
4 television, was surging in the polls, ahead of Mr. Lutsenko's political ally, President  
5 Poroshenko.

6           On April 20th, I was present for Ambassador Yovanovitch's third and final meeting  
7 with then-candidate Zelensky ahead of his landslide victory in the runoff election the next  
8 day. As in her two prior meetings that I also attended, they had an entirely cordial,  
9 pleasant conversation and signaled their mutual desire to work together.

10           However, the negative narratives about Ambassador Yovanovitch had gained  
11 currency in certain segments of the United States press. And on April 26th, Ambassador  
12 Yovanovitch departed for Washington, D.C., where she learned that she would be  
13 recalled early.

14           The barrage of allegations directed at Ambassador Yovanovitch, a career  
15 ambassador, is unlike anything I have seen in my professional career.

16           Following President-elect Zelensky's victory, our attention in the Embassy focused  
17 on getting to know the incoming Zelensky administration and on preparations for the  
18 inauguration scheduled for May 20th, the same day that Ambassador Yovanovitch  
19 departed post permanently.

20           It quickly became clear that the White House was not prepared to show the level  
21 of support for the Zelensky administration that we had originally anticipated. In early  
22 May, Mr. Giuliani publicly alleged that Mr. Zelensky was, quote, "surrounded by enemies  
23 of the U.S. President" and canceled a visit to Ukraine.

24           Shortly thereafter, we learned that Vice President Pence no longer planned to lead  
25 the Presidential delegation to the inauguration. The White House then whittled down

1 an initial proposed list for the official Presidential delegation to the inauguration from  
2 over a dozen individuals to just five: Secretary Perry, as its head; Special Representative  
3 for Ukraine Negotiations Kurt Volker, representing the State Department; National  
4 Security Council Director Alex Vindman, representing the White House; temporary Acting  
5 Charge d'Affaires Joseph Pennington, representing the Embassy; and Ambassador to the  
6 European Union Gordon Sondland.

7 While Ambassador Sondland's mandate as the accredited Ambassador to the  
8 European Union did not cover individual member-states, let alone non-member countries  
9 like Ukraine, he made clear that he had direct and frequent access to President Trump  
10 and Chief of Staff Mick Mulvaney and portrayed himself as the conduit to the President  
11 and Mr. Mulvaney for this group.

12 Secretary Perry, Ambassador Sondland, and Ambassador Volker later styled  
13 themselves "the Three Amigos" and made clear they would take the lead on coordinating  
14 our policy and engagement with the Zelensky administration.

15 Around the same time, I became aware that Mr. Giuliani, a private lawyer, was  
16 taking a direct role in Ukrainian diplomacy. On April 25th, Ivan Bakanov, who was  
17 Mr. Zelensky's childhood friend and campaign chair and was ultimately appointed the  
18 head of the security services of Ukraine, indicated to me privately that he had been  
19 contacted by, quote, "someone named Giuliani who said he was an advisor to the Vice  
20 President." I reported Mr. Bakanov's message to Deputy Assistant Secretary of State  
21 George Kent.

22 Over the following months, it became apparent that Mr. Giuliani was having a  
23 direct influence on the foreign policy agenda that the Three Amigos were executing on  
24 the ground in Ukraine. In fact, at one point during a preliminary meeting of the  
25 inaugural delegation, someone wondered aloud why Mr. Giuliani was so active in the

1 media with respect to Ukraine. My recollection is that Ambassador Sondland stated,  
2 quote, "Dammit, Rudy. Every time Rudy gets involved, he goes and [F's] everything up."

3 The inauguration took place on May 20th, and I took notes in the delegation's  
4 meeting with President Zelensky. During the meeting, Secretary Perry passed President  
5 Zelensky a list that Perry described as, quote, "people he trusts." Secretary Perry told  
6 President Zelensky that he could seek advice from the people on this list on issues of  
7 energy-sector reform, which was the topic of subsequent meetings between Secretary  
8 Perry and key Ukrainian energy-sector contacts. Embassy personnel were excluded  
9 from some of these later meetings by Secretary Perry's staff.

10 On May 23rd, Ambassador Volker, Ambassador Sondland, Secretary Perry, and  
11 Senator Ron Johnson, who had also attended the inauguration, though not on the official  
12 delegation, returned to the United States and briefed President Trump. On May 29th,  
13 President Trump signed a congratulatory letter to President Zelensky, which included an  
14 invitation to visit the White House at an unspecified date.

15 It is important to understand that a White House visit was critical to President  
16 Zelensky. President Zelensky needed to show U.S. support at the highest levels in order  
17 to demonstrate to Russian President Putin that he had U.S. backing as well as to advance  
18 his ambitious anticorruption reform agenda at home.

19 President Zelensky's team immediately began pressing to set a date for that visit.  
20 President Zelensky and senior members of his team made clear that they wanted  
21 President Zelensky's first overseas trip to be to Washington, to send a strong signal of  
22 American support, and requested a call with President Trump as soon as possible.

23 We at the Embassy also believed that a meeting was critical to the success of  
24 President Zelensky's administration and its reform agenda, and we worked hard to get it  
25 arranged.

1           When President Zelensky's team did not receive a confirmed date for a White  
2 House visit, they made alternative plans for President Zelensky's first overseas trip to be  
3 to Brussels instead, in part to attend an American Independence Day event that  
4 Ambassador Sondland hosted on June 4th. Ambassador Sondland hosted a dinner in  
5 President Zelensky's honor following the reception, which included President Zelensky;  
6 Jared Kushner; Secretary Pompeo's counselor, Ulrich Brechbuhl; senior European Union  
7 officials; and comedian Jay Leno, among others.

8           Ambassador Bill Taylor arrived in Kyiv as Charge d'Affaires on June 17th. For the  
9 next month, the focus of our activities, along with those of the Three Amigos, was to  
10 coordinate a White House visit. To that end, we were working with the Ukrainians to  
11 deliver things that we thought President Trump might care about, such as commercial  
12 deals that would benefit the United States, which might convince President Trump to  
13 agree to a meeting with President Zelensky.

14           The Ukrainian policy community was unanimous in recognizing the importance of  
15 securing the meeting and President Trump's support. Ambassador Taylor reported that  
16 Secretary Pompeo had told him prior to his arrival in Kyiv, quote, "We need to work on  
17 turning the President around on Ukraine." Ambassador Volker told us that "the next  
18 5 years could hang on what could be accomplished in the next 3 months." I took that to  
19 mean that if we did not earn President Trump's support in the next 3 months, we could  
20 lose the opportunity to make progress during President Zelensky's 5-year term.

21           Within a week or two, it became apparent that the energy-sector reforms, the  
22 commercial deals, and the anticorruption efforts, on which we were making progress,  
23 were not making a dent in terms of persuading the White House to schedule a meeting  
24 between the Presidents.

25           On June 27th, Ambassador Sondland told Ambassador Taylor in a phone

1 conversation, the gist of which Ambassador Taylor shared with me at the time, that  
2 President Zelensky needed to make clear to President Trump that President Zelensky was  
3 not standing in the way of, quote, "investigations." I understood that this meant the  
4 Biden/Burisma investigations that Mr. Giuliani and his associates had been speaking  
5 about in the media since March.

6 While Ambassador Taylor did not brief me on every detail of his communications  
7 with the Three Amigos, he did tell me that, on a June 28th call with President Zelensky,  
8 Ambassador Taylor, and the Three Amigos, it was made clear that some action on  
9 Burisma/Biden investigation was a precondition for an Oval Office visit.

10 Also on June 28th, while President Trump was still not moving forward on a  
11 meeting with President Zelensky, we met with -- he met with Russian President Putin at  
12 the G20 Summit in Osaka, Japan, sending a further signal of lack of support to Ukraine.

13 We became concerned that, even if a meeting between Presidents Trump and  
14 Zelensky could occur, it would not go well, and I discussed with Embassy colleagues  
15 whether we should stop seeking a meeting altogether. While the White House visit was  
16 critical to the Zelensky administration, a visit that failed to send a clear and strong signal  
17 of support likely would be worse for President Zelensky than no visit at all.

18 Congress has appropriated \$1.5 billion in security assistance for Ukraine since  
19 2014. This assistance has provided crucial material and moral support to Ukraine in its  
20 defensive war with Russia and has helped Ukraine build its armed forces virtually from  
21 scratch into arguably the most capable and battle-hardened land force in Europe.

22 I have had the honor of visiting the main training facility in western Ukraine with  
23 Members of Congress and members of this very committee -- Ms. Stefanik -- where we  
24 witnessed firsthand U.S. National Guard troops, along with allies, conducting training for  
25 Ukrainian soldiers. Since 2014, National Guard units from California, Oklahoma,

1 New York, Tennessee, and Wisconsin have trained shoulder-to-shoulder with Ukrainian  
2 counterparts.

3 Given the history of U.S. security assistance to Ukraine and the bipartisan  
4 recognition of its importance, I was shocked when, on July 18th, an Office of  
5 Management and Budget staff member surprisingly announced the hold on Ukraine  
6 security assistance.

7 The announcement came toward the end of a nearly 2-hour National Security  
8 Council secure video conference call, which I participated in from the Embassy conference  
9 room. The official said that the order had come from the President and had been  
10 conveyed to OMB by Mr. Mulvaney with no further explanation.

11 This began a week or so of efforts by various agencies to identify the rationale for  
12 the freeze, to conduct a review of the assistance, and to reaffirm the unanimous view of  
13 the Ukraine policy community of its importance. NSC counterparts confirmed to us that  
14 there had been no change in our Ukrainian policy but could not determine the cause of  
15 the hold or how to lift it.

16 On July 25th, President Trump made a congratulatory phone call to President  
17 Zelensky after his party won a commanding majority in Ukraine's parliamentary election.  
18 Contrary to standard procedure, the Embassy received no readout of that call, and I was  
19 unaware of what was discussed until the transcript was released on September 25th.

20 Upon reading the transcript, I was deeply disappointed to see that the President  
21 raised none of what I understood to be our interagency agreed-upon foreign policy  
22 priorities in Ukraine and, instead, raised the Biden/Burisma investigation and referred to  
23 the theory about CrowdStrike and its supposed connection to Ukraine and the 2016  
24 election.

25 The next day, July 26th, 2019, I attended meetings at the Presidential

1 Administration Building in Kyiv with Ambassador Taylor, Ambassador Volker, Ambassador  
2 Sondland, and I took notes during those meetings.

3 Our first meeting was with President Zelensky's chief of staff. It was brief, as he  
4 had already been summoned by President Zelensky to prepare for a subsequent broader  
5 meeting. But he did say that President Trump had expressed interest during the  
6 previous day's phone call in President Zelensky's personnel decisions related to the  
7 Prosecutor General's office.

8 The delegation then met with President Zelensky and several other senior officials.  
9 During the meeting, President Zelensky stated that, during the July 25th call, President  
10 Trump had, quote, "three times raised some very sensitive issues" and that he would  
11 have to follow up -- he, Zelensky -- would have to follow up on those issues when he and  
12 President Trump met in person. Not having received a readout of the July 25th call, I did  
13 not know at the time what those sensitive issues were.

14 After the meeting with President Zelensky, Ambassador Volker and Ambassador  
15 Taylor quickly left the Presidential Administration Building for a trip to the front lines.  
16 Ambassador Sondland, who was to fly out that afternoon, stayed behind to have a  
17 meeting with Andriy Yermak, a top aide to President Zelensky.

18 As I was leaving the meeting with President Zelensky, I was told to join the  
19 meeting with Ambassador Sondland and Mr. Yermak to take notes. I had not expected  
20 to join that meeting and was a flight of stairs behind Ambassador Sondland as he headed  
21 to meet with Mr. Yermak. When I reached Mr. Yermak's office, Ambassador Sondland  
22 had already gone in to the meeting. I explained to Mr. Yermak's assistant that I was  
23 supposed to join the meeting as the Embassy's representative and strongly urged her to  
24 let me in, but she told me that Ambassador Sondland and Mr. Yermak had insisted that  
25 the meeting be one-on-one with no note-taker.

1 I then waited in the anteroom until the meeting ended, along with a member of  
2 Ambassador Sondland's staff and a member of the U.S. Embassy Kyiv staff.

3 When the meeting ended, the two staffers and I accompanied Ambassador  
4 Sondland out of the Presidential Administration Building. Ambassador Sondland said  
5 that he wanted to go to lunch, and I told Ambassador Sondland that I'd be happy to join  
6 him and the two staffers for lunch if he wanted to brief me out on his meeting with Mr.  
7 Yermak or discuss other issues, and Ambassador Sondland said that I should join.

8 The four of us went to a nearby restaurant and sat on an outdoor terrace. I sat  
9 directly across from Ambassador Sondland, and the two staffers sat off to our sides. At  
10 first, the lunch was largely social. Ambassador Sondland selected a bottle of wine that  
11 he shared among the four of us, and we discussed topics such as marketing strategies for  
12 his hotel business.

13 During the lunch, Ambassador Sondland said that he was going to call President  
14 Trump to give him an update. Ambassador Sondland placed a call on his mobile phone,  
15 and I heard him announce himself several times, along the lines of, "Gordon Sondland,  
16 holding for the President." It appeared that he was being transferred through several  
17 layers of switchboards and assistants, and I then noticed Ambassador Sondland's  
18 demeanor changed and understood that he had been connected to President Trump.

19 While Ambassador Sondland's phone was not on speakerphone, I could hear the  
20 President's voice through the earpiece of the phone. The President's voice was loud and  
21 recognizable, and Ambassador Sondland held the phone away from his ear for a period of  
22 time, presumably because of the loud volume.

23 I heard Ambassador Sondland greet the President and explain he was calling from  
24 Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine.  
25 Ambassador Sondland replied, yes, he was in Ukraine, and went on to state that President

1 Zelensky, quote, "loves your ass."

2 I then heard President Trump ask, "So he's going to do the investigation?"

3 Ambassador Sondland replied that he is going to do it, adding that President Zelensky will  
4 do "anything you ask him to do."

5 Even though I did not take notes of these statements, I have a clear recollection  
6 that these statements were made. I believe that my colleagues who were sitting at the  
7 table also knew that Ambassador Sondland was speaking with the President.

8 The conversation then shifted to Ambassador Sondland's efforts on behalf of the  
9 President to assist a rapper who was jailed in Sweden, and I could only hear Ambassador  
10 Sondland's side of the conversation. Ambassador Sondland told the President that the  
11 rapper was, quote, "kind of [F'ed] there" and should have pled guilty. He recommended  
12 that the President, quote, "wait until after the sentencing or it will only make it worse."  
13 And he added that the President should "let him get sentenced, play the racism card, give  
14 him a ticker-tape when he comes home."

15 Ambassador Sondland further told the President that Sweden, quote, "should've  
16 released him on your word," but that "you can tell the Kardashians that you tried."

17 After the call ended, Ambassador Sondland remarked that the President was in a  
18 bad mood, as Ambassador Sondland stated was often the case early in the morning.

19 I then took the opportunity to ask Ambassador Sondland for his candid impression  
20 of the President's views on Ukraine. In particular, I asked Ambassador Sondland if it was  
21 true that the President did not give a [expletive] about Ukraine. Ambassador Sondland  
22 agreed that the President did not give a [expletive] about Ukraine.

23 I asked, why not? And Ambassador Sondland stated that the President only  
24 cares about "big stuff." I noted there was big stuff going on in Ukraine, like a war with  
25 Russia. And Ambassador Sondland replied that he met big stuff that benefits the

1 President, like the Biden investigation that Mr. Giuliani was pushing. And the  
2 conversation then moved on to other topics.

3 Upon return to the Embassy, I immediately briefed my direct supervisor, the  
4 Deputy Chief of Mission, about Ambassador Sondland's call with President Trump and my  
5 subsequent conversation with Ambassador Sondland. I told others at the Embassy  
6 about the call as well. I also emailed an embassy official in Sweden regarding the issue  
7 with the U.S. rapper that was discussed on the call.

8 July 26 was my last day in the office, ahead of a long-planned vacation that ended  
9 on August 6th. After returning to the Embassy, I told Ambassador Taylor about the  
10 July 26th call. I also repeatedly referred to the call and the conversation with  
11 Ambassador Sondland in meetings and conversations where the issue of the President's  
12 interest in Ukraine was potentially relevant.

13 At that time, Ambassador Sondland's statement to the President -- statement of  
14 the President's lack of interest in Ukraine was a particular focus. We understood that, in  
15 order to secure a meeting between President Trump and President Zelensky, we would  
16 have to work hard to find a way to explain Ukraine's importance to President Trump in  
17 terms that he found compelling.

18 Over the ensuing weeks, we continued to try to identify ways to frame the  
19 importance of Ukraine in ways that would appeal to the President, to determine how to  
20 lift the hold on security assistance, and to move forward on the scheduling of a White  
21 House visit by President Zelensky.

22 Ukrainian independence day, August 24th, presented another good opportunity to  
23 show support for Ukraine. Secretary Pompeo had considered attending, as National  
24 Security Advisor Bolton had attended in 2018 and Defense Secretary Mattis had attended  
25 in 2017. But, in the end, nobody senior to Ambassador Volker attended.

1           Shortly thereafter, on August 27th, Ambassador Bolton visited Ukraine and  
2 brought welcome news that President Trump had agreed to meet President Zelensky on  
3 September 1st in Warsaw. Ambassador Bolton further indicated that the hold on  
4 security assistance would not be lifted prior to the Warsaw meeting, where it would hang  
5 on whether President Zelensky was able to, quote, "favorably impress President Trump."

6           I took notes in Ambassador Bolton's meetings that day with President Zelensky  
7 and his chief of staff. Ambassador Bolton told Zelensky's chief of staff that the meeting  
8 between the Presidents in Warsaw would be, quote, "crucial to cementing their  
9 relationship."

10           However, President Trump ultimately pulled out of the Warsaw trip, so the hold  
11 remained in place, with no clear means to get it lifted.

12           Between the meetings on August 27th, I heard Ambassador Bolton express to  
13 Ambassador Taylor and National Security Council Senior Director Tim Morrison his  
14 frustration about Mr. Giuliani's influence with the President, making clear there was  
15 nothing he could do about it. He recommended that Mr. Lutsenko's replacement as  
16 Prosecutor General open a channel with his counterpart, Attorney General Barr, in place  
17 of the informal channel between Mr. Yermak and Mr. Giuliani.

18           Ambassador Bolton also expressed frustration about Ambassador Sondland's  
19 expansive interpretation of his mandate.

20           After President Trump canceled his visit to Warsaw, we continued to try to appeal  
21 to the President in foreign policy and national security terms. To that end, Ambassador  
22 Taylor told me that Ambassador Bolton recommended that he, Ambassador Taylor, send  
23 a first-person cable to Secretary Pompeo articulating the importance of the security  
24 assistance.

25           At Ambassador Taylor's direction, I drafted and transmitted the cable on

1 Ambassador Taylor's behalf on August 29th, which further attempted to explain the  
2 importance of Ukraine and the security assistance to U.S. national security.

3 By this point, however, my clear impression was that the security assistance hold  
4 was likely intended by the President either as an expression of dissatisfaction with the  
5 Ukrainians, who had not yet agreed to the Burisma/Biden investigation, or as an effort to  
6 increase the pressure on them to do so.

7 On September 5th, I took notes at Senator Johnson and Senator Chris Murphy's  
8 meetings with President Zelensky in Kyiv, where President Zelensky asked about the  
9 security assistance. Although both Senators stressed strong, bipartisan congressional  
10 support for Ukraine, Senator Johnson cautioned President Zelensky that President Trump  
11 has a negative view of Ukraine and that President Zelensky would have a difficult time  
12 overcoming it.

13 Senator Johnson further explained that he had been, quote, "shocked" by  
14 President Trump's negative reaction during an Oval Office meeting on May 23rd, when he  
15 and the Three Amigos proposed that President Trump meet President Zelensky and show  
16 support for Ukraine.

17 On September 8th, Ambassador Taylor told me, quote, "Now they're insisting  
18 Zelensky commit to the investigation in an interview with CNN," which I took to refer to  
19 those Three Amigos.

20 I was shocked the requirement was so specific and concrete. While we had  
21 advised our Ukrainian counterparts to voice a commitment to following the rule of law  
22 and generally investigating credible corruption allegations, this was a demand that  
23 President Zelensky personally commit on a cable news channel to a specific investigation  
24 of President Trump's political rival.

25 On September 11th, the hold was finally lifted, after significant press coverage and

1 bipartisan congressional expressions of concern about the withholding of security  
2 assistance.

3 Although we knew the hold was lifted, we were still concerned that President  
4 Zelensky had committed, in exchange for the lifting, to give the requested CNN interview.  
5 We had several indications that the interview would occur.

6 First, the YES conference in Kyiv was held from September 12th to 14th, and  
7 CNN's Fareed Zakaria was one of the moderators.

8 Second, on September 13th, an Embassy colleague received a phone call from  
9 another colleague who worked for Ambassador Sondland. My colleague texted me  
10 regarding that call that, quote, "Sondland and the Zelensky interview" -- "Sondland said  
11 the Zelensky interview is supposed to be today or Monday, and they plan to announce  
12 that a certain investigation that was 'on hold' will progress." My colleague said he did  
13 not know if this was decided or if Sondland was advocating for it. Apparently he's been  
14 discussing this with Yermak.

15 Finally, also on September 13th, Ambassador Taylor and I ran into Mr. Yermak on  
16 our way out of a meeting with President Zelensky in his private office. Ambassador  
17 Taylor again stressed the importance of staying out of U.S. politics and said he hoped no  
18 interview was planned. Mr. Yermak did not answer but shrugged in resignation, as if to  
19 indicate that he had no choice.

20 In short, everybody thought there was going to be an interview and that the  
21 Ukrainians believed they had to do it.

22 The interview ultimately did not occur.

23 On September 21st, Ambassador Taylor and I collaborated on input he sent to Mr.  
24 Morrison to brief President Trump ahead of a September 25th meeting that had been  
25 scheduled with President Zelensky in New York on the margins of the U.N. General

1 Assembly. The transcript of the July 25th call was released the same day. As of today,  
2 I have still not seen a readout of the September 25th meeting.

3 As the impeachment inquiry has progressed, I have followed press reports and  
4 reviewed the statements of Ambassadors Taylor and Yovanovitch. Based on my  
5 experiences in Ukraine, my recollection is generally consistent with their testimony, and I  
6 believed that the relevant facts were therefore being laid out for the American people.

7 However, in the last couple weeks, I read press reports expressing for the first  
8 time that certain senior officials may have been acting without the President's knowledge  
9 or freelancing in their dealings with Ukraine. At the same time, I also read reports  
10 noting the lack of firsthand evidence in the investigation and suggesting that the only  
11 evidence being elicited at the hearings was hearsay.

12 I came to realize that I had firsthand knowledge regarding certain events on  
13 July 26 that had not otherwise been reported and that those events potentially bore on  
14 the question of whether the President did, in fact, have knowledge that those senior  
15 officials were using the levers of diplomatic power to influence the new Ukrainian  
16 President to announce the opening of a criminal investigation against President Trump's  
17 political opponent.

18 It is at that point that I made the observation to Ambassador Taylor that the  
19 incident I had witnessed on July 26th had acquired greater significance, which is what he  
20 reported in his testimony last week and is what led to the subpoena for me to appear  
21 here today.

22 In conclusion, I'd like to take a moment to turn back to Ukraine. Today, this very  
23 day, marks exactly 6 years since throngs of pro-Western Ukrainians spontaneously  
24 gathered on Kyiv's Independence Square to launch what became known as the Revolution  
25 of Dignity. While the protests began in opposition to a turn towards Russia and away

1 from the West, they expanded over 3 months to reject the entire corrupt, repressive  
2 system that had been sustained by Russian influence in the country.

3 Those events were followed by Russia's occupation of Ukraine's Crimean  
4 Peninsula, an invasion of Ukraine's Eastern Donbas region, and an ensuing war that, to  
5 date, has cost almost 14,000 lives.

6 Despite the Russian aggression, over the past 5 years, Ukrainians have rebuilt a  
7 shattered economy, adhered to a peace process, and moved economically and socially  
8 closer to the West, toward our way of life.

9 Earlier this year, large majorities of Ukrainians again chose a fresh start by voting  
10 for a political newcomer as President, replacing 80 percent of their parliament, endorsing  
11 a platform consistent with our democratic values, our reform priorities, and our strategic  
12 interests.

13 This year's revolution at the ballot box underscores that, despite its imperfections,  
14 Ukraine is a genuine and vibrant democracy and an example to other post-Soviet  
15 countries and beyond, from Moscow to Hong Kong.

16 How we respond to this historic opportunity will set the trajectory of our  
17 relationship with Ukraine and will define our willingness to defend our bedrock  
18 international principles and our leadership role in the world.

19 Ukrainians want to hear a clear and unambiguous reaffirmation that our  
20 longstanding, bipartisan policy of strong support for Ukraine remains unchanged and that  
21 we fully back it at the highest levels. Now is not the time to retreat from our  
22 relationship with Ukraine but, rather, to double-down on it.

23 As we sit here today, Ukrainians are fighting a hot war on Ukrainian territory  
24 against Russian aggression. This week alone, since I have been here in Washington, two  
25 Ukrainian soldiers were killed and two injured by Russian-led forces in eastern Ukraine

1 despite a declared cease-fire. I learned overnight that seven more were injured  
2 yesterday.

3 As Vice President Pence said after his meeting with President Zelensky in Warsaw,  
4 the U.S.-Ukraine relationship has never been stronger. Ukrainians and their new  
5 government earnestly want to believe that. Ukrainians cherish their bipartisan  
6 American support that has sustained their Euro-Atlantic aspirations, and they recoil at the  
7 thought of playing a role in U.S. domestic politics or elections.

8 At a time of shifting allegiances and rising competitors in the world, we have no  
9 better friend than Ukraine -- a scrappy, unbowed, determined, and, above all, dignified  
10 people who are standing up against Russian authoritarianism and aggression. They  
11 deserve better.

12 We're now at a inflection point in Ukraine, and it is critical to our national security  
13 that we stand in strong support of our Ukrainian partners. Ukrainians and  
14 freedom-loving people everywhere are watching the example we set here of democracy  
15 and the rule of law.

16 Thank you.

17 [The statement of Mr. Holmes follows:]

18

19 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1 RPTR MERTENS

2 EDTR HUMKE

3 [10:07 p.m.]

4 The Chairman. Thank you, Mr. Holmes.

5 Dr. Hill.

6 Ms. Hill. Thank you, Mr. Chairman. Do you want me to adjust the microphone?

7 The Chairman. Is the microphone on?

8 Ms. Hill. I believe it is now. Is that right?

9 The Chairman. Yes. Perfect.

10 Ms. Hill. Thank you again, Mr. Chairman.

11 Mr. Chairman, Ranking Member Nunes, and members of the committee, thank  
12 you for inviting me to testify before you today. I have a short opening statement.

13 I appreciate the importance of Congress' impeachment inquiry, and I'm appearing  
14 today as a fact witness as I did during my deposition on October 14th in order to answer  
15 your questions about what I saw, what I did, what I knew, and what I know with regard to  
16 the subjects of your inquiry. I believe that those who have information that the  
17 Congress deems relevant have a legal and a moral obligation to provide it.

18 I take great pride in the fact that I'm a nonpartisan foreign policy expert who has  
19 served under three Republican and Democratic Presidents. I have no interest in  
20 advancing the outcome of your inquiry in any particular direction except toward the  
21 truth. I will not provide a long narrative statement because I believe that the interests  
22 of Congress and the American people is best served by allowing you to ask me your  
23 questions. And I'm happy to expand upon my October 14th deposition testimony in  
24 response to your questions today.

25 But before I do so, I'd like to communicate two things. First, I'd like to share a

1 little bit about who I am. I'm an American by choice. I became a citizen in 2002. I  
2 was born in the northeast of England in the same region that George Washington's  
3 ancestors came from. Both my region and my family have deep ties to the United  
4 States.

5 My paternal grandfather fought through World War I in the Royal field artillery,  
6 surviving being shot, shelled, and gassed before American troops intervened to end the  
7 war in 1918. During the second World War, other members of my family fought to  
8 defend the free world from fascism alongside American soldiers, sailors, and airmen.

9 The men in my father's family were coal miners. His family has always struggled  
10 with poverty. When my father Alfred was 14, he joined his father, brothers, brother,  
11 uncles, and cousins in the coal mines to help put food on the table. When the last of the  
12 local mines closed in the 1960s, my father wanted to emigrate to the United States to  
13 work in the coal mines in West Virginia and Pennsylvania, but his mother, my  
14 grandmother, had been crippled from hard labor, and my father couldn't leave, so he  
15 stayed in northern England until he died in 2012. My mother still lives in my hometown  
16 today.

17 While his dream of emigrating to America was thwarted, my father loved America,  
18 its culture, its history, and its role as a beacon of hope for the world. He always wanted  
19 someone in the family to make it to the United States. I began my university studies in  
20 1984, and I just learned that I went to the same university as my colleague here,  
21 Mr. Holmes, in St Andrews in Scotland. I just thought I would add that.

22 And in 1987, I won a place in an academic exchange to the Soviet Union. I was  
23 there for the signing of the Intermediate Nuclear Forces or INF Treaty, and when  
24 President Ronald Reagan met Soviet leader Mikhail Gorbachev, in Moscow, this is a  
25 turning point for me. An American professor who I met there told me about graduate

1 student scholarships to the United States, and the very next year, thanks to his advice, I  
2 arrived in America to start my advanced studies at Harvard.

3         Years later, I can say with confidence that this country has offered me  
4 opportunities I never would have had in England. I grew up poor with a very distinctive  
5 working class accent. In England in the 1980s and 1990s, this would have impeded my  
6 professional advancement. This background has never set me back in America.

7         For the best part of three decades, I have built a career as a nonpartisan,  
8 nonpolitical national security professional focusing on Europe and Eurasia and especially  
9 the former Soviet Union. I've served our country under three Presidents, in my most  
10 recent capacity under President Trump, as well as in my former position under -- and in  
11 my former position as National Intelligence Officer for Russia and Eurasia under  
12 Presidents George W. Bush, and Barack Obama. In that role, I was the intelligence  
13 community's senior expert on Russia and the former Soviet Republics including Ukraine.

14         It was because of my background and experience that I was asked to join the  
15 National Security Council in 2017. At the NSC, Russia was part of my portfolio, but I was  
16 also responsible for coordinating U.S. policy for all of western Europe, all of eastern  
17 Europe, including Ukraine and Turkey, along with NATO and the European Union. I was  
18 hired initially by General Michael Flynn, K.T. McFarland, and General Keith Kellogg, but  
19 then I started working April 2017 when General McMaster was the National Security  
20 Advisor.

21         I, and they, thought that I could help them with President Trump's stated goal of  
22 improving relations with Russia while still implementing policies designed to deter  
23 Russian conduct that threatens the United States, including the unprecedented and  
24 successful Russian operation to interfere in the 2016 presidential election.

25         This relates the second thing I want to communicate. Based on questions and

1 statements I have heard, some of you on this committee appear to believe that Russia  
2 and its security services did not conduct a campaign against our country and that  
3 perhaps, somehow for some reason, Ukraine did. This is a fictional narrative that is  
4 being perpetrated and propagated by the Russian security services themselves.

5 The unfortunate truth is that Russia was the foreign power that systematically  
6 attacked our democratic institutions in 2016. This is the public conclusion of our  
7 intelligence agencies confirmed in bipartisan and congressional reports. It is beyond  
8 dispute, even if some of the underlying details must remain classified.

9 The impacts of the successful 2016 Russian campaign remains evident today.  
10 Our Nation is being torn apart. Truth is questioned. Our highly professional, expert  
11 career Foreign Service is being undermined. U.S. support for Ukraine which continues  
12 to face armed Russian aggression is being politicized. The Russian Government's goal is  
13 to weaken our country, to diminish America's global role, and to neutralize a perceived  
14 U.S. threat to Russian interests.

15 President Putin and the Russian security services aim to counter U.S. foreign policy  
16 objectives in Europe, including in Ukraine, where Moscow wishes to reassert political and  
17 economic dominance. I say this not as an alarmist but as a realist. I do not think  
18 long-term conflict with Russia is either desirable or inevitable. I continue to believe that  
19 we need to seek ways of stabilizing our relationship with Moscow even as we counter  
20 their efforts to harm us.

21 Right now, Russia's security services and their proxies have geared up to repeat  
22 their interference in the 2020 election. We are running out of time to stop them.

23 In the course of this investigation, I would ask that you please not promote  
24 politically-driven falsehoods that so clearly advance Russian interests. As Republicans  
25 and Democrats have agreed for decades, Ukraine is a valued partner of the United States,

1 and it plays an important role in our national security. And as I told the committee last  
2 month, I refuse to be part of an effort to legitimize an alternate narrative that the  
3 Ukrainian Government is a U.S. adversary and that Ukraine, not Russia, attacked us in  
4 2016. These fictions are harmful even if they're deployed for purely domestic political  
5 purposes.

6 President Putin and the Russian security services operate like a Super PAC. They  
7 deploy millions of dollars to weaponize our own political opposition research and false  
8 narratives. When we are consumed by partisan rancor, we cannot combat these  
9 external forces as they seek to divide us against each other, degrade our institutions, and  
10 destroy the faith of the American people in our democracy.

11 I respect the work that this Congress does in carrying out its constitutional  
12 responsibilities, including this inquiry, and I am here to help you to the best of my ability.  
13 If the President or anyone else impedes or subverts the national security of the United  
14 States in order to further domestic, political, or personal interests, that's more than  
15 worthy of your attention. But we must not let domestic politics stop us from defending  
16 ourselves against the foreign powers who truly wish us harm.

17 I'm ready to respond to your questions. Thank you.

18 [The statement of Ms. Hill follows:]

19

20 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           The Chairman. Thank you, Dr. Hill. We'll now proceed to the first round of  
2 questions. As detailed in the memo provided to committee members, there will be  
3 45 minutes of questions conducted by the chairman or majority counsel followed by  
4 45 minutes for the ranking member or minority counsel.

5           Following that, unless I specify, additional equal time for extended questioning  
6 will proceed under the 5-minute rule, and every member will have a chance to ask  
7 questions. I now recognize myself or majority counsel for the first round of questions.

8           First of all, thank you both for being here. Thank you for testifying. Dr. Hill,  
9 your story reminds me a great deal of what we heard from Alexander Vindman. The few  
10 immigrant stories that we have heard just in the course of these hearings are among the  
11 most powerful, I think, I've ever heard. You and Dr. -- and Colonel Vindman and others  
12 are the best of this country, and you came here by choice, and we are so blessed that you  
13 did, so welcome.

14           My colleagues took some umbrage with your opening statement, but I think the  
15 American people can be forgiven if they have the same impression listening to some of  
16 the statements of my colleagues during this hearing that Russia didn't intervene in our  
17 election, it was all the Ukrainians. There's an effort to take a tweet here and an op ed  
18 there and a newspaper story here and somehow equate it with the systemic intervention  
19 that our intelligence agencies found that Russia perpetrated in 2016 through an extensive  
20 social media campaign and a hacking and dumping operation.

21           Indeed, the report my colleagues gave you that they produced during the  
22 investigation calls into question the accuracy of the Intelligence Committee's finding that  
23 Russia intervened to help one side, to help Donald Trump at the expense of Hillary  
24 Clinton. No one in the Intelligence Community questions that finding, nor does the FBI,  
25 nor does the Senate bipartisan Intelligence Committee report, nor does the minority

1 committee report of this committee. The House Republican report is an outlier.

2 But let me ask you, Dr. Hill, about your concern with that Russian narrative, that it  
3 wasn't the Russians that engaged in interfering in the election of 2016, and, of course,  
4 this was given a boost when President Trump in Helsinki in the presence of Putin said that  
5 he questioned his own intelligence agencies. But why are the Russians pushing that  
6 narrative that it was Ukraine? How does that serve Russian interests?

7 Ms. Hill. The Russians' interest, frankly, is to delegitimize our entire presidency.  
8 So one issue that I do want to raise, and I think that this would resonate with our  
9 colleagues on the committee from the Republican party, is that the goal of the Russians  
10 was really to put whoever became the President, by trying to tip their hands on one side  
11 of the scale, under a cloud. So if Secretary, former First Lady, former Senator Clinton  
12 had been elected as President as, indeed, many expected in the run up prior to the  
13 election in 2016, she too would have had major questions about her legitimacy.

14 And I think that, you know, what we're seeing here as a result of all of these  
15 narratives is this is exactly what the Russian Government was hoping for. They seed  
16 misinformation. They seed doubt. They have everybody questioning the legitimacy of  
17 a presidential candidate, be it President Trump or potentially President Clinton, that they  
18 would pit one side of our electorate against the other, that they would pit one party  
19 against the other.

20 And that's why I wanted to make such a strong point at the very beginning  
21 because there were certainly individuals in many other countries who had harsh words  
22 for both of the candidates, who had harsh words for many of the candidates during the  
23 primaries. We had a lot of people who were running for President on the Republican  
24 side. There were many people who were trying themselves to game the outcome.

25 As you know, in the United Kingdom, the bookies take bets. You can go to Live

1 Brooks or William Hill and lay a bet on who you think is going to be the candidate. So  
2 the Russian Government was trying to land their own bets, but what they wanted to do  
3 was give a spread. They wanted to make sure that whoever they had bet on, whoever  
4 they had tried to tip the scales would also experience some discomfort, that they would  
5 beholden to them in some way, that they would create just the kind of chaos that we  
6 have seen in our politics.

7 So I just want to again emphasize that we need to be very careful as we discuss all  
8 of these issues not to give them more fodder that they can use against us in 2020.

9 The Chairman. I quite agree. There's an additional benefit, and I think you're  
10 absolutely right. The Russians are equal opportunity meddlers. They will not only help  
11 one side, but they'll also just seek to sow discord in the United States along ethnic lines,  
12 religious lines, geographic lines. But there's also a benefit now, isn't there, for Russia to  
13 put the blame on Ukraine, to cast doubt on whether they intervened at all in our election  
14 and blame it on a U.S. ally as a way of driving a wedge between the U.S. and Ukraine.  
15 Isn't that true?

16 Ms. Hill. Well, that's absolutely the case. And, in fact, you just made the point  
17 about U.S. allies. The Russians like to put a lot of blame on U.S. allies for incidents that  
18 they have perpetrated. We saw that recently with the United Kingdom and the Russian  
19 secret service's attack on a former spy, Mr. Skripal, and his daughter in Salisbury in  
20 England where you may recall that the Russians actually accused the British Government  
21 of perpetrating this themselves.

22 So this falls into a long pattern of deflection and of the Russian Government trying  
23 to pin the blame on someone else. And as my colleague, Mr. Holmes here, has laid out,  
24 the Russians have a particular vested interest in putting Ukraine, and Ukrainians, and  
25 Ukrainian leaders in a very bad light.

1 All of the issues that we started to discuss today and that you on committee have  
2 been deeply involved in began with Russia's illegal unaccession of the peninsula of Crimea  
3 from Ukraine in 2014 in response, and in 2015, and all of the different acts of aggression  
4 that Russia has engaged in since starting the war in Donbass, shooting down Russian  
5 operatives, a plane, an MH-17 over the Donbass at a later period. There is a great deal  
6 of hostility and maligned intent towards Ukraine, and it suits the Russian Government  
7 very much if we are also looking at Ukraine as somehow a perpetrator of maligned acts  
8 against us.

9 The Chairman. Thank you.

10 Mr. Holmes, I want to ask you a quick couple of questions. And I guess often is  
11 the case for people, you know, I was obviously at your deposition. I read your opening  
12 testimony, but as you learn more facts, you start to see things in a different light even  
13 though your opening statement is very much consistent with your opening statement  
14 during the deposition, and I was struck in particular by something you said on page 10 of  
15 your opening statement. While we had advised our Ukrainian counterparts to voice a  
16 commitment to following the rule of law and generally investigating credible corruption  
17 allegations, this was a demand that President Zelensky personally commit on a cable  
18 news channel to a specific investigation of President Trump's political rival.

19 This gets to a point I made at the close of our hearing yesterday about hypocrisy.  
20 Here we are, and we are urging Ukrainians to commit to following the rule of law, as you  
21 said, and only investigate genuine and credible allegations. And what are we doing?  
22 We're asking them to investigate the President's political rival.

23 Ukrainians are pretty sophisticated actors, aren't they? They can recognize  
24 hypocrisy when they see it. What does that do to our anticorruption efforts when the  
25 Ukrainians perceive that we're engaging in corruption ourselves?

1           Mr. Holmes. Yes, sir. So our longstanding policy is to encourage them to  
2 establish and build rule of law institutions that are capable and that are independent and  
3 that can actually pursue credible allegations. That's our policy. We've been doing that  
4 for quite some time with some success. So focusing on particularly cases, including  
5 particular cases where there is an interest of the President, it's just not part of what  
6 we've done. It's hard to explain why we would do that.

7           The Chairman. Well, it harkens back to the conversation Ambassador Volker  
8 testified about when he urged Ukraine not to investigate or prosecute Poroshenko, and  
9 the reply from Mr. Yermak was oh, you mean like you want us to do with the Bidens and  
10 the Clintons. They're sophisticated enough actors to recognize when we're saying do as  
11 we say, not as we do. Are they not?

12          Mr. Holmes. Yes, sir.

13          The Chairman. You also in your testimony, and I was struck by this anew today,  
14 when even after the aid is lifted, Ukraine still felt pressure to make these statements.  
15 And you and Ambassador Taylor were worried that they were going to do it on CNN.  
16 And you said that Ambassador Taylor again stressed the importance of staying out of U.S.  
17 politics and said he hoped no interview was planned.

18          Mr. Yermak did not answer but shrugged in resignation, as if to indicate that they  
19 had no choice. In short, everyone thought there was going to be an interview and that  
20 the Ukrainians believed they had to do it.

21          You're acknowledging, I think, Mr. Holmes, are you not, that Ukraine very much  
22 felt pressured to undertake these investigations that the President, Rudy Giuliani, and  
23 Ambassador Sondland, and others were demanding?

24          Mr. Holmes. Yes, sir. And although the hold on the security assistance may  
25 have been lifted, there were still things they wanted that they weren't getting, including a

1 meeting with the President in the Oval Office. Whether the hold -- the security  
2 assistance hold continued or not, Ukrainians understood that that's something the  
3 President wanted, and they still wanted important things from the President.

4 And I think that continues to this day. I think they're being very careful. They  
5 still need us now going forward. In fact, right now, President Zelensky is trying to  
6 arrange a summit meeting with President Putin in the coming weeks, his first face-to-face  
7 meeting with him to try to advance the peace process. He needs our support. He  
8 needs President Putin to understand that America supports Zelensky at the highest levels.  
9 So this doesn't end with the lifting of the security assistance hold. Ukraine still needs us,  
10 and as I said, still fighting this war this very day.

11 The Chairman. Well, and I would underscore again as my colleague did so  
12 eloquently, they got caught. That's the reason the aid was finally lifted.

13 Mr. Goldman.

14 Mr. Goldman. Thank you, Mr. Chairman.

15 Good morning to both of you. Yesterday we heard testimony from Ambassador  
16 Gordon Sondland from the European Union who testified that President Trump wanted  
17 Ukraine to announce the investigations into the Bidens and Burisma and the 2016  
18 elections because they would benefit him politically and that he used the leverage of that  
19 White House meeting and the security assistance to pressure President Zelensky to do so.

20 Dr. Hill, you testified, I believe, that in mid-June, Ambassador Sondland told you  
21 that he was in charge of Ukraine policy. Is that right?

22 Ms. Hill. That's correct, sir. Yes.

23 Mr. Goldman. Who did he tell you had put him in charge of Ukraine policy?

24 Ms. Hill. He told me it was the President.

25 Mr. Goldman. Mr. Holmes, did you also understand that Ambassador Sondland

1 had been given some authority over Ukraine policy from the President?

2 Mr. Holmes. We understood that he had been told to work with Mr. Giuliani.

3 Mr. Goldman. And did he hold himself out as having direct contact and  
4 knowledge of the President's priorities and interests?

5 Mr. Holmes. Yes, sir.

6 Mr. Goldman. Now, Mr. Holmes, I'm going to go to that July 26th date when you  
7 overheard the conversation between Ambassador Sondland and President Trump, and  
8 I'm going to ask you a little bit about the lead up to that conversation.

9 Before the lunch that you described, you said that you accompanied Ambassadors  
10 Sondland, Volker, and Taylor to a meeting with President Zelensky. Is that right?

11 Mr. Holmes. That's correct.

12 Mr. Goldman. And you took notes at that meeting?

13 Mr. Holmes. Yes, sir.

14 Mr. Goldman. And you reviewed those notes before you came here to testify  
15 today?

16 Mr. Holmes. Yes.

17 Mr. Goldman. And they were helpful to refresh your recollection as to what  
18 happened. Is that right?

19 Mr. Holmes. Sure. Yes.

20 Mr. Goldman. During that meeting, President Zelensky said that on his phone  
21 call with President Trump the previous day that three times, President Trump had  
22 mentioned sensitive issues. Did you understand what President Zelensky was referring  
23 to when he said the sensitive issues?

24 Mr. Holmes. I couldn't be sure what he was referring to until I later read the  
25 transcript of the July 25th call, but I was aware of various contacts between the Three

1 Amigos and his government about this set of issues.

2 Mr. Goldman. And after you read the call, what did you determine to be the  
3 sensitive issues that President Zelensky referenced?

4 Mr. Holmes. The Burisma Biden investigation.

5 Mr. Goldman. After this meeting with President Zelensky, you testified that  
6 Ambassador Sondland had a one on one meeting with Andriy Yermak, a top aide to  
7 Zelensky, and that you were prohibited from going into that meeting to take notes. Is  
8 that right?

9 Mr. Holmes. Yes.

10 Mr. Goldman. And yesterday, Ambassador Sondland testified that he probably  
11 discussed the investigations with Mr. Yermak. Did Ambassador Sondland tell you at all  
12 what they discussed?

13 Mr. Holmes. He did not.

14 Mr. Goldman. Now, after this meeting with Mr. Yermak, you went to lunch.  
15 And can you just describe where you were sitting at the restaurant?

16 Mr. Holmes. Yes, sir. The restaurant has sort of glass doors that open onto a  
17 terrace, and we were at the first tables on the terrace, so immediately outside of the  
18 interior of the restaurant. The doors were all wide open. There were -- there was  
19 tables, a table for four, while I recall it being two tables for two pushed together. In any  
20 case, it was quite a wide table, and the table was set. There was sort of a table runner  
21 down the middle. I was directly across from Ambassador Sondland. We were close  
22 enough that we could, you know, share an appetizer between us, and then the two  
23 staffers were off to our right at this next table.

24 Mr. Goldman. Now, you said that at some point, Ambassador Sondland pulled  
25 out his cell phone and called President Trump. This was an unsecure cell phone. Is

1 that right?

2 Mr. Holmes. Yes, sir.

3 Mr. Goldman. In the middle of a restaurant in Kyiv?

4 Mr. Holmes. Yes.

5 Mr. Goldman. Now, you said that you were able to hear President Trump's voice  
6 through the receiver. How were you able to hear if it was not on speaker phone?

7 Mr. Holmes. It was several things. It was quite loud when the President came  
8 on, quite distinctive. I believe Ambassador Sondland also said that he often speaks very  
9 loudly over the phone, and I certainly experienced that.

10 When the President came on, he sort of winced and held the phone away from his  
11 ear like this, and he did that for the first couple exchanges. I don't know if he then  
12 turned the volume down, if he got used to it, if the President moderated his volume. I  
13 don't know. But that's how I was able to hear.

14 Mr. Goldman. And so you were able to hear some of what President Trump said  
15 to President Zelensky. Is that right?

16 Mr. Holmes. The first portion of the conversation, yes.

17 Mr. Goldman. And what did you hear President Trump say to -- I'm sorry, not  
18 President Zelensky, to Ambassador Sondland?

19 Mr. Holmes. What did I hear the --

20 Mr. Goldman. The President say to Ambassador Sondland.

21 Mr. Holmes. Yeah. He clarified whether he was in Ukraine or not. He said,  
22 yes, I'm here in Ukraine. And then Ambassador Sondland said -- said he loves your ass.  
23 He'll do anything you want. He said, is he going to do the investigation?

24 Mr. Goldman. So you heard President Trump ask Ambassador Sondland is he  
25 going to do the investigation?

1 Mr. Holmes. Yes, sir.

2 Mr. Goldman. What was Ambassador Sondland's response?

3 Mr. Holmes. He said, oh, yeah. He's going to do it. He'll do anything you ask.

4 Mr. Goldman. And was that the end of the Ukraine portion of the conversation?

5 Mr. Holmes. Yes.

6 Mr. Goldman. Afterwards, you described a follow-on conversation that you had  
7 with Ambassador Sondland where you asked him, I think, generally what did President  
8 Trump think of Ukraine. Is that right?

9 Mr. Holmes. Correct.

10 Mr. Goldman. What did Ambassador Sondland say to you?

11 Mr. Holmes. He said he doesn't really care about Ukraine.

12 Mr. Goldman. Did he use slightly more colorful language than that?

13 Mr. Holmes. He did.

14 Mr. Goldman. What did he say that he does care about?

15 Mr. Holmes. He said he cares about big stuff.

16 Mr. Goldman. Did he explain what he meant by big stuff?

17 Mr. Holmes. Well, I asked him, well, what kind of big stuff? We've got big stuff  
18 going on here like a war with Russia, and he said, no, big stuff like the Biden investigation  
19 that Mr. Giuliani is pushing.

20 Mr. Goldman. Now, were you familiar with the Biden investigation that he  
21 referenced at that point?

22 Mr. Holmes. Yes, sir.

23 Mr. Goldman. And how do you have such a specific and clear recollection of this  
24 conversation with the President and your conversation with Ambassador Sondland?

25 Mr. Holmes. Yeah. So this was a very distinctive experience. I've never seen

1 anything like this in my Foreign Service career, of someone at a lunch in a restaurant  
2 making a call on a cell phone to the President of the United States, being able to hear his  
3 voice. He has a very distinctive personality. You've all seen him on television. Very  
4 colorful language was used. They were directly addressing something that I had been  
5 wondering about and working on for weeks and even months, a topic that had led to the  
6 recall of my former boss, the former ambassador.

7 And so here was a person who said he had direct contact with the President and  
8 had said that over the course of time. Here he is actually having that contact with the  
9 President, hearing the President's voice, and them talking about this issue of the Biden  
10 investigation that I had been hearing about.

11 Mr. Goldman. So just to summarize, during the phone call, that you overheard  
12 Ambassador Sondland have with President Trump, you heard President Trump himself  
13 ask -- the only question that you really heard him ask, I believe, is whether he was going  
14 to do the investigation, to which Ambassador Sondland responded that he would, and he  
15 would, in fact, do anything that President Zelensky wants. Is that an accurate recitation  
16 of what happened?

17 Mr. Holmes. That's correct.

18 Mr. Goldman. And then after that call, you had a subsequent conversation with  
19 Ambassador Sondland where he, in sum and substance, told you that the President  
20 doesn't care about Ukraine. He only cares about big stuff related to himself and  
21 particularly the Biden investigation that Giuliani was pushing?

22 Mr. Holmes. Correct.

23 Mr. Goldman. Now, a day before your lunch with Ambassador Sondland,  
24 President Trump did speak with President Zelensky, as you referred, and certainly the  
25 President made it clear to President Zelensky that he cared about the Biden investigation.

1 Now, neither of you did listen to this call, but as you testified, you both read it  
2 subsequent to its publication.

3 Dr. Hill, you during your time, 2 and a half years in the White House, listened to a  
4 number of presidential phone calls. Is that right?

5 Ms. Hill. That's right.

6 Mr. Goldman. Can you estimate approximately how many?

7 Ms. Hill. I can't, actually. I mean, sometimes there would be multiple calls  
8 during the week. I was there for more than 2 years, so it's a fair number.

9 Mr. Goldman. Have you ever heard a call like this one that you read?

10 Ms. Hill. I don't want to comment on this call because this is, in my view,  
11 executive privilege.

12 Mr. Goldman. Counsel?

13 Ms. Hill. In terms of the testimony -- yes.

14 Mr. Wolosky. Yeah. I think that -- as a threshold matter, I think that there are  
15 issues of classification regarding head of state communications so we do want to be  
16 sensitive to in this forum, among other issues.

17 Mr. Goldman. Understood.

18 I'm really just focused on this one call that has been declassified and published  
19 and just asking you whether you had ever heard any Presidential phone call along these  
20 lines.

21 Ms. Hill. Well, again, I'd like just to focus in this testimony on this particular call,  
22 and I will just say that I found this particular call's subject matter and the way it was  
23 conducted surprising.

24 Mr. Goldman. You said in your deposition testimony that you were very shocked  
25 and very saddened to read it.

1 Ms. Hill. That's correct.

2 Mr. Goldman. Why was that?

3 Ms. Hill. Because of the nature of the discussion, the juxtaposition of the issues  
4 in which they were raised, and also given the fact that I myself had actually opposed,  
5 along with Ambassador Bolton for some period, having a call unless it was very well  
6 prepared and that we were confident that the issues that Ukraine and the United States  
7 were most generally together interested in were going to be raised, and I saw in this call  
8 that this was not the case.

9 Mr. Goldman. You also testified that you were concerned that this call was  
10 turning a White House meeting into some kind of asset. Do you recall that testimony?

11 Ms. Hill. I don't think it was specifically about that call, but I recall the testimony  
12 because this was clearly the discussion preceding the call. Remember, I left on July  
13 19th, and the call took place the following week.

14 In the months leading up to that, from May onwards, it became very clear that the  
15 White House meeting itself was being predicated on other issues, namely, investigations  
16 and the questions about the election interference in 2016.

17 Mr. Goldman. Mr. Holmes, you indicate in your opening statement that the chief  
18 of staff to President Zelensky had indicated to you that in this phone call on July 25th,  
19 there was a discussion about personnel issues related to the Prosecutor General's office.  
20 After you read the call, did you understand who and what that was referring to?

21 Mr. Holmes. Yes, sir. In that brief meeting with the chief of staff, it was very  
22 confusing to me why -- in only the few minutes we had, why that would have been the  
23 issue he raised. So it wasn't until I read the transcript of the call on the 25th that I  
24 understood that the President had specifically mentioned Prosecutor General Lutsenko  
25 who the Zelensky administration was in the process of replacing and carving out all his

1 sort of underlings who had been, you know, collaborating with him on some of the  
2 corruption we saw there.

3 Mr. Goldman. And I believe you also said that President Lutsenko was the  
4 source of some of Mr. Giuliani's public views and allegations. Is that right?

5 Mr. Holmes. Yes, sir. So about 2 weeks before the press kind of wave that we  
6 saw targeting Ambassador Yovanovitch became public, an embassy contact had reported  
7 to us privately that Mr. Lutsenko was sending these messages and had met with an  
8 American journalist to try to get those messages out.

9 Mr. Goldman. What was the U.S. Embassy in Ukraine's view of Prosecutor  
10 General Lutsenko?

11 Mr. Holmes. He was not a good partner. He had failed to deliver on the  
12 promised reforms that he had committed to when he took office, and he was using his  
13 office to insulate and protect political allies while presumably enriching himself.

14 Mr. Goldman. Is another way to describe that corrupt?

15 Mr. Holmes. Yes.

16 Mr. Goldman. Now, I want to take a look at a couple of excerpts from this July  
17 25th call with you, and the first one occurs right after President Zelensky thanked  
18 President Trump for the United States' support in the area of defense.

19 And President Trump immediately then says, I would like you to do us a favor,  
20 though, because our country has been through a lot, and Ukraine knows a lot about it. I  
21 would like you to find out what happened with this whole situation with Ukraine, they say  
22 CrowdStrike. I guess you have one of your wealthy people, the server. They say  
23 Ukraine has it.

24 Now, Dr. Hill, is this a reference to this debunked conspiracy theory about Ukraine  
25 interference in the 2016 election that you discussed in your opening statement as well as

1 with Chairman Schiff?

2 Ms. Hill. The reference to CrowdStrike and the server, yes, that's correct.

3 Mr. Goldman. And it is your understanding that there is no basis for these  
4 allegations. Is that correct?

5 Ms. Hill. That's correct.

6 Mr. Goldman. Now, isn't it also true that some of President Trump's most senior  
7 advisors had informed him that this theory of Ukraine interference in the 2016 election  
8 was false?

9 Ms. Hill. That's correct.

10 Mr. Goldman. So is it your understanding, then, that President Trump  
11 disregarded the advice of his senior officials about this theory and instead listened to  
12 Rudy Giuliani's views?

13 Ms. Hill. That appears to be the case, yes.

14 Mr. Goldman. And I also, then, want to just show one other exhibit that goes  
15 back to what you were testifying earlier, Dr. Hill, about Russia's interest in promoting this  
16 theory. This is an excerpt from a February 2nd, 2017, news conference between -- with  
17 President Putin and Prime Minister Orban of Hungary where Putin says second, as we all  
18 know, during the presidential campaign in the United States, the Ukrainian Government  
19 adopted a unilateral position in favor of one candidate. More than that, certain  
20 oligarchs, certainly with the approval of the political leadership, funded this candidate, or  
21 female candidate, to be more precise.

22 Mr. Holmes, you spent 3 years as well in the U.S. Embassy in Russia. Why would  
23 it be to Vladimir Putin's advantage to promote this theory of Ukraine interference?

24 Mr. Holmes. First of all, to deflect from the allegations of Russian interference.  
25 Second of all, to drive a wedge between the United States and Ukraine which Russia

1 wants to essentially get back into its sphere of influence. Thirdly, to besmirch Ukraine  
2 and its political leadership, to degrade and erode support for Ukraine from other key  
3 partners in Europe and elsewhere.

4 Mr. Goldman. And Dr. Hill, by promoting this theory of Ukrainian interference in  
5 the 2016 election, was President Trump adopting Vladimir Putin's view over his own  
6 senior advisors and intelligence officials?

7 Ms. Hill. I think we have to be very careful about the way that we phrase that.  
8 This is a view that President Putin and the Russian security services and many actors in  
9 Russia have promoted, but I think that this view has also got some traction, perhaps in  
10 parallel and separately here in the United States, and those two things have over time  
11 started to fuse together.

12 Mr. Goldman. Well, back in May of this year, do you recall that President Trump  
13 had a phone conversation in early May with President Putin?

14 Ms. Hill. I do.

15 Mr. Goldman. And that he also then met in mid-May with Prime Minister Orban  
16 who had joined President Putin at this press conference?

17 Ms. Hill. That's correct.

18 Mr. Goldman. Now, that happened in between the time when President  
19 Zelensky was elected on April 21st and his inauguration on May 20th. Is that right?

20 Ms. Hill. Correct.

21 Mr. Goldman. And in fact, isn't it true that President Trump had asked Vice  
22 President Pence to attend the inauguration after his phone call with President Zelensky  
23 on April 21st?

24 Ms. Hill. I'm not sure that I can say that President Trump had asked Vice  
25 President Pence. I was not in any meeting in which that took place. I can say that I

1 myself and many others at the NSC and in the State Department were quite keen, very  
2 eager to have Vice President Pence go to Ukraine to represent the United States  
3 Government and the President.

4 Mr. Goldman. And is that also your recollection, Mr. Holmes, that you wanted  
5 Vice President Pence to attend?

6 Mr. Holmes. Yes, sir. And we understood that that was the plan.

7 Mr. Goldman. Now, Jennifer Williams, from the Office of the Vice President,  
8 testified here that on May 13th, which is the same day that President Trump met with  
9 Prime Minister Orban, that the President called off Vice President Pence's trip for  
10 unknown reasons but before the inauguration date had been scheduled.

11 And, Dr. Hill, were you aware also that during that period, there was a lot of  
12 publicity, and I think, Mr. Holmes, you referenced this in your opening statement as well,  
13 about Rudy Giuliani's interest in these investigations in Ukraine?

14 Ms. Hill. I was certainly aware, yes.

15 Mr. Goldman. And around this time, Dr. Hill, you also, I believe, testified that  
16 Ambassador Bolton had expressed some views to you about Mr. Giuliani's interests in  
17 Ukraine. Do you recall what you said?

18 Ms. Hill. Yes.

19 Mr. Goldman. Or what he said to you, rather?

20 Ms. Hill. I do -- I do recall, yes. It was part of a conversation about the things  
21 that Mr. Giuliani was saying very frequently in public. We saw them often -- or saw him  
22 often on television making these statements. And I had also already brought to  
23 Ambassador Bolton's attention the attacks, the smear campaign against Ambassador  
24 Yovanovitch and expressed great regret about how this was unfolding and, in fact, the  
25 shameful way in which Ambassador Yovanovitch was being smeared and attacked.

1           And I had asked if there was anything that we could do about it, and Ambassador  
2 Bolton had looked pained, basically indicated with body language that there was nothing  
3 much that we could do about it. And he then in the course of that discussion said that  
4 Rudy Giuliani was a hand grenade that was going to blow everyone up.

5           Mr. Goldman. Did you understand what he meant by that?

6           Ms. Hill. I did, actually.

7           Mr. Goldman. What did he mean?

8           Ms. Hill. Well, I think he meant that obviously what Mr. Giuliani was saying was  
9 pretty explosive, in any case. He was frequently on television making quite incendiary  
10 remarks about everyone involved in this and that he was clearly pushing forward issues  
11 and ideas that would, you know, probably come back to haunt us. And, in fact, I think  
12 that that's where we are today.

13           Mr. Goldman. Mr. Holmes, did the Ukrainians understand that Rudy Giuliani  
14 represented the President's views?

15           Mr. Holmes. I believe they did. At first, he was reaching out to them directly.  
16 He also -- Ambassador Yovanovitch's removal, I think, is relevant to this course of inquiry  
17 because she was removed following this media campaign in which Rudy Giuliani and his  
18 associates were very prominent and criticizing her for not taking seriously some of the  
19 theories and issues that later came up.

20           And so when she was removed, you know, commentators in Ukraine believed that  
21 Lutsenko, working with Giuliani, had succeeded in getting her removed. So they were  
22 already aware of Mr. Giuliani and his influence, the issues that he was promoting, and  
23 ultimately that he was able to get an ambassador removed partly because of that.

24           So he was someone to contend with. And then in addition, immediately after  
25 the inauguration, he began reaching out to the Zelensky administration, key figures in the

1 Zelensky administration, and he continued to do that.

2 Mr. Goldman. Let's focus on the inauguration for a minute. You escorted, for  
3 lack of a better word, the U.S. delegation around?

4 Mr. Holmes. So I joined them in some of their meetings but not for the entire  
5 day.

6 Mr. Goldman. And who was the official -- who was on the official delegation?

7 Mr. Holmes. Yes, sir. It was five people, so it was -- the head of the delegation  
8 was Secretary Perry, and then it was Ambassador Volker representing the State  
9 Department. Ambassador Sondland, our temporary Charge, Joseph Pennington, and  
10 Alex Vindman representing the White House.

11 Mr. Goldman. And did the delegation have a meeting with President Zelensky  
12 that you attended?

13 Mr. Holmes. Yes.

14 Mr. Goldman. And you testified, I think, in your -- previously that Secretary Perry  
15 gave a list of some sort to President Zelensky at that meeting. Do you recall that?

16 Mr. Holmes. Yes. In the meeting with the President, Secretary Perry, as the  
17 head of the delegation, opened the meeting for the American side and had a number of  
18 points he made. And during that period, he handed over a piece of paper. I did not  
19 see what was on the paper, but Secretary Perry described what was on the paper as a list  
20 of trusted individuals and recommended that Secretary -- that President Zelensky could  
21 draw from that list for advice on energy sector reform issues.

22 Mr. Goldman. Do you know who was on that list?

23 Mr. Holmes. I didn't see the list. I don't know. Other colleagues -- there are  
24 other people who have been in the mix for a while on that set of issues, other people  
25 Secretary Perry has mentioned as being people to consult on reform.

1 Mr. Goldman. And are they Americans?

2 Mr. Holmes. Yes.

3 Mr. Goldman. Now, do you also recall that Colonel Vindman spoke to President  
4 Zelensky in that meeting?

5 Mr. Holmes. Yes.

6 Mr. Goldman. And what did he say to President Zelensky in terms of some of the  
7 issues that we're addressing here in this investigation?

8 Mr. Holmes. Yes, sir. He was the last to speak. He made a general point  
9 about the importance of Ukraine to our national security, and he said it's very important  
10 that the Zelensky administration stay out of U.S. domestic politics.

11 Mr. Goldman. Was it your understanding that President Zelensky and the  
12 Ukrainians were already starting to feel some pressure to conduct these political  
13 investigations?

14 Mr. Holmes. Yes.

15 Mr. Goldman. And those were the ones related to Biden, and Burisma, and the  
16 2016 election?

17 Mr. Holmes. Correct.

18 Mr. Goldman. Now, Dr. Hill, you also testified around this same time in May, you  
19 learned that President Trump was receiving information from someone else at the  
20 National Security Council. Is that right?

21 Ms. Hill. That is not quite right. I was told in passing that someone else at the  
22 National Security Council, that the President may want to speak to them because of some  
23 materials related to Ukraine.

24 Mr. Goldman. And did that person indicate that the President thought that was  
25 the Director of Ukraine?

1 Ms. Hill. That was correct.

2 Mr. Goldman. Who --

3 Ms. Hill. It was a very brief conversation, just to be clear.

4 Mr. Goldman. Who is the Director of Ukraine?

5 Ms. Hill. The Director of Ukraine is Alex Vindman, Colonel Vindman.

6 Mr. Goldman. And who did this individual in the executive secretary's office  
7 refer to?

8 Ms. Hill. The individual just said the name Kash.

9 Mr. Goldman. Did you know who that was?

10 Ms. Hill. Initially, when I was thinking about it, but I had to search my mind, and  
11 the only Kash that I knew at the National Security Council was Kash Patel.

12 Mr. Goldman. And Kash Patel did not work on Ukraine matters that you  
13 oversaw. Is that right?

14 Ms. Hill. Not that I oversaw, no.

15 Mr. Goldman. So the indication is that Kash Patel had provided some  
16 information directly to the President without your knowledge?

17 Ms. Hill. That seemed to be the indication.

18 Mr. Goldman. Now, I want to go back to the July 25th call right now where  
19 President Trump in another excerpt asked President Zelensky about his  
20 political -- potential political opponent, Vice President Joe Biden. In this excerpt, the  
21 President said, the other thing, there's a lot of talk about Biden's son, that Biden stopped  
22 the prosecution, and a lot of people want to find out about that so whatever you can do  
23 with the Attorney General would be great. Biden went around bragging that he stopped  
24 the prosecution, so if you can look into it. It sounds horrible to me.

25 Now, Dr. Hill, this was, of course, one of the allegations that Rudy Giuliani was

1 pushing. Is that right?

2 Ms. Hill. That's correct.

3 Mr. Goldman. And now confirmed in this July 25th call that the President was  
4 also interested in it?

5 Ms. Hill. Yes.

6 Mr. Goldman. Ambassadors Volker and Sondland have tried to draw a  
7 distinction between their understanding of the connection between Burisma and the  
8 Bidens. But Dr. Hill, was it apparent to you that when President Trump, Rudy Giuliani, or  
9 anyone else was pushing for an investigation into Burisma that the reason why they  
10 wanted that investigation related to what President Trump said here, the Bidens?

11 Ms. Hill. It was very apparent to me that that was what Rudy Giuliani intended,  
12 yes, intended to convey, that Burisma was linked to the Bidens, and he said this publicly,  
13 repeatedly.

14 Mr. Goldman. And Mr. Holmes, you also understood that Burisma was code for  
15 Bidens?

16 Mr. Holmes. Yes.

17 Mr. Goldman. And do you think that anyone involved in Ukraine matters in the  
18 spring and the summer would understand that as well?

19 Mr. Holmes. Yes.

20 Mr. Goldman. Now, are either -- Dr. Hill, are you aware of any evidence to  
21 support the allegations against Vice President Biden?

22 Ms. Hill. I am not, no.

23 Mr. Goldman. And, in fact, Mr. Holmes, the former Prosecutor General of  
24 Ukraine who Vice President Biden encouraged to fire was actually corrupt. Is that right?

25 Mr. Holmes. Correct.

1           Mr. Goldman. And was not pursuing corruption investigations and prosecutions,  
2 right?

3           Mr. Holmes. My understanding is the Prosecutor General at the time, Shokin,  
4 was not at that time pursuing investigations of Burisma or the Bidens.

5           Mr. Goldman. And in fact, removing that corrupt Prosecutor General was part of  
6 the United States' anticorruption policy. Isn't that correct?

7           Mr. Holmes. That's correct. And not just us but all of our allies and other  
8 institutions who were involved in Ukraine at the time.

9           Mr. Goldman. Now, Dr. Hill, you indicated earlier that you had understood that a  
10 White House meeting was conditioned on the pursuit by Ukraine of these investigations,  
11 and I want to focus on the July 10th meeting in the White House where that came to  
12 light. You indicated that in your testimony that there was a large meeting that  
13 Ambassador Bolton ran where Ambassadors Sondland, Volker, and Secretary Perry also  
14 attended. Is that right?

15          Ms. Hill. That's correct, yes.

16          Mr. Goldman. And why were they included in that meeting with two Ukrainian  
17 officials about national security matters?

18          Ms. Hill. Well, the initial intent had not been to include them. We had  
19 anticipated that the two Ukrainian officials would have a number of meetings as is usually  
20 the procedure and that there would be meetings at the State Department, potentially  
21 also at the Energy Department.

22                 And then there was a request to have Ambassadors Sondland and Volker included  
23 coming directly from their offices, and as a result of that, clearly given the important role  
24 that Secretary Perry was playing in the energy sector reform in Ukraine and the fact that  
25 he had also been in the delegation to the Presidential inauguration in Ukraine, we

1 decided that it would be better, then, to include all three of them.

2 Mr. Goldman. Now, toward the end of this meeting, the Ukrainians raised their  
3 ongoing desire for an Oval Office meeting. Is that right?

4 Ms. Hill. That's correct.

5 Mr. Goldman. And what happened after they did that?

6 Ms. Hill. Well, I listened very carefully to Ambassador Sondland's testimony  
7 yesterday, so I want to actually point out something where I think it's easy to explain why  
8 he had a different interpretation of how this came into being.

9 The meeting, in addition to being scheduled for about 45, you know, minutes to  
10 an hour, it was definitely in the wrap-up phase of the meeting when this occurred. We  
11 had gone through a series of discussions.

12 Oleksandr Danylyuk, who was at this point the designated National Security  
13 Advisor of Ukraine, really wanted to get into the weeds of how we might reform the  
14 National Security Council. He talked to me about this prior to the meeting, and he was  
15 hoping and had this opportunity with the National Security Advisor in the United States to  
16 get his firsthand opinions and thoughts on what might happen.

17 We also wanted to go through discussion about how important it was for Ukraine  
18 to get its energy sector reform underway, and clearly, Secretary Perry had some talking  
19 points. This is an issue that Ambassador Bolton was also interested in. And then we  
20 knew that the Ukrainians would have on their agenda inevitably the question about a  
21 meeting.

22 And so as we get through the main discussion, we're going into that wrap-up  
23 phrase. Ukrainians Mr. Danylyuk starts to ask about a White House meeting, and  
24 Ambassador Bolton was trying to parry this back. Although he's the National Security  
25 Advisor, he's not in charge of scheduling the meeting. We have input recommending

1 the meetings, and this goes through a whole process.

2 So it's not Ambassador Bolton's role to start pulling out the schedule and start  
3 saying, right, well, we're going to look and see if this Tuesday in this month is going to  
4 work with us. And he does not as a matter of course like to discuss the details of these  
5 meetings. He likes to leave them to, you know, the appropriate staff for this. So this  
6 was already going to be an uncomfortable issue.

7 As Ambassador Bolton was trying to move that part of the discussion away, I think  
8 he was going to try to deflect it onto another wrap-up topic, Ambassador Sondland  
9 leaned in basically to say, well, we have an agreement that there will be a meeting, and  
10 the specific investigations are put underway, and that's when I saw Ambassador Bolton  
11 stiffen. I was sitting behind him in the chair, and I saw him sit back slightly like this. He  
12 had been more moving forward like I am to the table. And, for me, that was an  
13 unmistakable body language, and it caught my attention.

14 And then he looked up to the clock, and, you know, at his watch or at his wrist, in  
15 any case. Again, I was sitting behind him and basically said well, you know, it's been  
16 really great to see you. I'm afraid I've got another -- another meeting.

17 Mr. Goldman. And did Ambassador Sondland say who his agreement on this  
18 White House meeting was with?

19 Ms. Hill. In that particular juncture, I don't believe so. It was later, I'm sure  
20 you'll want to talk about, that he did say more specifically.

21 Mr. Goldman. And what did he say later?

22 Ms. Hill. Later, he said that he had an agreement with Chief of Staff Mulvaney  
23 that in return for investigations, this meeting would get scheduled.

24 Mr. Goldman. And was he specific at that point later about the investigations  
25 that he was referring to?

1 Ms. Hill. He said the investigations in Burisma.

2 Mr. Goldman. Now, did you have a conversation with Ambassador Bolton after  
3 this subsequent meeting with Ambassador Sondland?

4 Ms. Hill. I had a discussion with Ambassador Bolton both after the meeting in his  
5 office, a very brief one, and then one immediately after was the subsequent meeting.

6 Mr. Goldman. So the subsequent meeting -- or after both meetings when you  
7 spoke to him and relayed to him what Ambassador Sondland said, what did Ambassador  
8 Bolton say to you?

9 Ms. Hill. Well, I just want to highlight, first of all, that Ambassador Bolton  
10 wanted me to hold back in the room immediately after the meeting. Again, I was sitting  
11 on the sofa with a colleague --

12 Mr. Goldman. Right. But just in that second meeting, what did he say?

13 Ms. Hill. Yes, but he was -- he was making a very strong point that he wanted to  
14 know exactly what was being said. And when I came back and related it to him, he had  
15 some very specific instructions for me. And I'm presuming that that's the question that  
16 you're asking.

17 Mr. Goldman. What was the specific instruction?

18 Ms. Hill. The specific instruction was that I had to go to the lawyers, to John  
19 Eisenberg, our senior counsel for the National Security Council, to basically say, you tell  
20 Eisenberg, Ambassador Bolton told me, that I am not part of this whatever drug deal that  
21 Mulvaney and Sondland are cooking up.

22 Mr. Goldman. What did you understand him to mean by the drug deal that  
23 Mulvaney and Sondland were cooking up?

24 Ms. Hill. I took it to mean investigations for a meeting.

25 Mr. Goldman. Did you go speak to the lawyers?

1           Ms. Hill. I certainly did.

2           Mr. Goldman. And you relayed everything that you just told us and more?

3           Ms. Hill. I relayed it, precisely, and then more of the details of how the meeting  
4 had unfolded as well which I gave a full description of this in my October 14 deposition.

5           Mr. Goldman. Mr. Holmes, you have testified that by late August, you had a  
6 clear impression that the security assistance hold was somehow connected to the  
7 investigations that President Trump wanted. How did you conclude -- how did you  
8 reach that clear conclusion?

9           Mr. Holmes. Sir, we'd been hearing about the investigation since March, months  
10 before, and we'd been -- President Zelensky had received a letter, a congratulatory letter  
11 from the President saying he would be pleased to meet him following his inauguration in  
12 May.

13           And we hadn't been able to get that meeting, and then the security hold came up  
14 with no explanation. And I'd be surprised if any of the Ukrainians, you said earlier or we  
15 discussed earlier, you know sophisticated people, when they received no explanation for  
16 why that hold was in place, they would have drawn that conclusion.

17           Mr. Golden. Because the investigations were still being pursued?

18           Mr. Holmes. Correct.

19           Mr. Golden. And the hold was still remaining without explanation?

20           Mr. Holmes. Correct.

21           Mr. Golden. So this, to you, was the only logical conclusion that you could  
22 reach?

23           Mr. Holmes. Correct.

24           Mr. Golden. Sort of like 2 plus 2 equals 4?

25           Mr. Holmes. Exactly.

1           Mr. Golden. Chairman, I yield.

2           The Chairman. That concludes the majority questioning. We are expected to  
3 have votes, I think, fairly soon. This will be an appropriate time to break, and we'll  
4 resume with the minority in 45 minutes.

5           If people before they leave could allow the witnesses to leave first, and if  
6 committee members could come back promptly after votes.

7           The committee stands in recess.

8           [Recess.]

1 RPTR MOLNAR

2 EDTR CRYSTAL

3 [1:01 p.m.]

4 The Chairman. The committee will come to order.

5 The chair now recognizes the ranking member or their counsel for the first round  
6 of their 45-minute questions.

7 Mr. Nunes. I thank the gentleman.

8 I want to get a few basic facts on the table of individuals that were involved in the  
9 2016 election, just to see who you know and who you've met with. So I'll start with you,  
10 Mr. Holmes.

11 Have you met with or do you know Alexandra Chalupa?

12 Mr. Holmes. No.

13 The Chairman. Mr. Holmes, could you put your microphone on?

14 Mr. Holmes. No.

15 Mr. Nunes. Do you know Nellie Ohr? Have you met with Nellie Ohr?

16 Mr. Holmes. No.

17 Mr. Nunes. Bruce Ohr?

18 Mr. Holmes. No.

19 Mr. Nunes. Glenn Simpson?

20 Mr. Holmes. No.

21 Mr. Nunes. Thank you.

22 Same question for you, Dr. Hill. Do you know or have you met with Alexandra  
23 Chalupa?

24 Ms. Hill. No.

25 Mr. Nunes. Nellie Ohr?

1 Ms. Hill. No.

2 Mr. Nunes. Bruce Ohr?

3 Ms. Hill. Only in the course of my previous position as the national intelligence  
4 officer for Russia, where he attended some of the meetings I presided over.

5 Mr. Nunes. Years ago?

6 Ms. Hill. That's a long time ago, correct.

7 Mr. Nunes. Glenn Simpson?

8 Ms. Hill. No.

9 Mr. Nunes. Dr. Hill, in your testimony, you said that -- in your deposition, excuse  
10 me -- that Christopher Steele was your counterpart at one time. Is this correct?

11 Ms. Hill. That's correct, yes.

12 Mr. Nunes. You testified that you met with Christopher Steele in 2016. I  
13 assume that's still correct?

14 Ms. Hill. That's correct, yes.

15 Mr. Nunes. And the only thing we didn't get on that is, do you know about when  
16 that was in 2016 and how many times?

17 Ms. Hill. I'm afraid I don't. I actually had met with him -- well, you asked me  
18 actually in the deposition when the most recent time that I had met with him in 2016?

19 Mr. Nunes. Uh-huh.

20 Ms. Hill. And he retired from the British intelligence services in 2009, which is  
21 the same time --

22 Mr. Nunes. Right. I'm asking about 2016.

23 Ms. Hill. 2016, I don't recall, but I did meet with him some times before 2016.

24 Mr. Nunes. But you don't remember the date?

25 Ms. Hill. I don't, I'm afraid, no.

1           Mr. Nunes. Okay. You stated in your deposition that a colleague had showed  
2 you the Steele dossier before it was published. Who was that colleague?

3           Ms. Hill. That was one of my colleagues at the Brookings Institution.

4           Mr. Nunes. And who was that?

5           Ms. Hill. That was the Brookings Institution president, Strobe Talbott, who had  
6 been sent a copy of this.

7           Mr. Nunes. And he shared it with you?

8           Ms. Hill. That was the day before it was published in BuzzFeed.

9           Mr. Nunes. You mentioned in your deposition also that you thought that it was  
10 a -- let's get the exact quote -- that the dossier was a rabbit hole. Is that still your  
11 testimony?

12          Ms. Hill. That's correct.

13          Mr. Nunes. Do you know who paid Christopher Steele to do -- to generate the  
14 Steele dossiers? There were several of them.

15          Ms. Hill. At the time I did not know. I understand from the media that it was  
16 through GPS Fusion. If that's not correct --

17          Mr. Nunes. Do you know who was -- and there was a law firm involved, but you  
18 know who the source of the money was?

19          Ms. Hill. I didn't at the time, no, I didn't know.

20          Mr. Nunes. Do you know who --

21          Ms. Hill. Well, now I've read it in reports, and thanks to your colleagues as well,  
22 that it was the DNC, as I'm led to believe.

23          Mr. Nunes. And the Clinton campaign?

24          Ms. Hill. I don't know that for sure.

25          Mr. Nunes. Okay.

1 Mr. Castor.

2 Mr. Castor. Good afternoon. Welcome back from lunch. Hope you had some  
3 sandwiches or something delicious.

4 Ms. Hill. Hope you did, too.

5 Mr. Castor. Dr. Hill, thank you for your service. And also thank you for your  
6 participation in the deposition on October 14th, Columbus Day. We were with you most  
7 of the day, so I appreciate that.

8 Mr. Holmes, thank you as well. You're a late entrant into this situation, and  
9 things sure did escalate quickly. We spoke with you last Friday night about what we  
10 thought was going to be a 30-second vignette about a 2-minute phone call, and turns out,  
11 you know, with your 40-minute opener today, you have a lot of information to share.  
12 So we appreciate you being here.

13 Dr. Hill, your last day at the National Security Council was July 19th. Is that  
14 correct?

15 Ms. Hill. That's correct, yes.

16 Mr. Castor. So you weren't involved with the July 25th call and you weren't  
17 involved with any of the relevant activities related to the pause in the aid?

18 Ms. Hill. I was not, that's correct.

19 Mr. Castor. And as of July 19th, did you believe that a call was going to be  
20 scheduled for the 25th?

21 Ms. Hill. I personally did not believe that it was going to be scheduled at that  
22 date, no.

23 Mr. Castor. And what was the thinking at the NSC as of July 19th about such a  
24 call?

25 Ms. Hill. Well, I've learned from other depositions, to be clear here, that perhaps

1 there was some awareness that there might be a call. Ambassador Sondland, if you may  
2 recall, showed an exchange with the person who was taking over for my position, Tim  
3 Morrison, in which he indicated that there would be a call coming up. I was not aware  
4 of that.

5 Mr. Castor. Okay. Were you in favor of --

6 Ms. Hill. And there were differences, let's just say, obviously, and understanding  
7 about that call.

8 Mr. Castor. And were you in favor of such a call as of the 19th?

9 Ms. Hill. Actually, I was not, and I did say something about that in the opening  
10 part of the sessions today.

11 Mr. Castor. Okay. And how about Ambassador Bolton, to your knowledge?

12 Ms. Hill. Well, I know that Ambassador Sondland said in that email that Bolton  
13 was in agreement. To my knowledge, Bolton was not in agreement at that particular  
14 juncture, to my knowledge.

15 Mr. Castor. And do you know what his opposition was?

16 Ms. Hill. It was based on the fact that he didn't feel the call had been properly  
17 prepared, and as I said earlier, that we wanted to make sure there was going to be a  
18 fulsome bilateral U.S.-Ukraine agenda that was discussed, which is usual with these calls.

19 Mr. Castor. And you -- were you surprised that a call ultimately was scheduled?

20 Ms. Hill. I was when I learned about it, that's right.

21 Mr. Castor. And did you have any communications with anyone back at your old  
22 staff with -- about how that came to be?

23 Ms. Hill. I did not, no.

24 Mr. Castor. Okay. You did learn about the pause in the security assistance  
25 aid shortly before --

1 Ms. Hill. I learned about that on July 18th, so the day before I left, that's correct.

2 Mr. Castor. Okay. And there were several meetings about this, I believe you  
3 testified to.

4 Ms. Hill. I said that I knew there was going to be a meeting in that timeframe,  
5 and there was one put onto the schedule for the following week. But, of course, I had  
6 left and so I didn't attend that.

7 Mr. Castor. And is it fair to say that stops and starts in aid like this sometimes do  
8 happen?

9 Ms. Hill. That's correct.

10 Mr. Castor. And I believe you had testified that there was a freeze put on all  
11 kinds of aid and assistance because it was in the process -- at that time there were  
12 significant reviews of foreign assistance going on?

13 Ms. Hill. That's also correct, yes.

14 Mr. Castor. What else can you tell us about that?

15 Ms. Hill. About the foreign assistance review?

16 Mr. Castor. Yes.

17 Ms. Hill. As I understood them, there had been a directive for whole-scale  
18 review of our foreign policy, foreign policy assistance, and the ties between our foreign  
19 policy objectives and the assistance. This had been going on actually for many months.  
20 And in the period when I was wrapping up my time there, there had been more scrutiny  
21 than specific assistance to specific sets of countries as a result of that overall  
22 view -- review.

23 Mr. Castor. And at this time, as well, Ambassador Volker, Ambassador Sondland,  
24 they had become a little bit more involved with Ukraine policy?

25 Ms. Hill. Well, Ambassador Volker was always involved in Ukraine policy, at least

1 since the beginning of his appointment as the special envoy for negotiations towards the  
2 war between Ukraine and Russia in Donbas.

3 Mr. Castor. And what can you tell us about Ambassador Volker?

4 Ms. Hill. Ambassador Volker is an extraordinarily accomplished diplomat. I've  
5 worked with him in many capacities previously. You know, his bio, he's been the  
6 Ambassador to NATO. He's had a number of positions at the State Department. And  
7 actually I know him personally.

8 So, you know, and the truth that we're trying to get at is who knows who and  
9 who's met. I know Ambassador Volker really well, on a personal level as well.

10 Mr. Castor. Okay. And you said he's a man of integrity?

11 Ms. Hill. That's correct.

12 Mr. Castor. And always acted in of the best interest of the United States?

13 Ms. Hill. Absolutely, yes.

14 Mr. Castor. When did you first learn of Ambassador Sondland's involvement?

15 Ms. Hill. Well, it came in different ways. Ambassador Sondland, as the  
16 Ambassador to the EU, had some perfectly logical involvement in the Ukraine portfolio.  
17 We work very closely with the European Union on matters related to Ukraine.

18 The Ukrainian dialogue with Russia was in a format known as the Minsk Process,  
19 which was led by the French and the Germans. And Ambassador Volker was trying to  
20 find out ways in which he could work closely with the French and Germans to move along  
21 the resolution of the conflict between Ukraine and Russia.

22 And obviously the European Union, as the umbrella organization for Europe in  
23 terms of funding and assistance, was heavily active in offering financial assistance to the  
24 Ukrainian government, as well as humanitarian assistance in the conflict. So it was  
25 perfectly logical that Ambassador Sondland would play some kind of role as our

1 ambassador to the European Union.

2 Mr. Castor. Did you have any concerns when he presented himself to you as  
3 somebody with a major role?

4 Ms. Hill. I did at the time in which he presented it to me. This was after  
5 Ambassador Yovanovitch had been pushed out of her position. And it was at that  
6 juncture that Ambassador Sondland's role seemed to grow larger.

7 Mr. Castor. And did you express any concerns to him directly?

8 Ms. Hill. I did express concerns to him directly.

9 Mr. Castor. What were those concerns?

10 Ms. Hill. I asked him quite bluntly in a meeting that we had in June of 2019, so  
11 this is after the Presidential inauguration when I had seen that he had started to step up  
12 in much more of a proactive role on Ukraine, you know, what was his role here. And he  
13 said that he was in charge of Ukraine. And I said, well, who put you in charge,  
14 Ambassador Sondland. And he said, the President.

15 Mr. Castor. And did it surprise you when he told you that?

16 Ms. Hill. It did surprise me. We'd had no directive. We hadn't been told this.  
17 Ambassador Bolton had never indicated in any way that he thought that Ambassador  
18 Sondland was playing a leading role in Ukraine.

19 Mr. Castor. All right. And I believe you used the term a large remit, that he  
20 characterized he had been given a large remit from the President?

21 Ms. Hill. I can't remember whether I said remit, but it was portfolio. He was  
22 constantly -- you know, these are all synonyms -- he was talking to us about the fact that  
23 he'd been given a very broad portfolio by the President. He said his job was to go out  
24 and make deals in Europe.

25 And as you know yourself, I listened to his testimony yesterday very carefully as

1 well, he said that anything that had to do with the EU itself and the European Union  
2 member states was within his portfolio.

3 Mr. Castor. All right. We asked Ambassador Sondland about that at his  
4 deposition, and he conceded that he may have been spinning a little bit when he said that  
5 the President specifically gave him that role. And he indicated that his authority was  
6 coming at least a little bit from -- more from the Secretary of State.

7 At any point in time was that related to you?

8 Ms. Hill. At different points he mentioned talking directly to the Chief of Staff  
9 Mulvaney, and he also talked about Secretary Pompeo. But he was very -- in fact, there  
10 were other people in the room, in the meeting in which he asserted this to me, that it was  
11 the President who had put him in charge of this.

12 Mr. Castor. Were you encouraged as of your last day in the office that U.S.  
13 policy towards the Ukraine was headed in the right direction?

14 Ms. Hill. I was not.

15 Mr. Castor. And why was that?

16 Ms. Hill. Well, I was concerned about two things in particular. One was, again,  
17 the removal of our ambassador. And again, I will say for the record that the President  
18 has a perfect right to remove any ambassador at any time for any reason. But I was very  
19 concerned about the circumstances in which her reputation had been maligned,  
20 repeatedly, on television and in all kinds of exchanges. I felt that that was completely  
21 unnecessary.

22 If the President wanted to remove an ambassador, which he did quite frequently,  
23 there was a number of ambassadors removed who were not political but career officials,  
24 that was done, but without these kinds of interventions. I wondered what that message  
25 was being sent. So there was that.

1           And then on the second front, it was very clear at this point that there was, let's  
2 just say, a different channel in operation in relations to Ukraine, one that was domestic  
3 and political in nature, and it was very different from the channel or the loop, however  
4 you like it, that I and my colleagues were in, where we were focused on bilateral relations  
5 and U.S. foreign policy towards Ukraine. And these two things had diverged at this  
6 point.

7           Mr. Castor. In the run-up to Ambassador Yovanovitch's separation from post,  
8 did you have any communications with officials at the State Department about your  
9 concerns?

10          Ms. Hill. I did.

11          Mr. Castor. And who did you relate those concerns to?

12          Ms. Hill. I related those concerns directly to my counterpart, who was Acting  
13 Assistant Secretary Phil Reeker, who I know you've spoken to.

14           I also spoke to David Hale in the context of, you know, larger meetings about  
15 many other issues. I mean, again, I covered a broad portfolio myself, and we often  
16 would talk about individual items.

17           And I had private discussions with Deputy Secretary Sullivan. And he, of course,  
18 has appeared before committees here in the course of his nomination to be ambassador  
19 to Russia and has spoken about that himself.

20          Mr. Castor. Okay. And you advocated to all those officials about your concerns  
21 about the information being spread about Ambassador Yovanovitch?

22          Ms. Hill. I did, that's correct.

23          Mr. Castor. The Trump administration changed courses from its predecessor and  
24 provided lethal defensive assistance to the Ukraine. Were you in favor of arming the  
25 Ukrainians with the Javelins?

1           Ms. Hill. I was not initially in 2015 before I joined the government, and I'm sure  
2 that many people on the committee have seen that I wrote an opinion piece with a  
3 colleague at the Brookings Institution in that juncture, because I was very worried at that  
4 particular point in time that the Ukrainian military was not in a fit state to really take on  
5 board sophisticated weapons, be they defensive or offensive weapons. And I worried  
6 that there was not a long-term sustainable plan, given the overwhelming force that the  
7 Russians could apply against the Ukrainians.

8           However, when I came into government in 2017 and started to interact with all of  
9 my colleagues in the Pentagon -- and you had Laura Cooper here yesterday -- I realized, in  
10 fact, that there had been an awful lot of work done on this and that there was a clear and  
11 consistent plan for the sustainability long-term of the Ukrainian military. So I changed  
12 my mind.

13          Mr. Castor. Okay. And you're, in fact, one of the -- I believe the only witness  
14 that we've spoken to that has been able to articulate the opposition to providing the  
15 Javelins. And as we understand it, during the Obama administration the interagency  
16 consensus was, in fact, to provide the Javelins, but they were not provided.

17          Were you aware of the decision back then?

18          Ms. Hill. I was, and I think it was very much made on a political basis about  
19 concerns that this would provoke the Russians, depending on how this was presented.  
20 And we were very mindful of that also when there were the discussions internally about  
21 the lethal defensive weapons inside of the administration.

22          Mr. Castor. Mr. Holmes, you're on the ground in Kyiv, and the Javelins have now  
23 been authorized, provided. What's the view from the field, the U.S. Embassy, as to the  
24 effectiveness of the Javelins?

25          Mr. Holmes. They're an important strategic deterrent. They're not actively

1 employed in combat operations right now, but the mere idea that were the Russians to  
2 advance substantially using certain kinds of armor, that the Ukrainians would have this  
3 capability, deters them from doing so. It also thereby sends a very important  
4 symbol -- symbolic message to the Ukrainian military that they have access to this  
5 high-end technology and that we trust them to do it.

6 I'd only add also, they've offered to buy some using their own funds. The initial  
7 tranche was provided through basically a program to do that, but they have now offered  
8 to spend their own money to buy more. So I think they think they're important.

9 Mr. Castor. And Ambassador Taylor has testified, Mr. Kent has testified that this  
10 is, in fact, the consensus of the interagency, providing the Javelins.

11 Is it the -- in your experience working with Ambassador Taylor, was he also very  
12 much an advocate for this?

13 Mr. Holmes. Yes.

14 Mr. Nunes. Mr. Holmes, I want to go back to -- named some Americans. Now I  
15 want to talk a little bit about Ukrainians, Ukrainian government officials.

16 Mr. Holmes. Uh-huh.

17 Mr. Nunes. Are you familiar with Serhiy Leshchenko?

18 Mr. Holmes. Yes.

19 Mr. Nunes. Have you met with him?

20 Mr. Holmes. I have.

21 Mr. Nunes. Okay. He was a journalist, then he was in the Parliament. Is he  
22 currently in the Parliament?

23 Mr. Holmes. Journalist again.

24 Mr. Nunes. Journalist again.

25 Are you aware that when he was in the Parliament, that he had provided

1 information to a Fusion GPS operative named Nellie Ohr.

2 Mr. Holmes. I'm not aware of Nellie Ohr. I'm not aware of who he provided  
3 information to. I'm aware that as a journalist he's provided information.

4 Mr. Nunes. Well, this is -- he was in the Parliament at the time. This was in the  
5 2016 campaign. He provided widely known as the black ledger. Have you ever heard  
6 of the black ledger?

7 Mr. Holmes. I have.

8 Mr. Nunes. And the black ledger, is that seen as credible information?

9 Mr. Holmes. Yes.

10 Mr. Nunes. The black ledger is credible?

11 Mr. Holmes. Yes.

12 Mr. Nunes. Bob Mueller did not find it credible. Do you dispute what Bob  
13 Mueller's findings were? They didn't use it in the prosecution or in the report.

14 Mr. Holmes. I'm not aware that Bob Mueller did not find it credible. I think it  
15 was evidence in other criminal proceedings, and its credibility was not questioned in  
16 those proceedings. But I'm not an expert on that matter.

17 Mr. Nunes. So the motivation for Leshchenko was reported to -- was to go after  
18 a Trump campaign official and undermine Trump's candidacy. Are you aware of that?

19 Mr. Holmes. If you mean by the release of the black ledger, I think Leshchenko's  
20 motivation was the same motivation he's always expressed, which is to expose corruption  
21 in Ukraine.

22 Mr. Nunes. Right. But he's admitted motivation was to partly at least  
23 undermine the Trump candidacy that he did not support.

24 Mr. Holmes. He has not said that to me. If he said that to you, I'll take your  
25 word for it.

1           Mr. Nunes. And you're aware that the -- you heard Dr. Hill's testimony that the  
2 Steele dossier, that contained initially that initial information that was fed in the FBI.  
3 Were you aware that the Democrats had paid for that information?

4           Mr. Holmes. So, sir, I never had any involvement directly with --

5           Mr. Nunes. I'm not accusing you of involvement. I'm just asking if you -- and  
6 not even if you knew at the time, but you now know today that the Democrats had paid  
7 for that information?

8           Mr. Holmes. So I do want to be clear that all that happened before I arrived in  
9 Ukraine. So I don't have any firsthand --

10          Mr. Nunes. Not accusing any involvement of you with the Steele dossier.

11          Mr. Holmes. Understood. But I do want to be clear about that. And then in  
12 addition, I have read about those issues, but I'm not an expert on them.

13          Mr. Nunes. But you're not disputing that the Democrats and the Clinton  
14 campaign were the source of funds that funded the Steele dossier?

15          Mr. Holmes. I wouldn't be in a position to dispute that, sir.

16          Mr. Nunes. Do you think it's appropriate for political parties to run operatives in  
17 foreign countries to dig up dirt on their opponents?

18          Mr. Holmes. No.

19          Mr. Nunes. Dr. Hill, do you think it's appropriate for political parties to pay  
20 operatives to dig up dirt on their opponents?

21          Ms. Hill. I do not.

22          Mr. Nunes. Mr. Castor.

23          Mr. Castor. I want to turn to President Zelensky's inauguration. Ambassador  
24 Volker testified that he was very pleased with the size of the delegation. Although the  
25 Vice President was unable to make the trip, Secretary Perry, Ambassador Volker,

1 Ambassador Sondland -- and I understand, Dr. Hill, you were involved with some of the  
2 logistics in putting the delegation together.

3 Ms. Hill. That's correct.

4 Mr. Castor. What can you tell us about the Vice President's role in attending or  
5 not attending?

6 Ms. Hill. Well, I know that you've heard the testimony of Jennifer Williams from  
7 the Vice President's office, and I defer to her as being much closer to the decisionmaking  
8 about the Vice President's attendance.

9 I will say that I, and many others, hoped that the Vice President would be able to  
10 attend. What I know from my perspective, because I was not involved intimately in  
11 discussions with the Vice President or his immediate staff, was that there were some  
12 questions about the schedule.

13 As you all know, the President and Vice President cannot be out of the country at  
14 the same time. And there were some questions about Presidential travel in the same  
15 timeframe. And, you know, there was quite a bit of back-and-forth as to whether it  
16 would be really feasible for the Vice President in that timeframe to go.

17 So that was what I was aware of. I wasn't aware to the extent of the discussions  
18 that obviously Ms. Williams was involved in.

19 Mr. Castor. Right. The President was in traveling in Japan, and then he was  
20 headed to Europe for the D-Day Anniversary. The Vice President's office, according to  
21 Ms. Williams, provided 4 days at the end of May, the 29th, 30th, 31st, June 1st.

22 And as it turned out, the Ukrainians decided -- I believe it was on May 16th -- to  
23 schedule the inauguration for 4 days later. And by this point in time, the Vice President  
24 had been rerouted for a trip to Canada about the USMCA.

25 And just want to ask you whether, you don't have any evidence that the Vice

1 President was encouraged not to attend for any other reason, do you?

2 Ms. Hill. I personally do not, but again, I defer to Ms. Williams.

3 Mr. Castor. The -- and Ms. Williams' testimony was that she just -- she heard  
4 from the chief of staff's assistant that the Vice President was not able to go. The leap  
5 that the reason for that was related to any of these investigations hasn't been fully  
6 established.

7 I want to just note, from the materials you provided for your deposition, there is  
8 discussion whether President Orban may have influenced President Trump's decision on  
9 that May 13th day.

10 Do you remember when the meeting was with President Orban?

11 Ms. Hill. I do.

12 Mr. Castor. When was that?

13 Ms. Hill. That was in May, that's correct.

14 Mr. Castor. But do you remember what time of day it was on the 13th?

15 Ms. Hill. To be honest, usually these meetings are around lunch time, sometime  
16 in that timeframe, in the kind of early to mid-part of the day. But I can't speak for sure,  
17 and I just want to be very clear that I cannot speak about head of state engagements.

18 Mr. Castor. Okay. Jennifer Williams testified that she learned about 11 or  
19 11:15 the meeting with President Orban was not scheduled until later in the afternoon.  
20 According to your schedule it was right around 1:45. Is that consistent with your  
21 recollection?

22 Ms. Hill. Right about the lunchtime timeframe, yeah, depending on when one  
23 has lunch, I guess.

24 Mr. Castor. Okay. But overall, given the 4 days' notice, given Secretary Perry's  
25 involvement, do you think the delegation was a good sized group?

1           Ms. Hill. I do. And let me also make a point that we don't try to make these  
2 delegations large. This is on the taxpayers' dime, and it's pretty expensive getting  
3 people there if you have to get military air, and you know, we try to keep them small. If  
4 we had a longer lead time, you know, perhaps we would have made other arrangements,  
5 but, you know, 4 days is not a lot of time to make an arrangement.

6           Mr. Castor. And Secretary Perry had become interested in some of the  
7 energy-related issues in the Ukraine?

8           Ms. Hill. I actually recommended that Secretary Perry be the lead, along with  
9 others.

10          Mr. Castor. And what can you tell us about his involvement in some of the  
11 Ukrainian policy?

12          Ms. Hill. Well, Secretary's Perry's engagement -- and this made, again, perfect  
13 sense, given his role as Secretary of Energy, also his deep knowledge of the energy  
14 industry, his former governorship.

15          You know, Secretary Perry himself is an extraordinarily good advocate of U.S.  
16 interests, particularly in the energy sphere. And one of Ukraine's Achilles' heel, in  
17 addition to its military disadvantage with Russia, is in fact energy. Ukraine remains for  
18 now the main transit point for Russian oil and gas and pipelines to Europe, and this has  
19 been manipulated repeatedly, especially since 2006, by the Russian government.

20          And, in fact, I mean, many of you here will remember, in the Reagan era there was  
21 a huge dispute between the United States and Europe about the -- about whether it  
22 made sense for Europe to build pipelines from the then Soviet Union to bring gas to  
23 European markets.

24          Mr. Castor. Mr. Holmes, what was your view of the delegation? Do you think it  
25 was the right sized group, right level of prestige to signal to the incoming Zelensky

1 administration that the U.S. stands behind them?

2 Mr. Holmes. I think it was fine in that regard.

3 Mr. Castor. Okay.

4 Mr. Nunes. Since we're on the topic of Ukraine energy, I think it's a good way for  
5 us to segue into Burisma, which I assume both of you are familiar with. You've heard  
6 about it for many, many years.

7 You're on the ground there now, Mr. Holmes. I know you weren't there at the  
8 time, but in September 2015 then Ambassador to Ukraine Geoffrey Pyatt,  
9 Obama-appointed career ambassador -- I'm sure you know him.

10 Mr. Holmes. I do.

11 Mr. Nunes. Credible?

12 Mr. Holmes. Yes.

13 Mr. Nunes. Successful ambassador, I'm sure.

14 He called for an investigation into Zlochevsky, the owner of Burisma, the president  
15 of Burisma. Are you familiar with that?

16 Mr. Holmes. Yes.

17 Mr. Nunes. Did you know about Deputy Assistant Secretary of State Kent's  
18 concerns about the potential conflict of interest with Hunter Biden sitting on the board of  
19 Burisma?

20 Mr. Holmes. I would defer to George Kent, who was involved at the time and is  
21 an expert on those issues.

22 Mr. Nunes. Did you know that the financial records show that this Ukrainian  
23 natural gas company, Burisma, routed more than \$3 million to the American accounts of  
24 Hunter Biden?

25 Mr. Holmes. I've heard that.

1 Mr. Nunes. Were you familiar with that, Dr. Hill?

2 Ms. Hill. Only from newspaper reports.

3 Mr. Nunes. Okay. Did you know that Burisma's American -- and this is back to  
4 you, Mr. Holmes -- did you know that Burisma's American legal representatives met with  
5 Ukrainian officials just days after the Vice President forced the firing of the country's chief  
6 prosecutor?

7 Mr. Holmes. No.

8 Mr. Nunes. Did you know that Burisma's American lawyers tried to secure a  
9 meeting with the new state prosecutor the same day that predecessor Viktor Shokin's  
10 firing was announced?

11 Mr. Holmes. No.

12 Mr. Nunes. Did you know that Joe Biden called Ukrainian President Poroshenko  
13 at least three times in February 2016, shortly after the president and owner of Burisma's  
14 home was raided on February 2nd by the state prosecutor's office?

15 Mr. Holmes. No.

16 Mr. Nunes. Did you know that Devon Archer and Hunter Biden reached out to  
17 the deputy secretary of state, Tony Blinken, shortly after the raid on Burisma?

18 Mr. Holmes. No.

19 Mr. Nunes. Dr. Hill, did you know about -- I don't want to go through and ask all  
20 those questions over again --

21 Ms. Hill. I also did not know, that's correct.

22 Mr. Nunes. You did not know about any of this?

23 Ms. Hill. I did not know, no.

24 Mr. Nunes. Okay. So you obviously know that the President had concerns  
25 about Burisma, had concerns about 2016 election meddling by the Ukrainians. When

1 you were in there as the head of the Ukraine --

2 Ms. Hill. Right.

3 Mr. Nunes. -- desk, did you ever raise any of these -- did you ever brief the  
4 President or raise it up to Ambassador Bolton about any concerns through 2017 and '18  
5 that concerned 2016 election meddling or Burisma concerns?

6 Ms. Hill. The whole briefing process didn't really work in the way that you're  
7 suggesting there. So if the President had asked about any of this information, it would  
8 have been provided for him.

9 Just to be very clear, Ukraine was not a top foreign policy priority in this period, in  
10 the same way that many other issues that we could talk about, from Syria to Turkey and  
11 others, are. So there weren't that frequent briefings on Ukraine. The briefings would  
12 take place when there was a scheduled meeting with a Ukrainian head of state. And as  
13 we know, there haven't been too many of those.

14 Mr. Nunes. So just to -- as far as you know, you did no briefings, no papers,  
15 answered no questions as it relates to the 2016 election or Burisma during your time  
16 there?

17 Ms. Hill. I did not, no.

18 Mr. Nunes. Okay. Thank you.

19 Mr. Castor.

20 Mr. Castor. Dr. Hill, you told us during your deposition that, indeed, that there  
21 are perceived conflict of interest troubles when the child of a government official is  
22 involved with something that that government official has an official policy role in,  
23 correct?

24 Ms. Hill. I think any family member of any member of the U.S. Government,  
25 Congress or the Senate, is open to all kinds of questions about optics and of perhaps

1 undue outside influence, if they take part in any kind of activity that could be  
2 misconstrued as being related to their parent or the family member's work. So as a  
3 matter of course, yes, I do think that's the case.

4 Mr. Castor. Getting back to Ambassador Sondland, you testified that every now  
5 and then he made a habit of name-dropping his interactions with the President.

6 Ms. Hill. That's correct, yes.

7 Mr. Castor. And I believe you also told us that there were instances where you  
8 would run into him on the campus, and he would say, oh, I'm here to see the President,  
9 or, I've been in to see the President, and you had an occasion to circle back and found out  
10 that wasn't the case?

11 Ms. Hill. That's correct.

12 Mr. Castor. And I just want to give you an opportunity. He testified about  
13 some sort of coffee he had with you on your last day. And I think when the deposition  
14 transcript was released, your counsel indicated that that was completely fabricated on  
15 Ambassador Sondland's part. And I just want to give you an opportunity to address  
16 that.

17 Ms. Hill. Yes. So, I mean, unfortunately this is the Federal Government, we  
18 don't have coffee machines, you know, readily in our office. If you had come to my  
19 office in that time, the best I could have offered you was a cup of water from the water  
20 fountain outside of my office.

21 So, you know, the coffee that Ambassador Sondland and I shared was actually, we  
22 ran into each other -- or rather he found out I was going to be there and then asked me to  
23 meet him for coffee in Jackson Hole, Wyoming, in 2018, in August. So this is a full year  
24 before I left.

25 That was a very nice coffee. So perhaps he, you know, conflated those two

1 meetings together.

2 The meeting that he was referring to, he had come in to meet with our director  
3 for the European Union. This was in my last week in the office. And as I was in the  
4 office at the same time, for a brief period, before going into another meeting, and it was  
5 my last week in the office, we agreed to sit down with the director of the European  
6 Union, with actually Colonel Vindman, and the assistant that Ambassador Sondland had  
7 brought with him from the State Department. So there were actually four of us in that  
8 meeting, and unfortunately it wasn't over coffee.

9 Mr. Castor. And, you know, he went on to indicate that you were upset and you  
10 were upset with Ambassador --

11 Ms. Hill. Actually, there were five of us really in that meeting. Obviously I can't  
12 do math. Sorry.

13 Mr. Castor. Fair enough.

14 He indicated you were upset and you were upset with Ambassador Bolton and  
15 upset with the way things were going. And I believe your counsel said that was an  
16 outright fabrication?

17 Ms. Hill. Well, I think you might recall in my deposition on October 14th that I  
18 said that very unfortunately I had a bit of a blowup with Ambassador Sondland, and I had  
19 a couple of testy encounters with him.

20 One of those was in June 2018 when I actually said to him, Who put you in charge  
21 of Ukraine? And, you know, I'll admit, I was a bit rude. And that's when he told me  
22 the President, which shut me up.

23 And this other meeting, it was about 15, 20 minutes, exactly as he depicted it was.  
24 I was actually, to be honest, angry with him. And, you know, I hate to say it, but often  
25 when women show anger it's not fully appreciated. It's often, you know, pushed onto

1 emotional issues perhaps or deflected onto other people. And what I was angry about  
2 was that he wasn't coordinating with us.

3 I've actually realized, having listened to his deposition, that he was absolutely  
4 right, that he wasn't coordinating with us because we weren't doing the same thing that  
5 he was doing.

6 So I was upset with him that he wasn't fully telling us about all of the meetings  
7 that he was having. And he said to me, But I am briefing the President, I'm briefing Chief  
8 of Staff Mulvaney, I'm briefing Secretary Pompeo, and I've talked to Ambassador Bolton.  
9 Who else do I have to deal with?

10 And the point is, we have a robust interagency process that deals with Ukraine.  
11 It includes Mr. Holmes. It includes Ambassador Taylor as the charge in Ukraine. It  
12 includes a whole load of other people.

13 But it struck me when yesterday, when you put up on the screen Ambassador  
14 Sondland's emails and who was on these emails, and he said, These are the people who  
15 need to know, that he was absolutely right. Because he was being involved in a  
16 domestic political errand, and we were being involved in national security foreign policy,  
17 and those two things had just diverged.

18 So he was correct. And I had not put my finger on that at the moment, but I was  
19 irritated with him and angry with him that he wasn't fully coordinating. And I did say to  
20 him, Ambassador Sondland, Gordon, I think this is all going to blow up. And here we  
21 are.

22 And after I left to my next meeting, our director for the European Union talked to  
23 him much further, for a full half hour or more later, trying to ask him about how we could  
24 coordinate better, how others could coordinate better, after I had left the office. And  
25 his feeling was that the National Security Council was always trying to block him.

1           What we were trying to do was block us from straying into domestic or personal  
2 politics, and that was precisely what I was trying to do.

3           But Ambassador Sondland is not wrong that he had been given a different remit  
4 than we had been. And it was at that moment that I started to realize how those things  
5 had diverged. And I realized, in fact, that I wasn't really being fair to Ambassador  
6 Sondland, because he was carrying out what he thought he had been instructed to carry  
7 out, and we were doing something that we thought was just as -- or perhaps even more  
8 important, but it wasn't in the same channel.

9           Mr. Castor. Dr. Hill --

10          Mr. Nunes. Dr. Hill, I just want to drill down on this a little bit. The President of  
11 the United States, Commander in Chief, was concerned about the 2016 elections and  
12 Burisma. He had his personal attorney working these issues because he was under  
13 investigation by Robert Mueller, special counsel, partly beginning with an investigation  
14 that started with the Steele dossier, that we've already established that the Democrats  
15 had paid for and had been fed into the FBI.

16          So at the end of the day, the Commander in Chief, concerned about 2016 election  
17 meddling by Ukraine, it sounds like you had just earlier testified that you weren't aware  
18 of that, but if that was the concern of the President, to try to get to the bottom of it, and  
19 it's the concern of Ambassador Sondland, who was trying to set up meetings on behalf  
20 of -- to ensure, really, that meetings occurred and phone calls occurred to strengthen the  
21 relationship, I'm a little -- I mean, I understand the people at the NSC, people at the State  
22 Department had issues with that, but at the end of the day, isn't it the Commander in  
23 Chief that makes those decisions?

24          Ms. Hill. My point, Mr. Nunes, is that we at the National Security Council were  
25 not told either by the President directly or through Ambassador Bolton that we were to

1 be focused on these issues as a matter of U.S. foreign policy towards Ukraine.

2 So when you're talking about Ukraine in 2016, I never personally heard the  
3 President say anything specific about 2016 and Ukraine. I've seen him saying plenty of  
4 things publicly, but I was not given a directive. In fact, I was given a directive on July  
5 10th by Ambassador Bolton, very clearly, to stay out of domestic politics.

6 Mr. Castor. Just for sake of the timeline, I think as of July 19th they hadn't even  
7 engaged with Rudy Giuliani yet. I don't believe that happened until a little bit later. So  
8 you believe by July 19th they were already engaged in those types of activities?

9 Ms. Hill. We had already had a discussion with Kurt Volker, which was in the  
10 depositions of his assistant Chris Anderson, that indicated that he had met with Rudy  
11 Giuliani at this point. And Ambassador Sondland made comments about meeting with  
12 Giuliani, and as we know, in the May 23rd meeting, they had been instructed to meet  
13 with Giuliani.

14 Mr. Castor. Right.

15 Ms. Hill. They gave us every impression that they were meeting with Rudy  
16 Giuliani at this point, and Rudy Giuliani was also saying on the television, and indeed has  
17 said subsequently, that he was closely coordinating with the State Department.

18 Mr. Castor. Okay.

19 Ms. Hill. So it was my belief that they were meeting with him.

20 Mr. Castor. Okay. And there's some -- I mean, there's some ambiguity in the  
21 direction to work with Rudy Giuliani. Ambassador Volker said the President dismissed  
22 Ukraine and said, Oh, if you want to work on it, just go talk to Rudy. And Ambassador  
23 Sondland took that a little bit differently. And I believe that Ambassador Volker was  
24 primarily the interlocutor with Mr. Giuliani, and that was happening -- didn't start until  
25 the end of July.

1           Ms. Hill. I only learned that subsequently from Ambassador Volker's deposition.  
2       So I just want to tell you, in that particular timeframe I was not aware of that. And in  
3       fact, Gordon Sondland did refer to Rudy Giuliani, and again, Ambassador Bolton had  
4       warned Ambassador Volker not to meet with Rudy Giuliani in a meeting.

5           Mr. Castor. Mr. Morrison told us both in his deposition and in his public hearing  
6       that you had related concerns about Colonel Vindman's judgment?

7           Ms. Hill. I did not relate any concerns in general terms about Colonel Vindman's  
8       judgment. So I was somewhat surprised when I heard Mr. Morrison make that assertion  
9       when I read his deposition.

10          There was a very specific point that was made. And again, these are personnel  
11       issues, and I'm sure that nobody here would like to have their private personnel issues  
12       put before a committee, but you've asked me about this.

13          So I had a couple of very short transition meetings with Mr. Morrison. And,  
14       again, Mr. Morrison did not work in our directorate. He was taking over the position,  
15       which he held for 3 months. I had worked as the director, the senior director for Europe  
16       and Eurasia, it was at the time, for more than 2 years at this point, and I'd been working  
17       for a year with Colonel Vindman, with Mr. Vindman.

18          And in the course of one of the meetings, sometime in the June timeframe, I sat  
19       down with Mr. Morrison and with a deputy referred to him in his deposition, John Erath,  
20       who was also working, and we went through our organizational charts. We went  
21       through who was staying, who was rotating out and leaving in the summer, and we talked  
22       about everybody's strengths and weaknesses.

23          And I always asked my staff to do upward feedback as well, to talk about what I  
24       wasn't doing right either. I would like to learn, too. And I said that I was concerned  
25       about the way things were trending in Ukraine policy.

1           So Colonel Vindman is a highly distinguished, decorated military officer. He  
2 came over to us from the Chairman's office in the Joint Chiefs of Staff. And we were  
3 evaluating and looking at him in the context of what his future positions would be in the  
4 context of the U.S. Army.

5           And I was concerned that if, for example, Colonel Vindman might decide to leave  
6 the military, that perhaps he wasn't as well suited for something that would be much  
7 more political. I did not feel that he had the political antenna to deal with something  
8 that was straying into domestic politics. Not everyone is suited for that.

9           That does not mean in any way that I was questioning his overall judgment, nor  
10 was I questioning in any way his substantive expertise. He is excellent on issues related  
11 to Ukraine, Belarus, and Moldova, on Russian defense issues.

12           He had been in charge of the Russia campaign, thinking through at the Chairman's  
13 office and in the Pentagon. This is a very specific issue. Because by June, we saw that  
14 things were diverging and needed a completely different sensitivity.

15           Some people in my office have worked at the highest levels of advisory positions,  
16 and Mr. Morrison had come from Capitol Hill. He knew politics inside out. And we  
17 said that Colonel Vindman did not, and we were concerned about how he would manage  
18 what was becoming a highly charged and potentially partisan issue which had not been  
19 before.

20           Mr. Castor. And Colonel Vindman related to us during his deposition that he  
21 subsequently was sort of cut out of a lot of the decisionmaking and involvements with the  
22 embassy in Ukraine. Was that something you recommended?

23           Ms. Hill. Not with the embassy in Ukraine. I mean, we did pull him back from  
24 the meeting in May in the Oval Office. And subsequently we were very concerned  
25 about these political aspects to this, and we did not feel -- when July 10th, Colonel

1 Vindman was justifiably alarmed when he realized that there was this highly political  
2 aspect of the meeting that we were looking for eventually with President Zelensky.

3 Mr. Castor. And, Mr. Holmes, I want to -- at the end of August, we understand  
4 that Ambassador Taylor was engaged in obtaining some information for the President  
5 about European allies burden sharing in the region as the decision about aid was being  
6 debated.

7 Mr. Holmes. So, sir, after the hold was placed on the security assistance, many  
8 people, I think, were scrambling to try to understand why. I believe it was Senator  
9 Johnson who had said that the President was concerned about burden sharing, perhaps  
10 others as well.

11 And so trying to interpret why this might have happened, and we were looking  
12 into the facts of what the Europeans have provided and what we have provided, it was  
13 very illuminating what we learned.

14 The United States has provided combined civilian and military assistance to  
15 Ukraine since 2014 of about \$3 billion, plus two \$1 billion -- three \$1 billion loan  
16 guarantees. That is not -- those get paid back largely. So just over \$3 billion.

17 The Europeans, at the level of the European Union, plus the member states  
18 combined, since 2014, my understanding, have provided a combined \$12 billion to  
19 Ukraine.

20 Mr. Castor. And you were able to communicate that information back at the end  
21 of August?

22 Mr. Holmes. I believe so, yeah. This was done in collaboration with other  
23 missions, to the EU, to NATO, and others, yes.

24 Mr. Castor. And do you think that was the information the White House was  
25 looking for?

1           Mr. Holmes. We don't know. If the concern was that we weren't -- that others  
2 weren't spending as much as we were to support Ukraine, then that information showed  
3 a different story.

4           Mr. Castor. Okay. And the aid was subsequently lifted -- the pause in the aid  
5 was lifted shortly thereafter?

6           Mr. Holmes. It was -- yes, in early September -- in mid-September.

7           Mr. Castor. Yield back.

8           The Chairman. That concludes the 45-minute rounds. We'll now go to member  
9 questioning. I'll recognize myself for 5 minutes.

10           First, as a threshold matter, I want to say to the witnesses to be a bit cautious  
11 when Members represent, are you aware of this fact, are you aware of that fact, do you  
12 know that so and so testified to this or testified to that. If you have personal knowledge  
13 of it, that's fine, but -- and I'm not saying this is deliberate -- sometimes Members get it  
14 wrong.

15           So let me just clear the record on one of the things that was suggested to you,  
16 that the Vice President canceled his trip because of a conflict with a trip to Canada. That  
17 was not Ms. Williams' testimony. Her testimony was: I asked my colleague why he  
18 should stop trip planning and why the Vice President would not be attending, and I was  
19 informed that the President had decided the Vice President would not attend the  
20 inauguration.

21           So just offer that caution.

22           Dr. Hill, I want to ask you, you may be aware of some of the attacks on Colonel  
23 Vindman suggesting that he has a dual loyalty, that he's not really loyal to America, he's  
24 loyal to Ukraine. I want to ask you, as a fellow immigrant, what you think of those kind  
25 of accusations when they're leveled against Colonel Vindman or other Americans?

1           Ms. Hill. I think it's very unfortunate. I mean, this is a country of immigrants.  
2 You know, with the exception, you know, perhaps of very few people still here, everyone  
3 immigrated to the United States at some point in their family history.

4           And this is what, for me, really does make America great. I mean, I'm sure that  
5 every single person here -- some people perhaps came reluctantly, others came by  
6 choice, as I did. But this is, for me, this is the essence of America. It's why I wanted to  
7 be here and why I wanted to stay here. And I think it's unfair to castigate anyone.

8           Everyone has some kind of epaulet to them. I'm Anglo American perhaps, or I'm  
9 a British American, I'm a naturalized citizen. I do not believe that my loyalty is to the  
10 United Kingdom. My loyalty is here to the United States. This is my country and the  
11 country that I serve.

12           And I know for a fact that every single one of my colleagues -- and there were  
13 many naturalized citizens in my office and across the National Security Council -- felt  
14 exactly the same way. I think it's deeply unfair.

15           The Chairman. I thank you.

16           You mentioned something in your testimony -- I might not have this exactly  
17 right -- that I think Ambassador Sondland at one point told you his role was to make  
18 deals. Is that right?

19           Ms. Hill. That's correct.

20           The Chairman. I want to ask you --

21           Ms. Hill. And he told other people that as well, to be clear.

22           The Chairman. I want to ask you about one of those deals, the one that  
23 Ambassador Bolton described as a drug deal. I had the suggestion -- or the indication,  
24 rather -- when Mr. Goldman was asking you questions about the July 10th meeting and  
25 the fact there were two meetings -- one in Ambassador Bolton's presence and then

1 another in the Ward Room -- that there was more you had to say about that. Do you  
2 want to walk us through that in a little more detail?

3 Ms. Hill. Well, the reference that Ambassador Bolton made was after I returned  
4 from the Ward Room and related to him what I had heard, because as -- so there was the  
5 sequencing of meetings, which I know that there's been some concern about the  
6 sequencing here and discrepancies between various depositions.

7 So what happened immediately after the meeting that Ambassador Bolton caught  
8 a little short was that he told me to hold back in the room. And he was escorting out  
9 the Ukrainian visitors, along with Secretary Perry and Ambassadors Volker and Sondland,  
10 and I guess they wanted to take a quick photograph outside of his office. And I know  
11 that Secretary Perry and others have tweeted out that photograph, beautiful sunny day,  
12 and there's a picture of all of them standing just outside of Ambassador Bolton's office.

13 This was very quick. He came back in, and at that point I guess they were already  
14 moving down to the Ward Room, because on the way out of Ambassador Bolton's office,  
15 Ambassador Sondland had said, let's regroup in the Ward Room for, you know, a quick  
16 huddle on next steps.

17 Which, to be honest, was quite unusual. You don't usually huddle in a room in  
18 the White House to discuss next steps with foreign delegations. Because we took it to  
19 being next steps on setting up the meeting, which already, as I had said, Ambassador  
20 Bolton wasn't prepared to do.

21 And when Ambassador Bolton came back into the office, that's when he gave me  
22 the very strong instruction to go downstairs, find out what was being discussed, and to  
23 come right back up and report it to him.

24 And as I came into the Ward Room, Alex Vindman, Colonel Vindman, and  
25 Ambassador Sondland were in an exchange, and that's when I noticed that Colonel

1 Vindman looked quite alarmed.

2 Now, I know that Ambassador Sondland was asked yesterday -- because, again, I  
3 watched all of his testimony and I watched it very carefully -- that there were some  
4 questions about yelling and shouting. I certainly never said that, and there was no  
5 yelling and shouting. That's some embellishment that's crept in perhaps in media  
6 depictions or how people like to retell these stories and add things to them.

7 When I came in, Ambassador Sondland was in an exchange with Colonel Vindman  
8 along the lines of, well, we have an agreement to have this meeting. And I came in and I  
9 asked, what's going on here? And he said -- and this is, again, the Ukrainians are there,  
10 Ambassador Volker was there. But at this point I also want to stress, Secretary Perry  
11 had left. He was not in the Ward Room when I came. As I was coming in, Secretary  
12 Perry and his colleagues were leaving. So Secretary Perry has no recollection of this  
13 meeting, because he was not in it.

14 And so when I came in, Gordon Sondland was basically saying, well, look, we have  
15 a deal here that there will be a meeting -- I have a deal here with Chief of Staff Mulvaney,  
16 there will be a meeting if the Ukrainians open up or announce these investigations into  
17 2016 and Burisma.

18 And I cut it off immediately there. Because by this point, having heard  
19 Mr. Giuliani over and over again on the television and all of the issues that he was  
20 asserting, by this point it was clear that Burisma was code for the Bidens, because Giuliani  
21 was laying it out there.

22 I could see why Colonel Vindman was alarmed, and he said, this is inappropriate,  
23 we're the National Security Council, we can't be involved in this. And I've learned, you  
24 know, since, from Mr. Holmes' rendition here today, that Colonel Vindman has already  
25 warned the Ukrainians or, in fact, President Zelensky, no less, to stay out of American

1 politics, domestic politics.

2 So I cut off this line and I said to Ambassador Sondland, look, we need procedures  
3 for here, Ambassador Bolton just made it clear we can't set up the meeting right now, we  
4 have to properly prepare this through the proper process, I know this sounds all very  
5 boring, but, you know, we have national security procedures to do this. And I said, and  
6 we really shouldn't be litigating this or talking about this in front of our colleagues from  
7 Ukraine. It was completely inappropriate for us to be thrashing this out in front of  
8 them.

9 And he agreed, and we asked our Ukrainian colleagues to move into the corridor  
10 outside the Ward Room. And I explained where this is in the deposition, which is also  
11 extraordinarily awkward, because they shouldn't have been standing around in a corridor  
12 in the -- you know, basically in the West Wing at this particular juncture.

13 And that's when I pushed back on Ambassador Sondland and said, look, I know  
14 there's differences about when we should have this meeting, we're trying to figure out  
15 whether we should have it after the Ukrainian democratic -- sorry -- parliamentary  
16 elections, the Rada elections, which by that point I think had been set for July 21st -- it  
17 must have been, because this is July 10th at this point -- and Ambassador Bolton would  
18 like to wait until after that to basically see whether President Zelensky gets the majority  
19 in the Parliament, which would enable him to form a cabinet and then we can move  
20 forward.

21 Ambassador Sondland then said, okay, fair enough. He realized he wasn't going  
22 to, you know, be able to push this further.

23 Ambassador Volker didn't say anything at this particular juncture. And then he  
24 said he had another meeting, and they all left.

25 And I went back up and relayed this to Ambassador Bolton, which is when he gave

1 me the very specific instruction that we've already been through, to go to talk to  
2 Mr. Eisenberg, John Eisenberg, in the NSC counsel's office.

3 The Chairman. Thank you.

4 Mr. Nunes.

5 Mr. Nunes. I assume we're getting 8 minutes there.

6 The Chairman. Mr. Nunes, I don't cut off a witness in the middle of their answer.  
7 You may proceed.

8 Ms. Hill. Sorry, that was a long answer.

9 The Chairman. Mr. Jordan.

10 Mr. Jordan. Mr. Holmes, why didn't your boss talk about it?

11 Mr. Holmes. What's that, sir?

12 Mr. Jordan. Why didn't your boss bring up the call that you overheard, the  
13 reason you're here today? I mean, you're their closing witness. Yet their star witness,  
14 their first witness, Ambassador Taylor, didn't even bring it up.

15 And when we deposed you, you said this was extremely distinctive experience,  
16 one of the most remarkable events of my life. You described it like this. You said, after  
17 the call happens, I immediately told deputy chief of mission and others at the embassy  
18 about the call. Then you said you went on vacation. You told several friends and  
19 family about the call. Then you come back on August 6th, and you tell Ambassador  
20 Taylor about the call.

21 And then in your deposition statement, you said in your statement today as well, I  
22 repeatedly referred to the call in meetings and conversations where the issue of the  
23 President's interest in Ukraine was relevant. I repeatedly referred to the call in  
24 meetings and conversations where the issue of the President's interest in Ukraine was  
25 relevant. That sounds like government speak for you told everybody.

1            Yet their star witness, their first witness, Ambassador Taylor, when he came here,  
2 he related 13 different conversations he had between July 18th, when the aid is frozen,  
3 September 11th, when it's released, 13 different conversations, never once mentioning  
4 this call.

5            July 19th, Dr. Hill and Colonel Vindman told Taylor what Sondland told them.  
6 July 19th, Sondland told Taylor about the upcoming Trump-Zelensky call. July 20th,  
7 Sondland told Taylor what Sondland told Zelensky to tell Trump. July 20th, Danylyuk  
8 tells Taylor what Zelensky told Danylyuk. July 28th, Morrison tells Taylor what  
9 happened on the Trump-Zelensky call. August 16th, Volker tells Taylor what Yermak  
10 told Volker. August 21st, Brechbuhl talks to Taylor. August 22nd, Morrison talks to  
11 Taylor. August 29th, Yermak talks to Taylor. September 1st, Morrison tells Taylor  
12 what Sondland told Morrison about what Yermak told Sondland. September 2nd,  
13 Morrison tells Taylor what Danylyuk told Morrison. September 7th, Morrison tells  
14 Taylor what Sondland told Trump. And September 8th, Sondland tells Taylor what  
15 Trump told Sondland.

16            Nowhere, nowhere, is there a Holmes tells Taylor what the President of the  
17 United States told Sondland. Thirteen conversations --

18            Mr. Holmes. May I answer that question?

19            Mr. Jordan. Yeah, I'll get to you. I'll give you a chance here in a second.

20            Mr. Holmes. Thank you.

21            Mr. Jordan. But 13 conversations, 13 conversations from their star witness,  
22 you're their closing witness, and he can't remember a call from a guy he works with every  
23 single day. Why?

24            Mr. Holmes. Yes, sir. So immediately when I went back to the embassy after  
25 this lunch on the 26th, I told my direct supervisor, the deputy chief of mission. I would

1 have told Ambassador Taylor immediately except he was on the front lines that  
2 afternoon.

3 I then went on, as I've testified, my vacation on Saturday. Came back the  
4 following Monday. And on Tuesday I was back in the ambassador's office, where I  
5 referred to the call.

6 In that week-plus that I was away it was my assumption that the deputy chief of  
7 mission would have informed other people about the call as well.

8 So my recollection is when I did refer to the call in that meeting, that Ambassador  
9 Taylor nodded, knowingly, as though he had been briefed on it.

10 So I referred to the call and I mentioned some of my takeaways from the call.  
11 And at the time, the main takeaway from the call was, the President doesn't care about  
12 Ukraine. So we're going to have a tough road ahead to convince him that it's important  
13 enough for him to schedule an Oval Office meeting for President Zelensky and ultimately  
14 to release this hold on security assistance.

15 That was the takeaway. And that's what I referred to repeatedly in the coming  
16 weeks whenever it became relevant.

17 And I'll remind you, sir, that --

18 Mr. Jordan. Maybe --

19 Mr. Holmes. -- one more important point.

20 Throughout this time, as I've testified, we were trying to find a formula, things we  
21 could do with the Ukrainians that would convince the President that they were worth  
22 talking to.

23 Mr. Jordan. Maybe, maybe, Mr. Holmes, the takeaway was, he thought it was no  
24 big deal because he already knew. He didn't remember it because we already had the  
25 transcript.

1           Mr. Holmes. No --

2           Mr. Jordan. He didn't remember the -- he didn't remember the -- we had the  
3 Trump-Zelensky transcript had been out for 2 months.

4           Mr. Holmes. Sir, I believe that when I --

5           Mr. Jordan. Even though you're repeatedly bringing this conversation up, as you  
6 said, to everybody, when it's -- anytime there's a talk about Ukraine, you recall this  
7 conversation.

8           Maybe it was -- the transcript -- the call happened on the July 25th, that's 4  
9 months ago. The transcript's been out for 2 months. Maybe the Ambassador thought  
10 this is nothing new here.

11           But, shazam, last week, you come forward with supposedly this new information.  
12 There is nothing different in there than what we had on the transcript. Maybe that's the  
13 reason their star witness, their first witness, didn't bring it up.

14           But they had to have something, so you're their closing witness because you  
15 overheard -- you overheard the President talking to Ambassador Sondland.

16           Mr. Holmes. Sir, if I could answer -- I see 4 seconds left on the clock. I  
17 believe --

18           The Chairman. Mr. Holmes, you may talk as long as you need.

19           Mr. Holmes. Thank you, sir.

20           I believe that Ambassador Taylor did already know when I briefed him, when I  
21 returned from vacation on the 6th. He -- it was not news to him that the President was  
22 pressing for a Biden investigation.

23           Mr. Jordan. That's not what I asked. I asked why he didn't share it with us.

24           The Chairman. Mr. Jordan, Mr. Jordan, please do not interrupt the witness any  
25 further.

1 Mr. Holmes --

2 Mr. Holmes. This is exactly --

3 The Chairman. -- Mr. Jordan's time has expired, but yours has not.

4 Mr. Holmes. Okay, thank you, sir.

5 The Chairman. You may answer the question.

6 Mr. Holmes. It's exactly my point. I briefed the call in detail to the deputy chief  
7 of mission. Went away for a week. Come back. I referred to the call, and everyone is  
8 nodding. Of course that's what's going on. Of course the President is pressing for a  
9 Biden investigation before he'll do these things the Ukrainians want. There was nodding  
10 agreement.

11 So did I go through every single word in the call? No, because everyone by that  
12 point agreed, it was obvious what the President was pressing for. And Ambassador  
13 Taylor, as you've just outlined, had all those other interactions with all these other --

14 Mr. Jordan. But he didn't share it with us.

15 The Chairman. Mr. Jordan, please do not interrupt.

16 Mr. Holmes. But, sir, sir -- but, sir, my vivid recollection of an event I was  
17 involved with was a touchstone experience that to me validated --

18 Mr. Jordan. And --

19 Mr. Holmes. -- what -- sir, if I could --

20 The Chairman. Mr. Jordan, please do not interrupt.

21 Mr. Holmes. -- what we believed. And Ambassador Taylor was not in that call.

22 Mr. Jordan. And so all of a sudden, last week, you got to come tell us, right?

1 RPTR PANGBURN

2 EDTR HOFSTAD

3 [2:00 p.m.]

4 The Chairman. Mr. Jordan, we will allow the witness to answer the question.

5 Mr. Holmes. I'll finish with this.

6 The Chairman. Thank you.

7 Mr. Holmes. He was involved in a number of other interactions, as you've  
8 outlined, that brought him to the same conclusion. It is quite possible that that --

9 Mr. Jordan. So he doesn't share the one that --

10 The Chairman. Mr. Jordan --

11 Mr. Jordan. -- the guy he worked with --

12 The Chairman. Mr. Jordan --

13 Mr. Jordan. -- he didn't share that one.

14 The Chairman. Mr. Jordan, you may not like the witness's answer, but --

15 Mr. Jordan. No, I --

16 The Chairman. -- we will hear it.

17 Mr. Jordan. That wasn't an answer; that was a filibuster.

18 The Chairman. Mr. Jordan, we will hear the witness's answer.

19 Have you concluded, Mr. Holmes?

20 Mr. Holmes. I have, sir. Thank you.

21 The Chairman. Thank you.

22 Mr. Himes.

23 Mr. Himes. Thank you, Mr. Chairman.

24 Dr. Hill and Mr. Holmes, thank you for your testimony.

25 Dr. Hill, you made a fairly dramatic comment in your opening statement to which

1 the ranking member took some exception. I'm more interested in the Ukraine piece of  
2 this, but you said, "Some of you on this committee appear to believe that Russia and its  
3 security services did not conduct a campaign against our country and that, perhaps,  
4 somehow, for some reason, Ukraine did."

5 I'm really much more interested in the Ukraine piece of this, but I do want to  
6 defend you briefly. I don't know what my colleagues believe, but I do have a pretty  
7 good sense of what the effects are of creating ambiguity, of lacking clarity and conviction  
8 around the Russian attack on the election of 2016.

9 In response to your comment, the ranking member offered up a report, which  
10 varies in material respects from the report that was created by the 17 agencies of the  
11 Intelligence Community. A day does not go by in which Ranking Member Nunes does  
12 not speak of the "Russia hoax." And this is an area in which context is pretty important.

13 Dr. Hill, let me read you a comment by another senior official. "Why did  
14 Democratic National Committee turn down the DHS offer to protect against hacks? It's  
15 all a big Dem HOAX," all caps. "Why did the DNC refuse to turn over its server to the  
16 FBI? It's all a big Dem scam."

17 Dr. Hill, do you know who said those things?

18 Ms. Hill, I don't.

19 Mr. Himes, That's the President of the United States, Donald J. Trump. So you  
20 might be forgiven for your --

21 Ms. Hill, I must have missed that. Yeah.

22 Mr. Himes, Yeah. You didn't miss much.

23 But my point is -- and tell me if you agree or disagree. Ambiguity, a failure to  
24 name and shame the Russians for the attack in 2016, that is not in the service of our  
25 national security, is it?

1 Ms. Hill. It's not, no.

2 Mr. Himes. It's not.

3 So let's turn to Ukraine. Dr. Hill, have you seen a -- you've characterized the idea  
4 that Ukraine interfered in the election as a "fictional narrative." Have you seen any  
5 evidence at all that Ukraine interfered in the 2016 election?

6 Ms. Hill. Well, I brought with me two exhibits that I was pointed to, in fact, by  
7 our colleagues during the deposition that I gave on October 14th. And, actually, I'm  
8 quite grateful that they pointed me in this direction. I was presented during my  
9 deposition with two articles, or, at least, two pieces of information.

10 One was an op-ed that the Ukrainian Ambassador Chaly wrote in 2016 in The Hill.  
11 So this is during the Presidential campaign, when President Trump was then the nominee  
12 for the Republican Party. And this is Ambassador Chaly, who was then, you know, still  
13 the Ukrainian Ambassador to the United States, being critical of President Trump, who  
14 was then the nominee for the Republican Party, for making comments about Ukraine,  
15 Crimea, and Russia.

16 Mr. Himes. May I interrupt you there?

17 Let me be very specific about what those comments were. The President, when  
18 he was a candidate, said, quote, "The people of Crimea, from what I've heard, would  
19 rather be with Russia than where they were."

20 So Ambassador Chaly is responding to that in that article, correct?

21 Ms. Hill. That's correct. And he just uses this as a peg, because, to be honest,  
22 the whole article is actually about Ukraine. And this is classic, standard for anyone who  
23 wants to write an op-ed. I've written plenty of them myself. You pick a peg by --

24 Mr. Himes. Right.

25 Ms. Hill. -- something that you or somebody else might have said, and then you

1 proceed to say what you want to say.

2 Mr. Himes. Right. So here it is --

3 Ms. Hill. So this is what Ambassador Chaly does, is he talks about Ukraine's  
4 position vis-à-vis Russia and Russian aggression against Ukraine.

5 Mr. Himes. Yeah. And let me just read, because it's worth people hearing this  
6 severe attack on candidate Trump, who has suggested that the Crimeans would rather be  
7 with Russia.

8 Ambassador Chaly writes, "Even if Trump's comments are only speculative and do  
9 not really reflect a future foreign policy, they call for appeasement of an aggressor and  
10 support the violation of a sovereign country's territorial integrity and another's breach of  
11 international law."

12 Dun, dun, dun. That's the attack on candidate Trump.

13 Ms. Hill. That's correct.

14 Mr. Himes. Does that sound like election interference to you?

15 Ms. Hill. Well, I would say that it's probably not the most advisable thing to do  
16 for an ambassador, because you never know who's going to win.

17 And I think that the second piece that was presented to me at great length -- and I  
18 want to thank Mr. Castor for making me go back and read it again.

19 Because when you asked me the questions about it, I did remember the  
20 piece -- Kenneth Vogel is a very well-known and, you know, as you've pointed out,  
21 extremely good journalist. And I'd remembered reading this back in the day, in January  
22 of 2017, but it'd been a long time between then and October. And you gave me a copy,  
23 and I went back and read it again, because I think it actually is extraordinarily important.  
24 It gets to this issue here.

25 Mr. Vogel points out that the Ukrainian Government -- again, you know, they

1 wouldn't have done very well at the bookies, picking up the issue I pointed out in the  
2 beginning of today. They bet on the wrong horse. They bet on Hillary Clinton winning  
3 the election. And so, you know, they were trying to curry favor with the Clinton  
4 campaign, it's quite evident in here.

5 And he relates, you know, to some extent, individuals and some Ukrainian  
6 officials, like Mr. Avakov, the Interior Minister, and a number of other people that he  
7 names here and that have been named at various points, and talks about how they were  
8 trying to collect information, as Ranking Member Nunes said, on Mr. Manafort and on  
9 other people as well.

10 However, I do want to point out that the crux of the article here by Mr. Vogel is he  
11 said, there was little evidence of a top-down effort by Ukraine. And he makes a  
12 distinction between the Russian effort that was personally directed by Russian President  
13 Putin and involved the country's military and foreign intelligence services. Now, I don't  
14 think that those two things are exactly the same.

15 I also mentioned in my deposition of October 14th, that, in fact, many officials  
16 from many countries, including Ukraine, bet on the wrong horse. They believed that  
17 Secretary Clinton, former Senator Clinton, former First Lady Clinton, was going to win.  
18 And many said some pretty disparaging and hurtful things about President Trump, and I  
19 can't blame him for feeling aggrieved about them.

20 And when we were setting up head-of-state visits -- and, remember, I have a  
21 portfolio of 50-plus countries, plus NATO and the European Union -- we thought it  
22 prudent to collect as much as possible about comments that people might have said  
23 about the President during the campaign, when he was either one of the candidates to be  
24 the nominee for the Republican Party or when he was actually the candidate running  
25 against Hillary Clinton.

1           And I'm sorry to say that an awful lot -- and perhaps I shouldn't name them here,  
2 because it will have consequences -- an awful lot of senior officials in many governments,  
3 including our allied governments, said some pretty hurtful things about the President.  
4 And I would also personally take offense at some of the things that were said, if I were  
5 the President.

6           Now, the difference here, however, is that that hasn't had any major impact on his  
7 feelings towards those countries, not that I have seen.

8           But I've also heard the President say -- and he said it in public, so I'm not revealing  
9 any kind of executive privilege here -- that "Ukraine tried to take me down." What I  
10 have seen is that some ill-advised Ukrainian officials -- Ambassador Chaly has been  
11 removed as being the Ambassador from here -- made some pretty, you know, unpleasant  
12 statements or some ill-advised op-eds. But I could list a whole host of ambassadors  
13 from allied countries who tweeted out, who had public comments about the President as  
14 well, and it did not affect security assistance, having meetings with them. If it would,  
15 there'd have been a lot of people he wouldn't have met with.

16           Mr. Himes. Thank you, Dr. Hill.

17           Mr. Chairman, I seek unanimous consent to add to the record a Politico article of  
18 December 1st, 2016, entitled "Russia Accuses Ukraine of Sabotaging Trump." It outlines  
19 Russian senior officials making allegations that there was Ukrainian interference in the  
20 2016 election.

21           The Chairman. Without objection.

22           [The article follows:]

23

24           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           The Chairman. Mr. Conaway?

2           Mr. Conaway. Thank you, Mr. Chairman.

3           I yield to Mr. Ratcliffe 5 minutes.

4           Mr. Ratcliffe. I thank the gentleman for yielding.

5           I want to pick up where my colleague across the aisle, Congressman Himes, left off  
6 earlier. Respectfully, Dr. Hill, he was not defending you; he was defending himself and  
7 Democrats.

8           I want to make sure the record's very clear. Ranking Member Nunes was  
9 correct. He correctly noted in his opening that Republicans, not Democrats, on this  
10 committee were the first ones, the first ones, to raise the issue of Russian interference in  
11 the 2016 election. The disagreement wasn't about Russian meddling. The  
12 disagreement was about whether or not President Trump conspired with Russia -- a false  
13 allegation peddled by the Democrats generally and specifically by some Democrats on  
14 this committee.

15           With that, Mr. Holmes, I want to turn to you and the part of the conversation,  
16 your testimony, where you said you heard President Trump say, "Is he going to do the  
17 investigation?", and Ambassador Sondland said, "He's going to do it. He'll do anything  
18 you ask him to." Is that right?

19           Mr. Holmes. Yes, sir.

20           Mr. Ratcliffe. What did President Trump say next?

21           Mr. Holmes. He said -- he said, "Good. What about Sweden?"

22           Mr. Ratcliffe. He said what?

23           Mr. Holmes. Sir, he -- I'm sorry. I need to look back at where we are in the  
24 middle of the conversation here. Where are we in the testimony?

25           Exactly. It says, "Then they turned to the Sweden conversation."

1 Mr. Ratcliffe. What did President Trump say next?

2 Mr. Holmes. He said, "Good. What about Sweden?"

3 Mr. Ratcliffe. "Good. What about Sweden?" "Good. What about Sweden?"  
4 Why isn't that in your statement?

5 Mr. Holmes. Sir, it's not a word-for-word, every single word in the conversation.

6 Mr. Ratcliffe. But it's the most important part of the conversation.

7 Mr. Holmes. Well, then they turned to Sweden. They turned to the other  
8 topic.

9 Mr. Ratcliffe. Respectfully, Mr. Holmes, this impeachment inquiry is based on  
10 the call the day before, where President Trump, as part of a bribery scheme, as part of an  
11 extortion scheme, as part of a quid pro quo, according to the Democrats, demanded  
12 investigations in exchange for either military aid or a White House meeting. And the  
13 next day, you were witness to President Trump receiving word that the bribery scheme  
14 was successful, the extortion scheme was successful. And his response was, "Good.  
15 What about Sweden?"

16 Mr. Holmes. Yes, sir. The Ukraine portion of that conversation was extremely  
17 brief.

18 Mr. Ratcliffe. What was the first thing the President said on the call?

19 Mr. Holmes. The -- this was --

20 Mr. Ratcliffe. You had a clear recollection of this conversation.

21 Mr. Holmes. Yes, sir.

22 The Chairman. Mr. Ratcliffe, please allow Mr. Holmes to answer.

23 Mr. Holmes. Yes, sir. Sondland greeted the President --

24 Mr. Ratcliffe. How?

25 Mr. Holmes. He said, I'm in -- he said, "Hello, Mr. President. I'm in Kyiv." And

1 the President correct -- said, "Are you in Ukraine?"

2 Mr. Ratcliffe. You think he said, "I think you're in Ukraine"? He said what?

3 Mr. Holmes. He said, "Are you in" -- "Is Kyiv Ukraine?"

4 Mr. Ratcliffe. What did you hear President Trump say about AŞAP Rocky?

5 Mr. Holmes. I did not hear President Trump's side of the conversation about  
6 AŞAP Rocky.

7 Mr. Ratcliffe. You said -- how did we go from, the conversation was very loud  
8 and his voice was recognizable, to, as you say here, when the conversation shifted, I could  
9 only hear Ambassador Sondland's side of the conversation?

10 Mr. Holmes. Yes, sir. As I have testified, the initial part of the call, Ambassador  
11 Sondland, sort of -- when the President came on the call, he sort of winced and held the  
12 phone away from his ear for the initial portion of the call.

13 And then, at some point in the call, he stopped doing that. And I don't know  
14 why. I don't know if he turned the volume down; I don't know if the President spoke  
15 more quietly; I don't know if he got used to the volume; I don't know what changed --

16 Mr. Ratcliffe. What did change? It's important. This was memorable.

17 Mr. Holmes. I don't know, sir. It was -- Ambassador Sondland stopped moving  
18 the phone away from his ear. That's what --

19 Mr. Ratcliffe. That's what it was?

20 Mr. Holmes. Yes.

21 Mr. Ratcliffe. Okay.

22 How did the conversation end?

23 Mr. Holmes. I only heard Ambassador Sondland's side of the conversation, sir.  
24 And at the end of the conversation, he said -- he said -- he was giving the President advice  
25 on how to deal with this AŞAP Rocky situation. And he said, you know, "They should've

1 released him on your word," and "You can tell the Kardashians you tried."

2 Mr. Ratcliffe. Okay.

3 So, to be clear, when President Trump received word that President Zelensky had  
4 agreed to the investigations, he said, "Good. What about Sweden?"

5 Mr. Holmes. Yes.

6 Mr. Ratcliffe. Okay.

7 When exactly did Gordon Sondland ask President Zelensky about the  
8 investigations?

9 Mr. Holmes. I'm sorry, sir?

10 Mr. Ratcliffe. When did he ask about the investigations?

11 Mr. Holmes. When did Gordon Sondland ask Zelensky about the investigations?

12 Mr. Ratcliffe. Yeah.

13 Mr. Holmes. Are you asking in which meeting did he raise the investigations?

14 Mr. Ratcliffe. Well, it was raised the day before on a call --

15 Mr. Holmes. Yeah.

16 Mr. Ratcliffe. -- and, the next day, Gordon Sondland said the answer to that  
17 was --

18 Mr. Holmes. Yes, sir.

19 Mr. Ratcliffe. -- he's going to do the investigations. So when did he ask about  
20 the investigations?

21 Mr. Holmes. My assumption is he did it in a closed-door meeting with Yermak.

22 Mr. Ratcliffe. Well, I want to --

23 The Chairman. The time of the gentleman has expired.

24 Mr. Ratcliffe. I appreciate that, but I want to make sure the record's clear that,  
25 yesterday, Ambassador Sondland testified --

1           The Chairman. The time of the gentleman --

2           Mr. Ratcliffe. -- that the topic of conversations did not come up on that day.

3           I yield back.

4           The Chairman. The time of the gentleman has expired.

5           Ms. Sewell, you're recognized.

6           Ms. Sewell. Thank you, Mr. Chairman.

7           I'd like to thank both of our witnesses for being here today.

8           I'd like to turn our discussion to the campaign to remove career diplomat

9           Ambassador Yovanovitch. Both of you, in your various capacities, had to work with her,  
10          and both of you witnessed what I would call a smear campaign.

11          I wanted to know your thoughts, Dr. Hill. What was your view of Ambassador  
12          Yovanovitch's experience and quality of her work in the Ukraine? And do you consider it  
13          to be a smear campaign?

14          Ms. Hill. I have the highest regard for Ambassador Yovanovitch, both in terms of  
15          her integrity and the high standards of work that she was carrying out as Ambassador in  
16          Ukraine and across her whole career.

17          I do believe that there was a smear campaign. And I just want to say, again, for  
18          the record, that I think it was unnecessary. If there was a decision to have a political  
19          ambassador put in place in Ukraine, that would be perfectly acceptable. It's exactly the  
20          right of the President to be able to do that. I just did not see why it was necessary to  
21          malign Ambassador Yovanovitch to such an extent.

22          Ms. Sewell. Mr. Holmes, would you agree with that? And can you talk about  
23          the character, integrity, and performance of Professor -- I mean, Ambassador Yovanovitch  
24          both in Ukraine?

25          Mr. Holmes. Yes, ma'am. She was extremely professional, respected in

1 Ukraine by Ukrainians, I think also by visiting American senior officials, including members  
2 of this committee and of Congress, who came to visit. She is extremely dedicated,  
3 hard-working.

4 Ms. Sewell. Did you see it as a smear campaign as well?

5 Mr. Holmes. I did, yes.

6 Ms. Sewell. And what was the effect that it had on the morale of other  
7 professionals that you worked with in the Ukraine?

8 Mr. Holmes. It was a very confusing time. As I have said before, the President  
9 has the right to remove an ambassador for any or no reason at all. It was not clear to us  
10 why this was happening or why people weren't standing up for her.

11 Ms. Sewell. I'd like to now turn, Dr. Hill, to your boss. Your boss was  
12 Ambassador Bolton, right?

13 Ms. Hill. That's correct, yes.

14 Ms. Sewell. Did your boss, Ambassador Bolton, tell you that Giuliani was, quote,  
15 "a hand grenade"?

16 Ms. Hill. He did, yes.

17 Ms. Sewell. What do you think he met by his characterization of Giuliani as a  
18 hand grenade?

19 Ms. Hill. What he meant by this was pretty clear to me in the context of all of  
20 the statements that Mr. Giuliani was making publicly, that the investigations that he was  
21 promoting, that the story line he was promoting, the narrative he was promoting was  
22 going to backfire. I think it has backfired.

23 Ms. Sewell. Was that narrative also inclusive of falsehoods about Ambassador  
24 Yovanovitch?

25 Ms. Hill. At the particular juncture that Ambassador Bolton made that comment,

1 absolutely, because that was in the context of my discussions with him about what was  
2 happening to Ambassador Yovanovitch.

3 Ms. Sewell. I was particularly struck by your testimony, Dr. Hill, about receiving  
4 hateful calls and being accused of being a source, mole, in the White House. Are you a  
5 Never Trumper, or have you been true to your profession and remain nonpartisan?

6 Ms. Hill. I honestly don't know what the definition of a Never Trumper is, as I  
7 think many of my colleagues are feeling the same way, that it's a puzzling term to be  
8 applied to career or nonpartisan officials. And I chose to come into the administration.  
9 I could easily have said no when I was approached by the people --

10 Ms. Sewell. Yes, but you didn't sign up to have hateful calls and the like?

11 Ms. Hill. I guess, unfortunately, where we are today in America, that's coming  
12 with the territory. They're continuing, honestly. I mean, we're constantly having to  
13 block Twitter posts of my name and address on the internet. We've been doing this  
14 over the last couple of days.

15 Ms. Sewell. I think that you would agree --

16 Ms. Hill. And as I said in my deposition, this could happen to any single person in  
17 this room, be it members of the press, be it Members of Congress, and be it the staff.  
18 And I think we have to find ways of combating this. And, again, this gets back, sadly, to  
19 things that our adversaries can also exploit.

20 Ms. Sewell. Exactly. I think you would agree with me that this shouldn't  
21 become the new normal. Would you agree?

22 Ms. Hill. It should not.

23 Ms. Sewell. I also think that this kind of behavior, instead of keeping you down,  
24 would make you undeterred. Are you more determined to continue to do your work  
25 and to do it professionally?

1           Ms. Hill. I am, and I think that all my colleagues are as well. Because, just as  
2 you said, we can't let this stand. And I don't think anyone here wants to let this stand.  
3 I actually don't believe that this is a partisan issue. I don't think anybody wants to come  
4 under personal attack.

5           Ms. Sewell. Yeah. I, unfortunately, think that this has become the new norm  
6 and that we're being led by the very top of the food chain, which is our President, which  
7 is unfortunate.

8           I'm especially disheartened by his treatment of women, and I think that the fact of  
9 the matter is that there's a long line of strong, talented women who have been smeared  
10 and victimized by this President. And we can either choose to ignore it or do something  
11 about it.

12           And, frankly, I think that whether you voted for him or whether you supported  
13 him or not, that doing so is wrong. You could simply just remove someone. You don't  
14 have to smear them.

15           Thank you. I yield back my time.

16           The Chairman. Mr. Turner.

17           Mr. Turner. Right. I just want to echo that sentiment and certainly lament the  
18 attacks that have been levied against our colleague, Elise Stefanik, on this panel, which  
19 have been vile and hateful.

20           For those of you keeping score at home, the efforts to accuse our President of  
21 coercion, extortion, or bribery with these witnesses, as we now come to the closing  
22 session of this, basically break down as follows:

23           We have Kent and Ambassador Taylor who spoke of hearsay. Their hearsay of  
24 these matters that they said that they had heard were all statements that they'd heard  
25 from others who have also testified in front of us. So there's no one that's missing,

1 there's no one out there. Kent and Taylor basically said that they'd heard it from  
2 Morrison and Sondland. Morrison indicated he'd heard it from Sondland. Sondland  
3 testified yesterday he'd heard it from no one on the planet.

4 Vindman and Morrison both have direct testimony of the phone call with the  
5 President of the United States. Beyond that, they only had contact with Sondland.  
6 And, again, Sondland indicated he had contact with no one on the planet.

7 Volker testified that he did have direct contact both with the Ukrainians and with  
8 the President of the United States and indicated that the President of the United States  
9 did not condition either a phone call, a meeting, or aid upon Ukraine undertaking  
10 investigations and also testified that the Ukrainians did not believe that either.

11 We also have the direct statements from the President of Ukraine and the Foreign  
12 Minister that they did not feel any pressure to undertake investigations. And we also  
13 have the evidence that we're all very much aware of, which is, they did not undertake any  
14 investigations.

15 We also have Yovanovitch and Dr. Hill. Yovanovitch, obviously, left before the  
16 time period. Dr. Hill, we appreciate your being with us today, and Mr. Holmes.

17 Dr. Hill, you have provided me probably the greatest piece of evidence that's  
18 before us to illustrate the problem with hearsay. So you said, based on questions and  
19 statements, "I have heard some of you on this committee" -- that'd be us -- "appear to  
20 believe that Russia and its security services did not conduct a campaign against our  
21 country, and, perhaps, somehow, for some reason, it was Ukraine."

22 So this was held up by Devin Nunes. This is the "Report on Russian Active  
23 Measures" that was voted on by all of us. It begins with this sentence: "In 2015,  
24 Russia began engaging in a covert influence campaign aimed at the U.S. Presidential  
25 election." Every one of us.

1           A little, small, like, you know, effort on your part, Dr. Hill, and you would have  
2 known that what you just said was not true, what you had heard. But you felt the need  
3 to put it in your eight-page statement before you went on to tell us a bunch of other  
4 things that you heard about other people, no matter how convinced you were of, also  
5 which were not necessarily true, one of which was that you said that Ambassador  
6 Sondland met with Giuliani.

7           Actually, Ambassador Sondland testified here that he had not, as Ambassador,  
8 met with Giuliani. He'd briefly met him in his lifetime by shaking his hand. And  
9 Giuliani issued a statement that they had never met either.

10           This is the problem with, no matter how convinced we are, Dr. Hill, no matter how  
11 much we believe we know that what we've heard is true, it is still just what we've heard.

12           But so far in this hearing, in this series of hearings, the only thing that we have is  
13 Volker saying, I spoke to the President and I've spoke to Ukrainians, neither of which  
14 believed that aid was conditioned, neither of which believed that the President was  
15 requiring it, and Ambassador Sondland, which said no one on the planet told him that  
16 that was the case. That's the sole evidence.

17           Now, I've got to tell you, the one thing that's interesting is Ambassador Sondland  
18 did say it's his belief that a meeting with the President was conditioned upon  
19 investigations. Ambassador Volker, who I think is a man of very significant integrity, said  
20 that that was not the case.

21           Now, even if Ambassador Sondland is correct that somebody -- and, Dr. Hill, you  
22 testified -- and, again, it's hearsay; you don't know -- that supposedly Mulvaney told him  
23 that, because he didn't testify to that. But let's say somebody beside the President told  
24 him that, you guys want to be the laughing stock of history, to impeach a President of the  
25 United States because he didn't take a meeting? Oh, please, dear God. Please

1 undertake that.

2 Now, Mr. Holmes, I've got to tell you --

3 The Chairman. Is there a question for Dr. Hill?

4 Mr. Turner. Mr. Holmes, in your testimony, you said that Sondland said "he  
5 loves your ass" and also said, "He'll do anything that you want."

6 Mr. Holmes. Uh-huh.

7 Mr. Turner. Mr. Holmes, that information had nothing whatsoever to do with  
8 the subject matter of any of these hearings. It was anecdotal. It was extraneous.

9 Your statements that your interests are protecting Ukraine are very dubious when  
10 you embarrass President Zelensky by making those statements that you didn't have to  
11 make. Who cares that Ambassador Sondland said that?

12 And, you know, you didn't embarrass Ambassador Sondland; you embarrassed  
13 Zelensky. Because you know he got asked this question in his own country, and people  
14 are hearing that statement as if it's true --

15 The Chairman. The time of the gentleman has expired.

16 Mr. Turner. -- and it's totally dubious for you to do that.

17 The Chairman. Mr. Carson, you are recognized.

18 Mr. Turner. I yield back.

19 Mr. Carson. Thank you, Chairman.

20 Thank you both for your service.

21 Dr. Hill, I'd like to talk a little bit more in depth about Chief of Staff Mick  
22 Mulvaney's role in the events under investigation.

23 You testified, ma'am, that Mr. Mulvaney and Ambassador Sondland were both  
24 involved with a letter President Trump sent to the Ukrainian President on May 29th  
25 congratulating him on his inauguration. Do you recall that, ma'am?

1 Ms. Hill. I did, yes.

2 Mr. Carson. And towards the end of that letter, President Trump closed with,  
3 quote, "I would like to invite you to meet me at the White House in Washington, D.C., as  
4 soon as we can find a mutually convenient time," end quote.

5 Dr. Hill, was this congratulatory letter drafted through the normal procedures at  
6 the NSC that the NSC uses to send letters to foreign heads of state?

7 Ms. Hill. The first part of it was, except the last paragraph.

8 Mr. Carson. You also testified that Ambassador Sondland told you that he had  
9 dictated that line to the President and that Mr. Mulvaney -- he told Mr. Mulvaney to add  
10 that to the letter. Is that correct, ma'am?

11 Ms. Hill. That's correct.

12 Mr. Carson. You said that you were nervous about that. Why were you  
13 nervous, Dr. Hill?

14 Ms. Hill. Because, at this juncture, it had become quite apparent that the  
15 President wasn't very keen on having a meeting with Mr. Zelensky, for all the reasons that  
16 we've been trying to lay out today. And we were -- once one puts in a letter like that,  
17 you raise the expectation of an invitation coming shortly.

18 Mr. Carson. Dr. Hill, you also testified, ma'am, that Ambassador Sondland was  
19 frequently meeting with Mr. Mulvaney. Mr. Giuliani's campaign of lies ultimately led to  
20 Ambassador Yovanovitch being recalled from her post in April 2019.

21 You've also testified, ma'am, that her removal was pretty dispiriting and a turning  
22 point for you. Can you explain to us why, ma'am?

23 Ms. Hill. Well, again, as we've all made clear, Ambassador Yovanovitch -- and  
24 you saw for yourselves in her deposition -- is a person of great integrity. She's one of  
25 our finest Foreign Service officers, career Foreign Service officers.

1           And if there'd been a decision to remove her, to replace her with a political  
2 appointee, again, that is perfectly within the rights of the President. Sometimes it's  
3 highly advisable, in fact, to emphasize to a country just exactly how close the relationship  
4 is likely to be, to have an appointee who is close to the President, if it's an important  
5 relationship.

6           But what was dispiriting was all of the accusations that were being fired at  
7 Ambassador Yovanovitch, leading her to be tweeted, including by members of the  
8 President's family. We all firmly believed that Mr. Giuliani and others, including people  
9 who were recently indicted, the Ukrainian-American gentlemen, had for some reason  
10 decided that Ambassador Yovanovitch was some kind of personal problem for them and  
11 that they had then decided to engage in just the kinds of things we've been discussing  
12 about. And, frankly, she was an easy target as a woman.

13           And I'm very sorry to hear about what's happened to Congressman Stefanik.  
14 And I think that this just illustrates the point and the problem that we're dealing with  
15 here today.

16           Mr. Carson. Certainly.

17           I was also struck by your testimony that you were also the target of false  
18 accusations during your time in the Trump administration. You testified, ma'am, about  
19 receiving hateful calls and being accused of being, quote, "a mole in the White House."

20           You testified about death threats and calls at your home. Is that right?

21           Ms. Hill. That's correct. That was in 2017.

22           Mr. Carson. Well, I'm sorry you've had to go through all of this, ma'am. You  
23 don't strike me as a woman who is easily deterred. You're not easily deterred, are you,  
24 Dr. Hill?

25           Ms. Hill. I'm not, no.

1 Mr. Carson. Thank you both for your service.

2 I yield back, Chairman.

3 Ms. Hill. Thank you, sir.

4 The Chairman. I thank the gentleman for yielding.

5 Just another fact check. And, again, my caution to both of you that  
6 representations about what prior witnesses said or what you have even said may not be  
7 consistent with the facts.

8 This was from Ambassador Sondland's opening statement. "After the Zelensky  
9 meeting, I also met with Zelensky's senior aide, Andriy Yermak. I don't recall the  
10 specifics of our conversation, but I believe the issue of investigations was probably a part  
11 of that agenda or meeting."

12 I now recognize Dr. Wenstrup.

13 Dr. Wenstrup. Thank you, Mr. Chairman.

14 And thank you both for being here.

15 You know, in 1998, I voluntarily joined the United States Army Reserve because I  
16 saw our country under attack time and time again. Bill Clinton was the President. I  
17 didn't vote for Bill Clinton, but he was my Commander in Chief. It didn't matter that I  
18 didn't vote for him.

19 I'm grateful to live in a country that gets to legitimately elect our leaders. And  
20 I've been to places where people don't get to, and it's not pretty. And I respect our  
21 system, and I accept the results that are determined by the American people.

22 I deployed to Iraq 2005-2006 as an Army surgeon with soldiers from many  
23 backgrounds. The most important thing was we were all Americans. That was first  
24 and foremost.

25 In our mission, we treated our troops, we treated the enemy, winning over the

1 hearts and minds of people that never knew us because of their dictator, Saddam  
2 Hussein, who told them that we were responsible for all their problems, and that was his  
3 narrative.

4 And speaking of narratives, Dr. Hill, I'm sorry, I have to say this. You said, based  
5 on statements you've heard, that some on this committee believe Russia did not conduct  
6 a campaign against our country -- is false. That's Mr. Schiff's narrative. That's where  
7 you've heard it. We did a whole report on it. And we agree that Russia has done this  
8 since the Soviet Union, and they've actually gotten better at it. That's a problem.

9 But, at the same time, certain Ukrainians did work against candidate Trump, some  
10 with the DNC. And if that's debunked, why is it Mr. Schiff has denied DNC operative  
11 Alexandra Chalupa from testifying to come forward and debunk it?

12 I ask America, was it good for the country for the DNC and the Clinton campaign to  
13 pay Christopher Steele to dig up fake dirt with other Foreign Service sources on their  
14 political rival?

15 Was it good for America to claim having evidence of the President colluding with  
16 Russians when he did not, costing the taxpayer millions and being debunked by special  
17 counsel? I'd say the false narrative got caught.

18 Was it good for the country for Americans and foreigners alike to attempt to  
19 entrap members of a United States Presidential campaign, specifically the Trump  
20 campaign? Sadly, I've come to believe through all this that some in power do think it's  
21 good. They think it's okay.

22 And now we're here at an impeachment proceeding -- certainly a right that  
23 Congress has and, apparently, even with very partisan rules. But I'm curious. This  
24 impeachment inquiry was announced by the Speaker before the whistleblower complaint  
25 was even out. I'm curious why the lawyer for the whistleblower announced that the

1 coup to impeach the President -- that he announced that right after Trump won. That's  
2 pretty damning.

3 I know it hurts after losing an election, especially as Americans. We usually get  
4 over it. And I imagine it would hurt even more if you were promised a position in the  
5 next administration and lost and your hopes and your dreams are dashed.

6 You know, I've seen hatred for political reasons, specifically on June 14th, 2017, at  
7 a ball field in Virginia. And I've seen hatred in war. And I know that hatred blinds  
8 people. I've been in war, and I've studied war. And coups create division. And it's  
9 time for this phase of the publicly announced and proclaimed Democrat coup to end.

10 Thank you for your service. Thanks for being here.

11 And I yield back.

12 Ms. Hill. Could I actually say something? Because we've had three --

13 The Chairman. Doctor, I was going to ask you if you'd like to respond. There  
14 have been a number --

15 Dr. Wenstrup. No. I yielded back. Let me ask the question.

16 The Chairman. The gentleman will suspend.

17 Dr. Hill, you may respond.

18 Ms. Hill. No, I think that what Dr. Wenstrup said was very powerful, about the  
19 importance of overcoming hatred and, certainly, partisan division. And it's unfortunate  
20 that Congressmen Turner and Ratcliffe have both left, as well. Because I think all of us  
21 who came here under a legal obligation also felt we had a moral obligation to do so. We  
22 came as fact witnesses.

23 When I was referring to questions that I'd heard, it was in the context of the  
24 deposition that I gave on October 14th. Because I was very worried about the turn  
25 which some of the questions were taking.

1           And I understand that the point is being raised about individuals, as you have just  
2 said, Dr. Wenstrup, and that these articles lay out, taking different positions in our  
3 elections. I don't believe there should be any interference of any kind in our election.  
4 I think it was unfair for people to already call the election and to make attacks also on  
5 candidate Trump and on President Trump. And I know that this has put a huge cloud  
6 over this Presidency and also over our whole democratic system.

7           That's actually why, as a nonpartisan person and as an expert on Russia and an  
8 expert on Vladimir Putin and on the Russian security services, I wanted to come in to  
9 serve the country, to try to see if I could help.

10           I heard President Trump say that he wanted to improve the relations with Russia.  
11 I believe we have to. We can't be in this unending confrontation with Russia. We have  
12 to find a way to stabilize that relationship and to professionalize that relationship, as well  
13 as to stop them from doing what they did in 2016 again in 2020.

14           This is really the crux of the issue that I and others are trying to put across and, I  
15 think, that you've put across very eloquently.

16           The other matters related to this inquiry, we're here just to provide what we know  
17 and what we've heard. I understand that, for many members, this may be hearsay.  
18 I've talked about things I heard with my own ears. I understand that Ambassador  
19 Sondland has said a lot of things. I have told you what he told me and what others told  
20 me.

21           A lot of other people have said things to me again, as well, and also to Mr.  
22 Holmes, and we're here to relate to you what we heard, what we saw, and what did and  
23 to be of some help to all of you in really making a very momentous decision here. We  
24 are not the people who make that decision.

25           And I do again want to underscore what you said here, Dr. Wenstrup -- it was very

1 eloquent and very moving -- about your service and trying to bring us all together again as  
2 Americans. We need to be together again in 2020 so the American people can make a  
3 choice about the future and make their vote in a Presidential election without any fear  
4 that this is being interfered in from any quarter whatsoever.

5 And so I just want to thank you for making what I think was also a very elegant  
6 and eloquent and heartfelt defense.

7 Dr. Wenstrup. Thank you.

8 The Chairman. Thank you, Dr. Hill.

9 Ms. Speier?

10 Ms. Speier. Chairman, thank you.

11 And, Dr. Hill and Mr. Holmes, thank you both for being fact witnesses. We are  
12 here as fact-finders, and we appreciate very much your presentations.

13 Dr. Hill, I want to verify this story. I understand that when you were 11 years old  
14 there was a schoolboy who set your pigtails on fire. And you were taking a test. You  
15 turned around and, with your hands, snuffed out the fire and then proceeded to finish  
16 your test.

17 Is that a true story?

18 Ms. Hill. It is a true story. I was a bit surprised to see that pop up today. It's  
19 one of the stories I occasionally tell because it had some very unfortunate consequences  
20 afterwards. My mother gave me a bowl haircut. So, for the school photograph later in  
21 that week, I looked like Richard the III or as if I'm going to be in a permanent --

22 Ms. Speier. Well, I think it underscores the fact that you speak truth, that you  
23 are steely. And I truly respect that.

24 Let me move to your testimony in your deposition. You had indicated you were  
25 deeply troubled by Ambassador Yovanovitch's -- the attacks on her. And you

1 underscored again today that all ambassadors serve at the pleasure of the President.  
2 And, certainly, in the case of Ambassador Yovanovitch, he could've just asked her to come  
3 home. But that didn't happen. In fact, there was a systematic character assassination  
4 that went on. It went on from 2018, if I'm not mistaken.

5 But you say, "And the most obvious explanation, at this point, it has to be said,  
6 seemed to be business dealings of individuals who wanted to improve their investment  
7 positions inside of Ukraine itself."

8 You were then asked, "Who do you understand was responsible for her removal?"  
9 And you said, "I understand this to be the result of the campaign that Mr. Giuliani had set  
10 in motion in conjunction with people who were writing articles and, you know,  
11 publications that I would have expected better of. And, also, you know, just the  
12 constant drumbeat of these accusations that he was making on the television."

13 So Rudy Giuliani was playing fast and furious in Ukraine, it would appear. Is that  
14 correct?

15 Ms. Hill. That's correct.

16 Ms. Speier. And he had no official tasking within the administration. Is that  
17 correct?

18 Ms. Hill. Not that I had been told of.

19 Ms. Speier. But he frequently met with Ukrainian officials to request that they  
20 open an investigation?

21 Ms. Hill. So I was led to understand, yes.

22 Ms. Speier. You testified that Mr. Giuliani's involvement was, quote, "a massive  
23 complication in terms of our engagement with Ukraine."

24 Ms. Hill. That's correct.

25 Ms. Speier. Would you like to explain that?

1           Ms. Hill. Well, I think I already laid that out in an earlier part of response to  
2 some of the questions. We were actually conducting -- which, you know, for a lot of the  
3 American people might seem to be a rather boring, standard bilateral policy toward  
4 Ukraine, pushing them on issues of reform in the energy sector. And, more broadly, we  
5 were concerned, obviously, about corruption in Ukraine. We were trying to help  
6 Ukraine regain its sovereignty after the attacks by Russia --

7           Ms. Speier. So how did Mr. Giuliani's involvement affect --

8           Ms. Hill. Well, we basically had worked out over a course of 2 years, in  
9 conjunction, close conjunction with the Embassy in Kyiv, an interagency-agreed action  
10 plan. And these are things that, in fact, Colonel Vindman and others were working on,  
11 basically moving forward on the various issues that were on the list of items.

12           Clearly, Rudy Giuliani and other people didn't care at all about this. Frankly --

13           Ms. Speier. All right.

14           Ms. Hill. -- Ambassador Sondland wasn't particularly interested in it either. It's  
15 quite boring. It wouldn't make for good copy in the press. And it's the kind of thing  
16 that everybody in a routine moves forward on.

17           Ms. Speier. Mr. Holmes, you talked about the extraordinary power that Russia  
18 tries to assert against Ukraine. So, since President Zelensky never got his White House  
19 meeting, doesn't that make Ukraine look weak, and doesn't that benefit Russia?

20           Mr. Holmes. Absolutely it does.

21           Ms. Speier. All right. So promoting Putin's false claim of Ukraine intervention  
22 into the U.S. election also benefits Russia, doesn't it?

23           Mr. Holmes. It does.

24           Ms. Speier. So, when President Trump meets privately with Vladimir Putin at the  
25 G20 summit, who does that benefit?

1 Mr. Holmes. Well, it doesn't help Ukraine.

2 Ms. Speier. It doesn't help Ukraine.

3 And by President Trump calling Ukraine corrupt, and not North Korea, for  
4 instance, does that accrue to Russia's benefit?

5 Mr. Holmes. Again, it doesn't help Ukraine.

6 Ms. Speier. All right. I thank you.

7 And, Mr. Chairman, I'll yield the rest of my time to you.

8 The Chairman. You're yielding me 3 seconds. Not even I can make use of  
9 3 seconds.

10 Mr. Stewart.

11 Mr. Stewart. Thank you.

12 Dr. Hill, Mr Holmes, thank you for being here.

13 I actually have no questions for you that haven't already been asked or made any  
14 points that haven't already been made, and I guess I'll just conclude by something I've  
15 said before.

16 This impeachapalooza tour finally comes to an end. I mean, a year of resistance,  
17 2-1/2 years of these absurd accusations against the President of Russia and collusion.  
18 We've gone from quid pro quo to bribery to extortion, 7 weeks of hearings, 16 secret  
19 closed-door sessions, 12 public hearings, now of which you are the last, hundreds of  
20 hours of testimony.

21 And I really think that, for those who hate the President, they haven't changed  
22 their minds, but there's a lot of Americans who look at this and they think, is that it?  
23 Really? You're going to impeach and remove a President for this?

24 Now, like I said, if you don't like the President, you've already come to that  
25 conclusion. Many people wanted this 3 years ago. But for a lot of Americans, they

1 really look at that, and they can see this: no evidence, zero evidence of any bribery,  
2 zero evidence of extortion, zero evidence firsthand of any quid pro quo. And yet  
3 impeachment is almost inevitable. And why? Because the leadership of this  
4 committee has been unfair and dishonest.

5 And I know we hear these crocodile tears from some of my colleagues who are  
6 heartbroken because they finally have to impeach this President, and we know that's  
7 absurd. There's no heartbroken, there's no prayerful tears over this. They're giddy  
8 over this. And there's not a person in the country who doesn't know that. Everyone  
9 knows what they're going to do next. They're going to impeach the President, and  
10 they're going to send it on to the Senate. But that is the good news. That's good  
11 news.

12 You know, we've all been to a concert. You've got the warm-up band, and then  
13 you've got the main act. And what we've seen here is the warm-up band. This is kind  
14 of like the Sioux City Crooners; this is a band that no one's ever heard of. But the  
15 warm-up band is over, and now we're going to go on to the main event, and that's in the  
16 U.S. Senate.

17 And, in the U.S. Senate, there won't be any secret testimony. There's not going  
18 to be dishonest leadership or a chairman who refuses to let us ask appropriate questions  
19 or to deny a defense. Where in the world, where in the country do you have a trial  
20 where the prosecution presents their case and the defense isn't able to? So we'll finally  
21 be able to get to the truth.

22 And so I'm talking now to my colleagues in the Senate: These are some of the  
23 witnesses that you need to call, and these are some of the questions that you need to  
24 ask.

25 First, you have to hear from the whistleblower. Now, they can choose to do that

1 in closed session if they want to. I leave that up to them. But you can't initiate an  
2 impeachment of the President of the United States and not have to answer some  
3 questions.

4 Who did he get his information from? Did he have the classification and the  
5 clearances to get that information? What's his relationship with Vice President Biden?  
6 Who has he shared that information with, including some members of the committee  
7 here?

8 I think our own chairman needs to be called. What interactions did he or his  
9 staff have with the whistleblower? Did they help to coordinate or in any way facilitate  
10 the complaint? Did they coordinate and facilitate with him counsel?

11 What about Hunter Biden? How did he get his job? What did he do to earn his  
12 salary?

13 And here's the key to this. Look, if he goes there and makes money, knock  
14 yourself out. I don't care. But I want to know, did he have conversations with  
15 government officials and was government policy changed at a particularly high level  
16 because of some of those?

17 Devon Archer, former board member from Burisma. Alexandra Chalupa, former  
18 DNC official who admitted she provided anti-Trump information to the DNC and to Hillary  
19 Clinton. Nellie Ohr from Fusion GPS, who helped to create the ridiculous Steele dossier.

20 I'd like to remind us what I said yesterday. The American people expect a lot in  
21 politics. They understand the tussle, the fight, the debate. But they also expect basic  
22 fairness. And these proceedings have been anything but fair. The Senate has an  
23 opportunity to fix that. I am confident they will. And I look forward to them  
24 completing the job that we could have done here.

25 And, with that, I will yield back.

1           The Chairman. Mr. Quigley.

2           Mr. Quigley. Thank you, Mr. Chairman.

3           Thank you both for being here.

4           Dr. Hill, when we last left, July 10th, I believe Ambassador Bolton said to you, "You  
5 go and tell Eisenberg that I am not part of whatever drug deal Sondland and Mulvaney  
6 are cooking up on this, and you go tell them what you heard and what I've said." That's  
7 correct; is that right?

8           Ms. Hill. That's correct, sir, yes.

9           Mr. Quigley. And John Eisenberg, he's the chief lawyer for the National Security  
10 Council, correct?

11          Ms. Hill. He is, yes.

12          Mr. Quigley. And you went to see him.

13          Ms. Hill. I did go to see him.

14          Mr. Quigley. And what did you say to him that day?

15          Ms. Hill. I basically gave him the same summary that I've given to you on the  
16 10th of July.

17          Mr. Quigley. Of what took place.

18          Ms. Hill. Of what took place, correct, including some of the details that I shared  
19 with you as well, the sequencing and what transpired as I was walking in.

20          Mr. Quigley. Now, did you have one or two meetings with him about that?

21          Ms. Hill. He did not have a great deal of time on the 10th, and I gave him the  
22 quick summary, and we agreed that we would meet again on the 11th, on July 11th, the  
23 next day.

24                 And I also wanted to bring in with me my colleague Wells Griffith, our Senior  
25 Director for Energy, who'd been sitting with me on the sofa for the first portion of the

1 meeting.

2 And I also suggested that he speak to Colonel Vindman separately as well.

3 Because Colonel Vindman was in the Ward Room when I arrived and had obviously been  
4 engaged in some discussion before I got there, because as I got into the room, they were  
5 clearly in the course of conversation. And I thought it was important for John Eisenberg  
6 to hear from Colonel Vindman himself what his recollections of the meeting were.

7 Mr. Quigley. Did you raise the concerns that Ambassador Bolton had raised to  
8 you to Mr. Eisenberg?

9 Ms. Hill. I certainly did. The first thing I related to him was exactly and  
10 precisely what Ambassador Bolton had asked me to.

11 Mr. Quigley. In the course of those two meetings, what was Mr. Eisenberg's  
12 response?

13 Ms. Hill. Mr. Eisenberg took it all very seriously. He said, for example, that  
14 Colonel Vindman should feel free -- he said this to me -- in the future to go and bring any  
15 concerns to him about these meetings. Similarly myself and any others, if there was any  
16 subsequent followup in terms of these issues being raised again with any of the parties in  
17 the future.

18 Mr. Quigley. He didn't say anything in response about how he took that meeting  
19 or how he would describe it or if he had any -- did he raise any concerns about what you  
20 told him that took place?

21 Ms. Hill. No, he did not. He listened very carefully to all of the information that  
22 we imparted.

23 Mr. Quigley. Now, back to that July 10th meeting, the second meeting that's in  
24 the Ward Room, correct?

25 Ms. Hill. That's correct.

1           Mr. Quigley. Now, who was in that meeting besides yourself? The two  
2 Ukrainians?

3           Ms. Hill. Mr. Danylyuk, Mr. Yermak, Mr. Yermak's aide, Ambassador Volker,  
4 Ambassador Sondland, and then a couple of people I think within the State Department.  
5 I wondered for a while if one of Secretary Perry's group had been there too, but I honestly  
6 cannot remember.

7           Mr. Quigley. But Ambassador Volker was there during that entire --

8           Ms. Hill. He was there, but he didn't actually speak very much during that  
9 meeting. And I heard his deposition and I read his deposition where he didn't really  
10 recall that encounter. Again, he didn't really speak. Ambassador Sondland was doing  
11 most of the speaking.

12          Mr. Quigley. Yeah. And as I think you described it, as you came in, Ambassador  
13 Sondland was talking about how he had an agreement with Chief of Staff Mulvaney for a  
14 meeting with the Ukrainians if they were going forward with the investigations.

15          While this was taking place and afterwards, how were the Ukrainians reacting to  
16 what was being said?

17          Ms. Hill. Well, at the time, Mr. Yermak was quite impassive. I said that he had  
18 an aide with him, and his aide was sitting next to him in the original meeting with  
19 Ambassador Bolton and was, you know, from time to time -- actually, he was on this  
20 side -- whispering to him.

21          So I wasn't sure myself, because I had not met Mr. Yermak before, about how  
22 good his English was. So I wasn't sure -- and perhaps Mr. Holmes might be able to  
23 reflect on that -- as to whether he was, you know, having some points of clarification  
24 from the aide.

25          Mr. Quigley. But he understood what was happening.

1           **Ms. Hill.** Yeah, so I wasn't entirely sure if he was following all of the  
2 back-and-forth.

3           **Mr. Danylyuk**, who I know very well and speaks very good English, looked quite  
4 alarmed. I think he was more alarmed at the fact that there was this back-and-forth  
5 between Ambassador Sondland and Colonel Vindman than with me about the meeting.  
6 Clearly, they very much wanted to have this meeting, and here are some U.S. officials  
7 arguing about the meeting in front of him, and that was obviously very uncomfortable for  
8 him.

9           **Mr. Quigley.** Did you have any followup to that, sir?

10          **Mr. Holmes.** Oh, I would just add that Danylyuk speaks perfect English, and  
11 Yermak can get by in meetings but often does ask for clarifications.

12          **Mr. Quigley.** Given the time, I would yield back.

13          The **Chairman.** Ms. Stefanik.

14          **Ms. Stefanik.** Before I turn to our witnesses, I just wanted to say to my  
15 Democratic colleagues, not a single Republican member of this committee has said that  
16 Russia did not meddle in the 2016 elections. As the ranking member stated, we  
17 published a report focused on Russian active measures in 2016, with policy  
18 recommendations as to how we strengthen our cyber resiliency and election security to  
19 counter Russia. I, myself, have worked with members of this very committee on this  
20 issue but also on the House Armed Services Committee.

21                 So to have our Democratic colleagues say these untruthful statements just reeks  
22 of political desperation in their continued obsession to manipulate mainstream media  
23 coverage.

24                 But the good news is the American people understand that this has been a  
25 partisan process from the start -- the Democratic coordination with the whistleblower;

1 the incessant and astounding leaks; the unprecedented closed-door process, closed to  
2 the majority of Members, closed to the press, closed to the people; starting this inquiry  
3 without taking a vote; and then, when finally forced to take a vote, the vote was with  
4 bipartisan opposition.

5 Now, with 4 minutes left, I'm going to turn to our two witnesses.

6 Thank you both for your service.

7 Thank you, Dr. Hill, for your comments on the personal attacks.

8 I wanted to ask you each fact-based questions.

9 Dr. Hill, you testified that you handed over your duties on the NSC to Tim  
10 Morrison on July 15th and that you physically left the White House on July 19th, correct?

11 Ms. Hill. That is correct, yes.

12 Ms. Stefanik. So that means that by the time there was the July 25th call with  
13 President Trump and President Zelensky you were no longer on the NSC, correct?

14 Ms. Hill. Actually, I was still technically on the payroll of the NSC until the end of  
15 August, August 30th of 2019. But I was not physically in the building, and I'd handed  
16 over my duties to Mr. Morrison.

17 Ms. Stefanik. And you were not on the call.

18 Ms. Hill. I was not on the call. That is absolutely correct.

19 Ms. Stefanik. And it's also correct that you did not participate in the preparation  
20 of talking points or the specific coordination of setting up the call?

21 Ms. Hill. Not for that call. But let me just state for the record that there had  
22 been a long anticipation that eventually there would be a call, so there was a call package  
23 that was prepared in advance. I just cannot say how much of that call package that had  
24 perhaps been prepared since, for example, the inauguration of President Zelensky was  
25 then used as the basic material for that call.

1           So I did take part in the preparation of that standard call package, but I did not  
2 take part in any preparation for the specific call on July 25th.

3           Ms. Stefanik. And the first time you actually read the transcript of the call was  
4 when it was released to the public?

5           Ms. Hill. That's correct.

6           Ms. Stefanik. Mr. Holmes, I wanted to turn to you. Good to see you again.

7           Thank you for mentioning the bipartisan delegation that I led on behalf of the  
8 House Armed Services Committee with my friend, Representative Anthony Brown from  
9 Maryland. We did have an exceptionally informative visit, where we highlighted the  
10 bipartisan congressional support for Ukraine, in particular, the importance of countering  
11 Russian aggression. And we discussed in the briefings at the Embassy the importance of  
12 defensive lethal aid in the form of Javelins, which, as you both -- I think you stated today,  
13 is, quote, "an important strategic deterrent to Russia."

14           And I just want to highlight on the record -- I know this has been asked -- the  
15 Javelins were provided by the Trump administration and not the Obama administration,  
16 correct?

17           Mr. Holmes. That's correct. And I would just say, I think we discussed the  
18 importance of all our security assistance to Ukraine, not just the Javelins.

19           Ms. Stefanik. Absolutely, all of our security assistance, which I strongly support.  
20 Again, thank you for being a host on that.

21           Dr. Hill, turning back to you, there's been discussion about the process of  
22 scheduling the meeting between President Zelensky and President Trump. And you  
23 testified that there was hesitancy to schedule this meeting until after the Ukrainian  
24 parliamentary elections. Is that correct?

25           Ms. Hill. That is correct, yes.

1 Ms. Stefanik. And that's because there was speculation in all analytical circles,  
2 both in Ukraine and outside the Ukraine, that Zelensky might not be able to get the  
3 majority that he needed to form a cabinet, correct?

4 Ms. Hill. That is correct.

5 Ms. Stefanik. And you also testified that another aspect of the NSC's hesitancy  
6 to schedule this meeting was based on broader concerns related to Zelensky's ability to  
7 implement anticorruption reforms. And this was in specific relation to Ukrainian  
8 oligarchs who, basically, were the owner of the TV company that Mr. Zelensky's program  
9 had been a part of. Is that correct?

10 Ms. Hill. That is correct.

11 Ms. Stefanik. You know, just distilling this down to the key facts, I wanted to ask  
12 both of you three key questions.

13 So the fact of the matter is, Ukraine ultimately did receive the aid, correct, Mr.  
14 Holmes?

15 Mr. Holmes. Ultimately.

16 Ms. Stefanik. Yes.

17 And Dr. Hill?

18 Ms. Hill. Correct, ultimately.

19 Ms. Stefanik. And there was no investigation into the Bidens, correct, Mr.  
20 Holmes?

21 Mr. Holmes. They did not open a new investigation into the Bidens.

22 Ms. Stefanik. Correct.

23 And Dr. Hill?

24 Ms. Hill. Correct.

25 Ms. Stefanik. And there was, in fact, a meeting between President Trump and

1 President Zelensky ultimately at the U.N. Is that correct?

2 Mr. Holmes. The President invited Zelensky to the Oval Office at a date  
3 undetermined. That has not yet happened.

4 Ms. Stefanik. The meeting at the U.N. President Trump and President Zelensky  
5 met at the U.N.

6 Mr. Holmes. They did but not in the Oval Office.

7 Ms. Stefanik. But they did have a meeting at the U.N.

8 Mr. Holmes. They did, ma'am.

9 Ms. Stefanik. And Dr. Hill?

10 Ms. Hill. They did.

11 Ms. Stefanik. Okay. Thank you.

12 I yield back.

13 The Chairman. Mr. Swalwell.

14 Mr. Swalwell. Dr. Hill, yesterday, I think a lot of Americans were scratching their  
15 heads as Ambassador Sondland testified that, on September 9, he calls the President of  
16 the United States and just says broadly, "What do you want from Ukraine?", and the  
17 President says, "There's no quid pro quo. There's no quid pro quo."

18 It's like being pulled over for speeding and being asked, "Do you know how fast  
19 you were going?" and saying, "I didn't rob the bank. I didn't rob the bank."

20 But your testimony today is that, on July 10 of this year, you told one of the  
21 President's lawyers that you had concerns that a White House meeting was linked to  
22 investigations. Is that right?

23 Ms. Hill. That's correct, based on what Ambassador Sondland said in the Ward  
24 Room.

25 Mr. Swalwell. And so, as early as July 10, the President's lawyers had knowledge

1 that there was at least concern by a Presidential employee about a linkage. Is that  
2 right?

3 Ms. Hill. That's correct.

4 Mr. Swalwell. Dr. Hill, just like you, we are trying to account for "all the  
5 President's men." You had that same concern when you saw Mr. Sondland's emails and  
6 you saw people who were outside the channels that you had been working on.

7 So I want to walk you through something you told us earlier. You said that you  
8 have evidence that, as recently as this year, President Trump believed someone named  
9 Kash was the Ukraine director. Is that right?

10 Ms. Hill. It's not really evidence. And, look, I want to be very clear about this.  
11 I was asked a question about this in my deposition. I did not raise it. And, to be  
12 honest, I was surprised that I was asked the question.

13 Mr. Swalwell. But you heard that name, Kash. Is that right?

14 Ms. Hill. I did, but, again, it was in passing, and I explained the circumstances in  
15 which it came up. But I was asked a question in the course of my deposition about it.

16 Mr. Swalwell. And the only person at the time who worked at the National  
17 Security Council was Kash Patel. Is that right?

18 Ms. Hill. That was the only person I could think of.

19 Mr. Swalwell. And Kash Patel, prior to working for the National Security Council,  
20 from 2017 to 2018 worked for Ranking Member Nunes. Is that right?

21 Ms. Hill. I actually only found that out after the fact.

22 Mr. Swalwell. And --

23 Ms. Hill. Because I wondered why I was being asked about him, so I went and  
24 looked this up.

25 Mr. Swalwell. And, Dr. Hill, you cautioned us on the dangers of members of this

1 committee perhaps peddling any Ukrainian conspiracy theories that could benefit Russia.

2 And I want to ask you if you have heard the name Lev Parnas of Ukraine, someone  
3 in this investigation who was influencing President Trump and Rudy Giuliani about some  
4 of the debunked conspiracy theories you referenced earlier.

5 Ms. Hill. I have heard his name, yes.

6 Mr. Swalwell. Are you aware that Mr. Parnas was indicted on October 10 for  
7 making foreign contributions to Republicans in U.S. elections?

8 Ms. Hill. I am aware of those reports, yes.

9 Mr. Swalwell. Are you aware of yesterday's Daily Beast story reporting the  
10 indicted Ukrainian Lev Parnas has been working with Ranking Member Devin Nunes on  
11 Mr. Nunes's overseas investigations?

12 Ms. Hill. I am not aware of that.

13 Mr. Swalwell. Mr. Chairman, I ask unanimous consent to put into the record the  
14 Daily Beast story, "Lev Parnas Helped Rep. Devin Nunes' Investigations," from yesterday,  
15 the first two paragraphs reading: "Lev Parnas, an indicted associate of Rudy Giuliani,  
16 helped arrange meetings and calls in Europe for Rep. Devin Nunes in 2018, Parnas' lawyer  
17 Ed MacMahon told The Daily Beast. Nunes aide Derek Harvey participated in the  
18 meetings, the lawyer said, which were arranged to help Nunes' investigative work.  
19 MacMahon didn't specify what those investigations entailed."

20 The Chairman. Without objection.

21 [The article follows:]

22

23 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           Mr. Swalwell. Mr. Chairman, you have been falsely accused throughout these  
2 proceedings by the ranking member as being a, quote/unquote, "fact witness." Now, if  
3 this story is correct, the ranking member may have actually been projecting and, in fact,  
4 he may be the fact witness, if he is working with indicted individuals around our  
5 investigation.

6           But I want to go to what this is really all about.

7           First, it's your credibility, Mr. Holmes. And can you tell us and confirm that in  
8 2014 you received the William Rivkin Constructive Dissent Award from the Obama  
9 administration State Department?

10          Mr. Holmes. Yes, sir.

11          Mr. Swalwell. And that was for dissent that you brought up against an  
12 administration policy. Is that right?

13          Mr. Holmes. That's right.

14          Mr. Swalwell. Congratulations. And thank you for speaking up in the way you  
15 did.

16          But what we're really here about is what you're working on in Ukraine. And I  
17 want you to take a look at the picture. Who do you see in the foreground of that  
18 photo?

19          Mr. Holmes. President Zelensky.

20          Mr. Swalwell. That's a photograph in May 2019, where newly elected President  
21 Zelensky visited the Luhansk region in eastern Ukraine. It was his first visit to the front  
22 lines of Donbas as President.

23          Can you just tell taxpaying Americans why it's so important that our hard-earned  
24 taxpaying dollars help President Zelensky and the men standing beside him fight against  
25 Russia in this hot war?

1           Mr. Holmes. Absolutely, sir.

2           President Zelensky was elected on an overwhelming majority to defend Ukrainian  
3 interests. This is at a time when Ukrainians are defending their sovereignty, their  
4 territorial integrity, on Ukrainian soil from Russian-backed soldiers who are attacking  
5 them. As I said, 14,000 Ukrainian lives lost in this war so far. As I mentioned, a few  
6 this week already. And this is a hot war. This is not a frozen conflict. People are  
7 shooting at each other and dying, being injured every single week.

8           And, despite the ongoing war, they're still trying to pursue peace. President  
9 Zelensky, even right now, is trying to pursue a summit meeting with President Putin in  
10 order to try to bring this war to a conclusion so they can move on with all the difficult  
11 things they need to do in terms of building the economy and reforming the judiciary and  
12 whatnot.

13           And I want to add just one other thing, sir, if I may. Mr. Turner had suggested  
14 earlier that I had somehow embarrassed President Zelensky. I have the deepest respect  
15 for President Zelensky. This is a guy of Jewish background from a post-Soviet industrial  
16 suburb in southern Ukraine who made himself one of the most popular entertainers in  
17 the country and somehow got elected President, and he's not going to miss that  
18 opportunity. This is a Ukrainian patriot. This is a tough guy. And, frankly, he  
19 withstood a lot of pressure for a very long time, and he didn't give that interview.

20           I have the deepest respect for him. The Ukrainian people also have the deepest  
21 respect for him. They've chosen him to help deliver the full measure of promise of their  
22 Revolution of Dignity. And I think he merits all of our respect.

23           Mr. Swalwell. Thank you.

24           And, Mr. Chairman, I ask unanimous consent to enter the May 27 photograph  
25 depicted on the screen into the record.

1           The Chairman. Without objection.

2           [The photograph follows:]

3

4           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           The Chairman. Mr. Hurd?

1 RPTR MERTENS

2 EDTR HUMKE

3 [3:03 p.m.]

4 Mr. Hurd. Thank you, Mr. Holmes, for your years of service to this country, and I  
5 appreciate you all being here today.

6 Throughout this process, I have said that I want to learn the facts so we can get to  
7 the truth. So why are we here? Because of two things that occurred during the  
8 President's July 25th phone call with Ukrainian President Zelensky. The use of the  
9 phrase, do us a favor, though, in reference to the 2016 presidential election, and the  
10 mention of the word Biden. I believe both statements were inappropriate, misguided  
11 foreign policy, and it's certainly not how the executive, current or in the future, should  
12 handle such a call.

13 Over the course of these hearings, the American people have learned about a  
14 series of events that, in my view, have undermined our national security and undercut  
15 Ukraine, a key partner on the front lines against Russian aggression.

16 We've heard of U.S. officials carrying uncoordinated, confusing, and conflicting  
17 messages that created doubt and uncertainty in Kyiv at a time when a new reformist  
18 administration has just taken office and was ready to fight corruption and work with us to  
19 advance other U.S. objectives. I disagree with this sort of bungling foreign policy.

20 But through these hearings, many of my colleagues have unwittingly undermined  
21 the Ukrainian Government by suggesting that it is subservient to the United States, and  
22 without the United States, they wouldn't be able to function. The Ukrainians, as you  
23 stated, Mr. Holmes, is in a hot war with Russia, and they are holding their own. We  
24 could benefit from the experience of Ukrainians, not the other way around.

25 While I thought the Intelligence Committee would actually be engaged in

1 oversight of the intelligence and national security communities, unfortunately, we are  
2 not. We are here talking about one of the most serious constitutional duties we have as  
3 Members of Congress, the impeachment and removal of the President of the United  
4 States.

5 Over the past weeks, we've learned a few things. The officials on the July 25th  
6 call have many different opinions on whether the call was concerning or not, and just  
7 because Vice President Biden is running for President does not mean that corruption  
8 related to Burisma, Ukraine's largest natural gas company, and Americans' ties to it are  
9 not concerning.

10 There's also a lot we do not know. We have not heard from Rudy Giuliani. We  
11 haven't heard from Hunter Biden. I'd like to know more about both of their activities,  
12 why they talked to whom and to whom. Despite promises from Chairman Schiff, we  
13 have also not heard from the whistleblower, something that can occur in a closed setting  
14 without violating his or her anonymity. We need to understand the motivations and  
15 level of coordination that happened prior to his or her submission of the complaint.

16 Over the past few weeks and even today, it's been reiterated. In 2017, the  
17 Trump administration made the decision to provide lethal defensive aid to Ukraine after  
18 the Obama administration refused to do so. Ukraine is receiving all the security  
19 assistance as directed by Congress. President Zelensky has undertaken significant  
20 anticorruption efforts, including eliminating the parliamentary immunity from  
21 prosecution.

22 And, again, Mr. Holmes, you mentioned this today. Under President Zelensky's  
23 leadership, we have finally seen some progress this fall towards ending the Russian  
24 occupation of eastern Ukraine.

25 So where does this leave us? An impeachable offense should be compelling,

1 overwhelmingly clear, and unambiguous, and it's not something to be rushed or taken  
2 lightly. I've not heard evidence proving the President committed bribery or extortion.  
3 I also reject the notion that holding this view means supporting all the foreign policy  
4 choices we have been hearing about over these last few weeks.

5 To paraphrase Tim Morrison, the testimony this week, every other national  
6 conversation on Ukraine is focused on impeachment, not the conflict in the Donbass, not  
7 the illegal occupation of Crimea, not the need for reforms in Ukraine's Government and  
8 economy. It's a day where we are not focused on our shared national security interests  
9 with Kyiv.

10 I hope that we won't let this very partisan process keep us from agreeing on how a  
11 free and prosperous Ukraine is important to the security of the Ukrainian people, the  
12 United States of America, and the rest of the world.

13 Mr. Chairman, before I yield back my time, I'd like to make a statement for the  
14 record that had this committee been given proper notice as required by House rule XI,  
15 clause 2(g)(3) of the business meeting was to follow last night's hearing and had  
16 Mr. Conaway's point of order been appropriately recognized, I would have voted no on  
17 the committee's first motion to table during last night's impromptu meeting.

18 And I yield back the balance of my time.

19 The Chairman. Mr. Castro.

20 Mr. Castro. Thank you, Chairman.

21 Thank you, both of you, for your testimony today. I first want to say because I  
22 think it shouldn't go unmentioned that the characterization just a few minutes ago by one  
23 of my Republican colleagues of this proceeding I think was vile, irresponsible, and  
24 dangerous.

25 And I want to remind us why we're here. Because somebody in government, a

1 whistleblower, felt that it was important enough to get other people in government's  
2 attention that the President may have committed a wrong act. We have now heard and  
3 seen substantial evidence that the President, in fact, tried to trade a political favor for  
4 official government resources.

5 The most damning words come from no one else but the President himself on that  
6 phone call with the Ukrainian President where he asks for a favor, he mentions  
7 investigations, he mentions the Bidens, and Burisma.

8 However, as Mr. Holmes has testified, Mr. Holmes also overheard the President  
9 speaking to his hand-picked ambassador, Ambassador Sondland, about investigations.  
10 Mr. Holmes has also said that in the office, everybody knew or many people knew, at  
11 least, that there was an -- the President wanted an investigation of the Bidens.

12 In addition, although Mick Mulvaney and Rudy Giuliani have not come before this  
13 committee, Mick Mulvaney and Rudy Giuliani have spoken publicly on the issue of  
14 investigations. Mick Mulvaney, the President's Chief of Staff, the person who usually  
15 works with the President the most, day in and day out, went in front of the White House  
16 press corps and basically admitted that an investigation had something to do with holding  
17 up the aid and admitted that this process was politicized.

18 Rudy Giuliani, the President's personal lawyer, also essentially admitted that these  
19 investigations were at issue. He said that he thinks he did nothing wrong because he  
20 was working at the direction of the President.

21 So we have seen substantial evidence and heard substantial evidence of  
22 wrongdoing by the President of the United States, and this Congress will have to continue  
23 to take up this very important issue to the American people.

24 My concern today is also I feel as though the cancer of wrongdoing may have  
25 spread beyond the President and into others in the executive branch, and I want to ask

1 you a few questions about that. Before I do, I'd like the chairman to enter two articles  
2 into the record, if I could. One of them is headlined "After Boost from Perry, Backers got  
3 Huge Gas Deal in Ukraine". The other one is titled, "Wall Street Journal, Federal  
4 Prosecutors Probe Giuliani's Link to Ukrainian Energy Projects".

5 The Chairman. Without objection.

6 [The information follows:]

7

8 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1 Mr. Castro. Thank you, Chairman.

2 Mr. Holmes, you indicated that Secretary Perry, when he was in Ukraine, had  
3 private meetings with Ukrainians. Before he had those private meetings, in a meeting  
4 with others, including yourself, I believe, he had presented a list of American advisors for  
5 the Ukraine energy sector. Do you know who was on that list?

6 Mr. Holmes. Sir, I didn't see the names on the list myself.

7 Mr. Castro. Do you know if Alex Cranberg and Michael Blazer were on that list?

8 Mr. Holmes. I have since heard that Michael Blazer is on the list.

9 Mr. Castro. Before Secretary Perry did this, we also heard in testimony before  
10 that Ambassador Sondland also had a private meeting with somebody. How unusual  
11 was it before these guys showed up for folks, diplomats, so to speak, or U.S. Government  
12 officials to have private meetings where they insist that nobody else be in the room?

13 Mr. Holmes. Very rare. Almost never.

14 Mr. Castro. Okay. And I want to ask you also about the precedent that we set,  
15 both of you. I know you're here as fact witnesses, but you're also public servants for  
16 this country. The precedent that this Congress would set, putting aside Donald Trump  
17 for a second. If the Congress allows a President of the United States, now or later, to  
18 ask a foreign government, head of state, to investigate a political rival, what precedent  
19 does that set for American diplomacy, for the safety of Americans overseas, and for the  
20 future of our country?

21 Ms. Hill. That's a very bad precedent.

22 Mr. Holmes. A very bad precedent. And going forward, if that were ever the  
23 case, I would raise objections.

24 Mr. Castro. Thank you both. I yield back, Chairman.

25 The Chairman. Mr. Ratcliffe.

1           Mr. Ratcliffe. Thank you, Chair.

2           I want to return the favor and recognize my colleague, yield to my colleague,  
3 Congressman Conaway.

4           Mr. Conaway. Thank you, Mr. Chairman.

5           Dr. Hill, I don't think there's a lot of questions that one of Putin's primary  
6 objectives within the United States is to foment unrest within our Nation, to cause us to  
7 have -- lose confidence in our elections and the results of the elections, those kinds of  
8 things. There is tension, though, in conducting our businesses the way we should and,  
9 you know, playing into Putin's hands.

10           As an example, while I disagree with what we're doing here today, it's under our  
11 constitution, and my colleagues on the other side of the aisle believe that they are  
12 functioning under that constitution. These hearings, this issue, is very divisive within  
13 our country and is continuing to push that way. I think it plays into Putin's hands  
14 inadvertently. Maybe nothing we can do about that.

15           But there are certain things we can do as individuals that wouldn't play into his  
16 hands, and one of them would be that the loser in the 2016 election has for 3 years  
17 continued to argue that because she won the popular vote, that she and her friends won  
18 the popular vote, that somehow the election was inappropriate and that we shouldn't  
19 trust it, that the electoral college victory which was resounding shouldn't be trusted.

20           Does that help Putin or play into the narrative that he would like for us to believe  
21 that our elections are somehow rigged and shouldn't be trusted?

22           Ms. Hill. Yes, it does.

23           Mr. Conaway. So the RT, Putin's -- would you agree me with me that RT is  
24 Putin's propaganda machine here in the United States?

25           Ms. Hill. I would agree with you, yes.

1           Mr. Conaway. So is it appropriate for RT to be used to affect public policy in our  
2 Nation? As an example, there had been a long series of advertisements or programs on  
3 RT going against fracking, saying it's bad and trying to affect public policy in the United  
4 States.

5           Is that an appropriate use, or should Americans be paying attention to that?

6           Ms. Hill. In the tense that Americans should be paying attention to RT and other  
7 outlets they use to propagate this kind of information, absolutely. I wasn't quite sure  
8 what you meant about paying attention.

9           Mr. Conaway. Fracking is a controversial issue within our Nation. If we did  
10 away with fracking, the United States would not be in a position today to dominate the oil  
11 production within the world and would play into strengthening Putin's hands with respect  
12 to the oil --

13          Ms. Hill. That's correct. And actually, I'd like to point out that in 2011, in  
14 November of 2011, I actually sat next to Vladimir Putin at a conference in which he made  
15 precisely that point.

16          It was the first time that he had actually done so to a group of American  
17 journalists and experts who were brought to something called the Valdai Discussion Club.  
18 So he started in 2011 making it very clear that he saw American fracking as a great threat  
19 to Russian interests. We were all struck by how much he stressed this issue, and it's  
20 since 2011 and since that particular juncture that Putin has made a big deal of this.

21          Mr. Conaway. So to the extent that Americans pay attention to RT and are  
22 misguided by whatever propaganda he's going, it's not in our nation's best interest.

23          Mr. Holmes, in your role, you're privileged to an awful lot of stuff, official things  
24 and things that are best kept between you and the official folks that you deal with. Is  
25 there an expectation among the principals that you represent that you will exercise some

1 discretion in what you share with others about what goes on?

2 Mr. Holmes. Yes, sir.

3 Mr. Conaway. In your public -- in your testimony in your deposition, you  
4 made -- well, first of all, we had a hard time pinning down the number of people that  
5 you've actually had this conversation with about the conversation that you overheard.  
6 Now, our ambassador had no expectation of privacy. He's, you know, blustering  
7 around, doing what he's done, but we couldn't figure out how many people you actually  
8 shared that information with.

9 And I would argue that information is unflattering to the President, unflattering to  
10 the Ambassador, and that your discretion is, you know, at odds here. I mean, your  
11 testimony in your deposition said that you shared that with folks who you thought would  
12 find it interesting. Well, I'd argue that everybody in the back row would find it  
13 interesting, but I don't know that that's necessarily a criterion.

14 So on a go forward basis, can you articulate that in the future when you're  
15 privileged to certain circumstances that that would be embarrassing to the principal, that  
16 if it's official, that you share it with the Ambassador, that's fine, but that folks outside the  
17 embassy or folks even within the embassy that don't have a need to know, that you  
18 wouldn't regale them with your recounting of those instances?

19 Mr. Holmes. Sir, I think it was Gordon Sondland who showed indiscretion by  
20 having that conversation over a phone line in a restaurant. That's the first thing.

21 Mr. Conaway. No, no, no. You -- you're -- well, excuse me, Mr. Holmes. Let  
22 me clarify the question.

23 The Chairman. Mr. Holmes was -- excuse me.

24 Mr. Holmes. The second thing is -- I am answering your question, sir --

25 Mr. Conaway. It's my question. You're exactly right, and I get to clarify my

1 question to get the answer. And I'm hopeful I get in a few more seconds because of the  
2 interruption from the chairman. His patience is growing thin. I was working hard not  
3 to irritate him again, but I failed again.

4 The question is of you, Mr. Holmes, your discretion. Gordon Holmes did not  
5 have -- I mean, Gordon Sondland did not expect privacy. I got that. But you're going  
6 to be in rooms for -- you've been in rooms 17 years where people trust that when  
7 whatever went on in that room and left that you kept it in the official channels, that you  
8 didn't share all that information with other folks.

9 I'm just asking you to argue for -- on your own behalf that interesting is not some  
10 sort of criterion that you would use when you share information from meetings. A  
11 simple, straightforward question.

12 Mr. Holmes. Sir, I shared the information I needed to share with the right people  
13 who needed to know it. I did not share any information that people didn't need to  
14 know.

15 Mr. Conaway. But you did use the word interesting.

16 The Chairman. Mr. Conaway, your time has expired.

17 Mr. Conaway. I yield back.

18 Mr. Holmes. It certainly was interesting, sir, and I would also hate to think that  
19 what I brought before this process, I shouldn't have done that. I've come here because  
20 you've subpoenaed me to share what I know, and I've done that.

21 The Chairman. Mr. Holmes, you were cut off when you were talking about  
22 Mr. Sondland's indiscretion. Did you want to finish that answer?

23 Mr. Holmes. I think I finished.

24 Mr. Conaway. Mr. Chairman, that's patently unfair as you conduct this entire  
25 investigation.

1           The Chairman. Mr. Conaway, it's unfair -- it's unfair, Mr. Conaway, to interrupt  
2 the witnesses as you have done repeatedly.

3           Mr. Conaway. Well, but you're certainly willing to interrupt me during my 5  
4 minutes. You have -- you're the only person on this dais that has unlimited time. You  
5 have absolutely unlimited time. You're the only one that has abused that power, and  
6 you're continuing to do that.

7           The Chairman. Mr. Conaway -- the gentleman will cease. We allow the  
8 witnesses to answer the question even if those asking the questions don't want to hear  
9 the answer.

10          Mr. Heck, you are recognized.

11          Mr. Conaway. Does that apply to you as well?

12          The Chairman. Yes, it does.

13          Mr. Heck. Mr. Holmes, much has been made about the use of both regular and  
14 irregular Foreign Service or diplomatic channels. My reading of history is that American  
15 Presidents have on occasion used irregular channels. Would you generally agree?

16          Mr. Holmes. Yes, sir.

17          Mr. Heck. And my reading of history is that, generally speaking, however those  
18 irregular channels have either been closely coordinated with the regular ones, or at least  
19 in furtherance of American foreign policy and our national security interests. Would you  
20 agree?

21          Mr. Holmes. That's right, sir.

22          Mr. Heck. And do you believe, sir, that Mr. Giuliani's efforts were closely  
23 coordinated with the regular channels such as the Ambassador to the Ukraine?

24          Mr. Holmes. No, they weren't.

25          Mr. Heck. And were they in furtherance of American foreign policy, as you

1 understood it?

2 Mr. Holmes. No, sir.

3 Mr. Heck. Mr. Holmes, if left unchecked, do you think that Russia would either  
4 by means of force or other maligned means subjugate Ukraine, attempt to render it a  
5 client state, if not occupy it?

6 Mr. Holmes. Absolutely, sir. It's been said that without Ukraine, Russia is just a  
7 country, but with it, it's an empire.

8 Mr. Heck. You know, I feel like I've been treated to a Gatling gun fire of myth  
9 propagation over the last couple of weeks, and it reminds me of that old expression  
10 about the big lie. If you tell it often enough and keep repeating it that people will come  
11 to believe it. I think we've been subjected to some of that.

12 Here is a sample. The President didn't solicit campaign assistance from Ukraine  
13 in a clear violation of Federal law. Yes, he did. The President didn't withhold vital  
14 military assistance in furtherance of his objective to obtain that campaign assistance.  
15 Yes, he did. Rudy Giuliani was acting just on his own, kind of as a rogue. No, he  
16 wasn't. That all this is business as usual. This happens all the time and stems from a  
17 principled interest. No, it isn't, and, no, it wasn't. And that it's okay to attack patriotic  
18 diplomats in public service if they stand in your way and have the courage to speak up.  
19 No, it isn't.

20 Those are just some of the big lies, but here's the big truth. The President did it.  
21 He did it. We all just came from the Floor, and it's a majestic chamber. And in the  
22 front of the chamber, there are only two portraits. On the left looking forward is my  
23 favorite President, George Washington, and on the right is the Marquis de Lafayette who  
24 came to this country to help us stand up our fledgling democracy.

25 So here is another big truth. Without his help, we probably never would have

1 gotten off the ground, and that assistance from many other countries who were helping  
2 us to create something that had never been created before. It was an audacious idea,  
3 this notion of a democracy, of self-governance, of freedoms such as speech and press and  
4 religion and expression and assembly.

5 And most of all, that it would be rooted in the premise of the rule of law, not  
6 monarchs, not military strongmen, but the rule of law. Others helped us get here, and  
7 we wouldn't be here without them, and I frankly feel like we're almost in a little bit of a  
8 pay it forward moment.

9 So when the President did it, he put at risk the security of Ukraine, a strategic ally,  
10 and a nascent democracy with their masses yearning to breathe free, who 6 years ago  
11 this day, when their government said we're not going to sign that Memorandum of  
12 Agreement with European Union, rose up and took to the streets because they wanted,  
13 frankly, what we have. And when the President did it, he put our own national security  
14 at risk.

15 But what he did, most importantly, was put at risk that idea that makes us  
16 exceptional because I do believe America is truly exceptional. We are a country rooted  
17 in something that nobody has ever tried before, rule of law. He put that at risk when he  
18 did what he did. The President did it, and the only question that remains is what will we  
19 do.

20 I yield back, Mr. Chairman.

21 The Chairman. Mr. Jordan.

22 Mr. Jordan. Thank you, Mr. Chairman.

23 Dr. Hill, during your deposition, I asked you was Christopher Steele's dossier a  
24 rabbit hole. Do you remember the answer you gave to the question?

25 Ms. Hill. Yes, I thought it was a rabbit hole.

1           Mr. Jordan. Yeah. And you also said a couple pages later in the deposition of  
2 the transcript that I have here of your deposition that you thought he got played. Is that  
3 fair?

4           Ms. Hill. That is fair, yes.

5           Mr. Jordan. I was struck by a number of things you said in your statement. A  
6 number of things I thought were right on the target. One was on page 7. You said this:  
7 President Putin and the Russian security services weaponize our own political opposition  
8 research. And that is exactly what happened in 2016, exactly what happened. You  
9 called it. You knew it. You saw it.

10           The DNC hired Perkins Coie who hired Fusion GPS who hired Christopher Steele  
11 who talked to Russians who gave him a bunch of dirt, a bunch of National Enquirer  
12 garbage that he compiled in a dossier, and our FBI used it. They used it as part of their  
13 investigation that they opened in July of 2016 where they spied on two American citizens  
14 associated with the presidential campaign.

15           My guess is that's probably never happened in American history, and exactly what  
16 Dr. Hill talked about is what happened in 2016. Exactly what she talked about. And for  
17 10 months, Jim Comey and his team did an investigation, and after 10 months, they had  
18 nothing. Because we deposed Mr. Comey, and he told us after 10 months, we didn't  
19 have a thing.

20           But that didn't matter. That didn't matter. We got the Mueller investigation,  
21 \$32 million, 19 lawyers, 40 FBI agents, 500 search warrants, 2,800 subpoenas, and they  
22 came back this spring, and what did they tell us? No collusion, no conspiracy, no  
23 coordination. But the guys on the other side don't care. They don't care. They're  
24 doing what -- Dr. Hill said a number of important things in her opening statement.  
25 They're doing exactly what Dr. Hill talked about.

1           The impact of a successful 2016 Russian campaign remains evident today. Our  
2 Nation is being torn apart. Torn apart. I've never seen it this divided, and it is not  
3 healthy. It is not healthy for our culture, our country, not healthy for our Nation, but  
4 that's what these guys are doing. No conspiracy, no coordination, no -- no collusion, but  
5 they don't care.

6           Now this. This whole impeachment thing. As the witness said yesterday, the  
7 witness said yesterday, without an announcement from Zelensky about an investigation,  
8 they weren't going to get a call with the President, they weren't going to get a meeting  
9 with the President, and they weren't going to get aid from the United States. But guess  
10 what? Ukraine, they got the call, they got the meeting, and they got the money, and  
11 there was never an announcement of any type of investigation.

12           This is -- but they don't care. They're going to move forward. There's going to  
13 be some kind of report. They're going to send, I assume, something to the Judiciary  
14 Committee, and the process is going to go forward, and there will be a trial in the Senate  
15 all based on some anonymous whistleblower who came forward with no firsthand  
16 knowledge who is biased against the President who worked with Joe Biden. Now all  
17 this. Now all of this. This is -- Dr. Hill is right. She said -- she said it. We've got to  
18 stop this, but they're not going to. And they're doing it all 11 and a half months before  
19 the next election.

20           And I think maybe the most telling thing is what the Speaker of the House said  
21 Sunday. The Speaker of the House said Sunday -- this is scary. The Speaker of the  
22 House said Sunday, national Sunday morning TV show. She said the President is an  
23 imposter. The guy that 63 million people voted for who won the electoral college  
24 landslide, the Speaker of the House of Representatives called the President of the United  
25 States an imposter. It's sad. It is sad what the country is going through. I wish it

1 would stop, but unfortunately, I don't think it is.

2 Mr. Chairman, I yield back.

3 The Chairman. Mr. Welch.

4 Mr. Welch. I want to use my time to speak directly to my colleagues and to the  
5 American people. Today's witnesses and the ones we've been privileged to have before  
6 the committee over the last 2 weeks have provided an invaluable service to our country,  
7 not just in all your careers, but in having the courage and the patriotism to share your  
8 facts with the American people. And you do so at considerable risk to yourselves, but  
9 you've clearly stepped forward for the simple fact you believe it's your duty.

10 And all your testimony reaffirms a very central fact. President Trump  
11 conditioned our foreign policy and national security on getting a valuable political benefit  
12 from Ukraine. He wanted Ukraine's new President to create ethical questions about Joe  
13 Biden by publicly announcing investigations, and to pressure President Zelensky to take  
14 that action that would benefit his personal political interests, he withheld vital military aid  
15 to Ukraine and refused to meet with President Zelensky in the Oval Office.

16 And as we heard from Mr. Holmes and Dr. Hill today, that meeting was  
17 extraordinarily important to Ukraine and extraordinarily important in sending a message  
18 to Russia about our unyielding support.

19 The witnesses have made it absolutely clear what the President did, and it's  
20 equally clear that President Trump has launched a coverup and disinformation campaign  
21 to hide this abuse of power from the American people. That's why the administration  
22 refuses to provide documents to this committee.

23 And it's why the White House has taken the unprecedented position that senior  
24 officials could ignore congressional subpoenas and refuse to testify. That's why Acting  
25 Chief of Staff Mulvaney, Secretary of State Pompeo, and others have not testified. Now

1 the President and even some members of this committee are pretending this is normal.  
2 It is not. It must never be. No other President has betrayed his office like this by  
3 putting his own small political interest above our national interests and our national  
4 security.

5 Now, I asked some of our witnesses what would happen in any American city or  
6 town if the mayor stopped funding the police department until the chief of police  
7 launched an investigation into the mayor's political rival or a governor or a Member of  
8 Congress did that, and the answer was clear. It would be wrong, it would be illegal, and  
9 it wouldn't be tolerated. It would violate the most basic trust we have in public officials.

10 If it happened with a military commander, a court martial would follow. If it  
11 happened with a corporation, a CEO would be fired. We all know this kind of conduct is  
12 wrong, but the President continues to say it isn't. He says it's perfect, and he'd do it  
13 again tomorrow.

14 The same rules apply to mayors, governors, Members of Congress, CEOs, and  
15 everyone else in America. They apply to the President too. Whether you're a  
16 Republican or a Democrat, you like MSNBC or Fox, I think every American believes in one  
17 of our Nation's founding principles. No person is above the law, not even the President.

18 On July 24th, Director Mueller testified about Russian state-sponsored systematic  
19 interference in our 2016 election. He expressed apprehension this could become the  
20 new normal. The day after, on July 25th, President Trump spoke to President Zelensky  
21 and asked a favor. That favor was that Ukraine interfere in our 2020 election. If we  
22 allow this to stand, to become the new normal, it will be the standard for all future  
23 Presidents.

24 In good conscience, none of us can do that. This conduct corrupts our  
25 democracy. It corrupts how our country conducts foreign policy. It threatens our

1 national security and the security of all Americans. And it is, in my view, a clear betrayal  
2 of the President's oath of office.

3 I yield back.

4 The Chairman. Mr. Maloney.

5 Mr. Maloney. Mr. Chair man, two quick housekeeping matters. I ask  
6 unanimous consent to enter into the record an ABC News story, this one is for my friend,  
7 Mr. Stewart, entitled 70 Percent of Americans say Trump's Actions Tied to Ukraine Were  
8 Wrong, dated November 18th, 2019.

9 The Chairman. Without objection.

10 [The information follows:]

11

12 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           Mr. Maloney. I also ask unanimous consent to enter into the record a New  
2 Yorker story entitled The Invention of the Conspiracy Theory on Biden and Ukraine, How a  
3 Conservative Dark Money Group that Targeted Hillary Clinton in 2016 Spread the  
4 Discredited Story that may lead to Donald Trump's Impeachment, Jane Mayer, October 4,  
5 2019.

6           The Chairman. Without objection.

7           [The information follows:]

8

9           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1           Mr. Maloney. Good afternoon. Thank you for being here.

2           Dr. Hill, first of all, I thought that was some epic mansplaining that you were  
3 forced to endure by my colleague, Mr. Turner, and I want you to know, some of us think it  
4 was inappropriate. But I appreciate -- I appreciate your forbearance.

5           Let me ask you something. I'm fascinated by this meeting, two meetings, really,  
6 on July 10th. You had the meeting in Mr. Bolton's office. Someone says this thing  
7 about investigations. Bolton ends the meeting. A photo. There's a follow on  
8 meeting in the Ward Room, and you get there a little late, and Vindman is talking to  
9 Sondland, and they're already going at it about Sondland's desire to assert that the  
10 meeting is going to happen if there's these investigations. Is that the sum and  
11 substance of what's going on?

12          Ms. Hill. Absolutely right, yes.

13          Mr. Maloney. And what I want to understand is this isn't a policy disagreement,  
14 right?

15          Ms. Hill. No. That's not. That's correct. It's not a policy disagreement.

16          Mr. Maloney. The source of your concern is not a policy disagreement, and it's  
17 not purely a procedural disagreement, either, right, about how --

18          Ms. Hill. It's not.

19          Mr. Maloney. Excuse me.

20          Ms. Hill. I'm sorry. Yes, it's not. Correct.

21          Mr. Maloney. It's neither policy, nor is it procedure that's bothering you, or for  
22 that matter, the National Security Advisor, Mr. Bolton, right?

23          Ms. Hill. Correct.

24          Mr. Maloney. I mean, that's not why he sends you down there to see how the  
25 meeting's going?

1 Ms. Hill. Correct.

2 Mr. Maloney. And, in fact, he instructs you to go to the lawyer. Have you ever  
3 been instructed to go to report something to the NSC lawyer before?

4 Ms. Hill. That was the first time. I've self-instructed a couple of times, but that  
5 was the first time I had been instructed to go.

6 Mr. Maloney. And why did he send you to report this to the lawyer?

7 Ms. Hill. Well, he clearly wanted to have himself on the record as not being part  
8 of what was basically an agreement to have a meeting in return for investigations. And  
9 he wanted to make sure that I and Colonel Vindman were also not part of this as well  
10 because remember, there's a corollary to this about not getting involved in domestic  
11 politics.

12 Mr. Maloney. Yes, I understand. And you, of course, did you concur with this  
13 concern Mr. Bolton had?

14 Ms. Hill. I did because July 10th is really the first time that it crystallized for me  
15 that there was basically a different channel going on here --

16 Mr. Maloney. And I think you --

17 Ms. Hill. -- a foreign policy channel and a domestic policy channel, and we're not  
18 in that other channel.

19 Mr. Maloney. Right. I think you described it as a political errand, and you were  
20 doing national security policy is how you distinguished those two channels --

21 Ms. Hill. Correct.

22 Mr. Maloney. -- is that fair? Right. And so is it fair to say that you felt it was  
23 improper, what was occurring by Mr. Sondland in the Ward Room?

24 Ms. Hill. It was improper, and it was inappropriate, and we said that in the time,  
25 in real-time.

1           Mr. Maloney. And here is my point. If it was improper, and you went so far as  
2 to report this to the lawyers, what was the nature of your disagreement with  
3 Mr. Sondland who has come here and said he had no idea that Burisma meant Bidens  
4 until much, much later than July 10th.

5           And of course, we know that he and Ambassador Volker had a blizzard of  
6 interactions with Mr. Giuliani. They were amending statements, proposed statements,  
7 for the Ukrainian President. This went on all summer. And yet, how is it that you had  
8 this disagreement in front of the Ukrainians, sent them out into the hallway? At some  
9 point, did he ask, you know, I'm just talking about an investigation of corruption  
10 generally, what are you getting so worried about?

11           Ms. Hill. He didn't put it in that -- in that way, and I think, you know, from  
12 listening to him in his depositions and in, you know, what I've read and what he deposed,  
13 he made it very clear that he was surprised that we had some kind of objection. You  
14 may remember that in his deposition and when he was here, he actually didn't remember  
15 the meeting in the same way because he --

16           Mr. Maloney. But I thought you said it was pretty obvious to you -- excuse me.

17           Ms. Hill. It was obvious to me, correct.

18           Mr. Maloney. I thought it was obvious to you that Burisma meant Bidens.

19           Ms. Hill. Yes, it was.

20           Mr. Maloney. And you actually treated that as a pretty easy thing to understand.  
21 In fact, Mr. Morrison figured it out with a single Google search. But is it credible to you  
22 that Mr. Sondland was completely in the dark about this all summer? I mean, you had  
23 an argument about it. Didn't he say what are you so worried about?

24           Ms. Hill. It's not credible to me at all that he was oblivious.

25           Mr. Maloney. I'm sorry. I couldn't hear your answer.

1           Ms. Hill. It is not credible to me that he was oblivious. He did not say Bidens,  
2 however. He just said Burisma. He said 2016, and I took it to mean the elections as  
3 well as Burisma.

4           Mr. Maloney. I want to thank you both for your appearance here today.  
5 I yield back, Mr. Chairman.

6           The Chairman. Ms. Demings.

7           Ms. Demings. Thank you so much, Dr. Hill, and Mr. Holmes, for your service. I  
8 have no doubt after today that we're a better Nation because of it.

9           We all know by now that in July of this year, President Trump sent an order to the  
10 Office of Management and Budget that congressionally approved military aid to Ukraine  
11 be put on hold. Both of you have expressed that Ukraine is the front -- the first line of  
12 defense against Russian aggression and expansion into Europe, that Russia's priority is to  
13 undermine the United States. Is that right, Dr. Hill?

14          Ms. Hill. That's correct.

15          Ms. Demings. Would you agree with that, Mr. Holmes?

16          Mr. Holmes. Yes.

17          Ms. Demings. Dr. Hill, in your professional opinion, is it in the national security  
18 interest of the United States to support Ukraine with the much talked about military aid?

19          Ms. Hill. Yes.

20          Ms. Demings. Mr. Holmes?

21          Mr. Holmes. Yes.

22          Ms. Demings. We've already said it several times today, and you've already  
23 testified that Ukraine is in war right now with Russia. Isn't it true, Mr. Holmes, that even  
24 though the security assistance was eventually delivered to Ukraine, the fact that it was  
25 delayed to a country that is actively in war signaled to Russia that perhaps the bond

1 between Ukraine and the United States was weakening?

2 Mr. Holmes. Absolutely. Absolutely.

3 Ms. Demings. And even the appearance that the U.S.-Ukraine bond is shaky  
4 could embolden Russia to act in an even more aggressive way?

5 Mr. Holmes. That's correct.

6 Ms. Demings. You also testified that it was, and I quote, the unanimous view of  
7 the Ukraine policy community that the aid should be released because supporting  
8 Ukraine is in our national security interests.

9 Dr. Hill, why do you believe that the entire Ukraine policy community were  
10 unanimously in agreement?

11 Ms. Hill. Well, we've had this experience before, and I just want you to indulge  
12 me for a moment. In 2008, Russia also attacked the country of Georgia. I was the  
13 national intelligence officer at that particular juncture, and we had warned in multiple  
14 documents to the highest levels of government that we believed that there was a real risk  
15 of a conflict between Ukraine -- sorry, Georgia and Russia, and in fact, we also believed at  
16 that point that Russia might attack Ukraine. This was in 2008 when both Georgia and  
17 Ukraine sought a membership action plan in NATO, and Russia threatened them openly  
18 that if they proceeded with their request for NATO membership that there would be  
19 consequences.

20 In the wake of the attack on Georgia, President Putin made it clear to the  
21 President of Georgia, Mikheil Saakashvili at the time, and this was related to me at the  
22 highest levels of the Georgian Government that Putin had said directly to Saakashvili your  
23 western allies, your western partners promised a great deal. They didn't deliver. I  
24 threatened. I delivered. We had made all kinds of promises to Georgia and Ukraine in  
25 that frame, and we didn't come through.

1           So Putin is always looking out to see if there is any hint that we will not follow  
2 through on promises that we have made because he will always follow through on a  
3 threat as, indeed, he ultimately did. He threatened Ukraine in 2008, and it wasn't until  
4 2014 when Ukraine tried to conclude an association agreement with the European Union  
5 that he struck, but he had been threatening this for the whole period since 2008.

6           Ms. Demings. Thank you so much, Dr. Hill.

7           And Mr. Holmes, what kind of message does it potentially send to other allies of  
8 the United States when military holds for assistance are imposed with absolutely no  
9 explanation? What kind of message does it send to our allies in terms of the good faith  
10 and good relationship with the U.S.?

11          Mr. Holmes. It calls into question the extent to which they can count on us.

12          Ms. Demings. Policies change, but U.S. interests don't. At least not for those  
13 true public servants who are committed and dedicated to protecting our Nation. Thank  
14 you both for being two of them.

15          The Chairman. Mr. Krishnamoorthi.

16          Mr. Krishnamoorthi. Good afternoon, and thank you so much for coming in, and  
17 thank you for your service.

18          Dr. Hill, you stated in your deposition you've been accused of being a mole for  
19 George Soros in the White House, correct?

20          Ms. Hill. That's correct.

21          Mr. Krishnamoorthi. You said in your deposition specifically a conspiracy was  
22 launched against you by a convicted felon, Roger Stone, on the show Info Wars, led by  
23 Alex Jones, right?

24          Ms. Hill. I don't think he was a convicted felon at the time that he launched this,  
25 so I didn't use those exact words.

1           Mr. Krishnamoorthi. Good point.

2           Ms. Hill. But it was, indeed, Roger Stone and Alex Jones on Info Wars in 2017.  
3 In fact, just more recently before Mr. Stone was -- endured his trial, they were at it again,  
4 repeating the same Info Wars video and adding embellishments.

5           Mr. Krishnamoorthi. And they said -- I'll quote what they said about you. We  
6 here at Info Wars, this is Roger Stone speaking, first identified Fiona Hill, the globalist,  
7 leftist, George Soros insider who had infiltrated McMaster's staff. He said that on May  
8 31st, 2017. I presume you're not a globalist, leftist, Soros insider, correct?

9           Ms. Hill. I think my coal mining family would be very surprised to hear all of  
10 these things about me.

11          Mr. Krishnamoorthi. I agree.

12          Ms. Hill. Actually leftist, perhaps not so much, but anyway, the left in Europe is a  
13 bit different from the left here. Let's put it that way.

14          Mr. Krishnamoorthi. I agree. Interestingly, you stated in your deposition that a  
15 similar conspiracy theory had actually been launched against Marie Yovanovitch.

16          Ms. Hill. That's correct.

17          Mr. Krishnamoorthi. And you said specifically, when I saw this happening to  
18 Ambassador Yovanovitch, again, I was furious because this is again just this whipping up  
19 of what is frankly an anti-Semitic conspiracy theory about George Soros to basically target  
20 nonpartisan career officials. Isn't that what you said?

21          Ms. Hill. I did say that, yes.

22          Mr. Krishnamoorthi. And I'm sure you've been watching with concern what's  
23 happened to other nonpartisan career officials. We had Alex -- Lieutenant Colonel  
24 Alex Vindman, an American immigrant, questioned for his criticism of the President in a  
25 very unfair way, you know, basically questioning his loyalty to the country. I believe that

1 he's also of Ukranian Jewish descent.

2           Would you say that these different theories, these conspiracy theories that have  
3 been targeting you spun in part by folks like Mr. Stone as well as fueled by Rudy Giuliani  
4 and others basically have a tinge of anti-Semitism to them, at least?

5           Ms. Hill. Well, certainly when they involve George Soros, they do. I would just  
6 like to point out that in the early 1900s, the Tsar Secret Police produced something called  
7 the Protocols of the Elders of Zion which actually you can still obtain on the internet, and  
8 you can buy it actually sometimes in book shops in Russia and elsewhere.

9           This is the longest running anti-Semitic trope that we have in history. And the  
10 trope against Mr. Soros, George Soros, was also created for political purposes, and this is  
11 the New Protocols of the Elders of Zion. I actually intended to write something about  
12 this before I was actually invited to come into the administration because it's an absolute  
13 outrage.

14           Mr. Krishnamoorthi. I'm sorry -- I'm sorry you've been kind of wrapped up in  
15 these crackpot conspiracy theories.

16           Let me turn to Rudy Giuliani. You became increasingly concerned about Rudy  
17 Giuliani's, you know, increasing role in Ukraine between January and March of 2019,  
18 correct?

19           Ms. Hill. That's correct.

20           Mr. Krishnamoorthi. And I know you served in the Bush and Obama  
21 administrations. I assume that George Bush's personal lawyer and President Obama's  
22 personal lawyers were never, you know, directing or heavily influencing Ukraine policy?

23           Ms. Hill. I'm not even sure I know who they were, so the answer is no.

24           Mr. Krishnamoorthi. And the concern for having someone like Rudy Giuliani  
25 having such a strong influence on American foreign policy is that, you know, basically that

1 policy may be operating not in the best interests of America but perhaps in the best  
2 interests of Rudy Giuliani or his clients or business associates, right?

3 Ms. Hill. I think that's correct, and that was as I said in my deposition on October  
4 14th that frankly, that's what I thought it was at the very beginning when I first heard  
5 Mr. Giuliani making these statements.

6 Mr. Krishnamoorthi. And some of those associates included indicted folks Igor  
7 Fruman and Lev Parnas. Isn't that right?

8 Ms. Hill. That's correct.

9 Mr. Krishnamoorthi. We have an interesting character in Chicago who's now  
10 been indicted. His name is Mr. Firtash, and Mr. Firtash has been indicted for Federal  
11 bribery charges, another associate of Giuliani, right?

12 Ms. Hill. I do know Mr. Firtash, that's correct. I know of him from my work,  
13 that's correct.

14 Mr. Krishnamoorthi. And the question that we're all asking is whether American  
15 foreign policy in Ukraine is potentially being run in their interests and not our own.

16 Ms. Hill. It certainly appears that it is being used as a subversion of American  
17 foreign policy to push these people's personal interests.

18 Mr. Krishnamoorthi. Thank you so much.

19 The Chairman. That concludes the member questioning, and we'll go now to  
20 closing statements.

21 Mr. Nunes, do you have any closing remarks?

22 Mr. Nunes. Thank you.

23 I have stressed in these hearings that the whistleblower complaint was merely a  
24 pretext for Donald Trump's political opponents to do what they've been trying to do since  
25 he was elected, oust the President from office. A brief timeline will illustrate the wide

1 range of extraordinary attacks his administration has faced.

2 I'm going to start in June of 2016 when Donald Trump was just a candidate. On  
3 behalf of the Democratic National Committee and the Hillary Clinton campaign, Fusion  
4 GPS hires Christopher Steele to write the Steele dossiers, a collection of false allegations  
5 attributed to Russian sources claiming that Donald Trump is a Russian agent.

6 Fast forward to January 6th of 2017. FBI Director James Comey briefs  
7 President-Elect Trump on the Steele dossier. The briefing is leaked to CNN, and soon  
8 afterwards, BuzzFeed publishes the dossiers.

9 January 20th. On President Trump's inauguration day, the Washington Post runs  
10 a story headlined, quote, The Campaign to Impeach Donald Trump has begun. January  
11 30th. 10 days later, the whistleblower's current lawyer tweets #coup has started, first  
12 of many steps, #rebellion, #impeachment will follow immediately.

13 March 22nd. Democrats on this committee falsely declare on national TV that  
14 they have more than circumstantial evidence that the Trump campaign colluded with  
15 Russia. July 12th. An Article of Impeachment is filed against President Trump in the  
16 House of Representatives. November 15th. Democrats file additional Articles of  
17 Impeachment against President Trump.

18 As you see, this was just in President Trump's first year in office. He was  
19 subjected to a coordinated smear operation designed to falsely portray him as a Russian  
20 agent as well as attempts to impeach him. This all occurred before this now infamous  
21 call with President Zelensky.

22 In 2018, the attacks continued, often from executive branch officials charged with  
23 implementing these policies. On February 2nd, 2018, Intelligence Committee  
24 Republicans release a memo revealing that the FBI used fabrications of the Steele dossier  
25 to get a warrant to spy on a Trump campaign associate.

1           September 5th. The New York Times prints a column by an anonymous Trump  
2 administration official who explains that he and other senior officials are, quote, working  
3 diligently from within to frustrate parts of Trump's agenda, unquote. December 7th.  
4 James Comey admits to Congress the Steele dossier was unverified before and after the  
5 FBI used it to get a warrant to spy on a Trump campaign associate.

6           The Russia hoax continued to be the main focus of attacks going into 2019, but  
7 when that entire operation collapsed, a new impeachment pretext had to be found.  
8 May 4th, 2019. On national television, a Democratic Congressman proclaims, quote, I'm  
9 concerned that if we don't impeach this President, he will get reelected, unquote. July  
10 24th of this year. Special Counsel Robert Mueller testifies to Congress about his report  
11 which debunked the conspiracy theory that Trump campaign associates conspired with  
12 Russia to hack the 2016 elections.

13           July 25th. Just the very next day, a new anti-Trump operation begins as  
14 someone listens to the President's phone call with the Ukraine President Zelensky and  
15 leaks the contents to the so-called whistleblower. September 13th. Democrats on this  
16 committee take the extraordinary step of issuing a press release related to the  
17 whistleblower's complaint. October 2nd. It's revealed that Democratic staff on this  
18 committee had contact with the whistleblower before he submitted his complaint to the  
19 Inspector General, contradicting Democrat denials that such contact had occurred.  
20 October 31st, Halloween, probably the most appropriate day. Democrats in the House  
21 of Representatives vote to open an official impeachment inquiry against President Trump.

22           What you've seen in this room over the past 2 weeks is a show trial, the planned  
23 result of 3 years of political operations and dirty tricks, campaigns waged against this  
24 President. And like any good show trial, the verdict was decided before the trial ever  
25 began. After all, after denouncing the President for years as a Russian agent and a

1 threat to democracy, how could the Democrats not impeach him? If they don't have  
2 to -- if they don't move to overthrow him, it would indicate that they don't really believe  
3 their own dire warnings about the threat he poses. The Democrats only needed a  
4 pretext. When their Russian dossiers and investigations failed to do the job, they moved  
5 to plan B, the Ukraine hoax. The spectacle with its secret depositions and mid hearing  
6 press conferences is not meant to discover the facts. It was designed to produce a  
7 specific story line to be pushed forward by the Democrats and their supporters in the  
8 media.

9 Ladies and gentlemen, as we approach Thanksgiving, Speaker Pelosi has just made  
10 clear, just today, USMCA, the free trade deal with Canada and Mexico that will boost our  
11 economy won't be signed this year. So I hope Mr. Schiff will clarify how much longer we  
12 will waste on this effort and what other vital legislation he's willing to sacrifice for this  
13 impeachment crusade. Will there be even more secret depositions accompanied by the  
14 usual flood of Democratic leaks? Will we have more public hearings with Democrat  
15 witnesses but not ours? The minority are in the dark about what this committee will be  
16 doing when we return, and so is America.

17 James Madison warned us about the danger posed by the tyranny of the majority.  
18 To avoid that threat, our Founders created a constitutional republic. But is there a  
19 better example of the tyranny of majority than the way this impeachment process has  
20 been run in the House of Representatives? A process that is grossly unfair can only stem  
21 from a cynical majority that is willing to break long established precedents, trample on  
22 legitimate minority concerns, and impose their absolute will on this body through sheer  
23 force of numbers.

24 Exploiting the Intelligence Committee as an venue for impeachment has been one  
25 of the grossest abuses in the process filled with cynical manipulations, large and small,

1 but this farce will soon move to the Judiciary Committee where impeachment rightfully  
2 belongs. I wish my Republican colleagues well in fighting this travesty and defending the  
3 idea which, at one time, received bipartisan support not long ago. The American  
4 people's vote actually means something. I yield back.

5 The Chairman. I thank the gentleman.

6 First of all, I want to thank you both for your testimony. I want to thank you for  
7 your long years of service to the country. You're not Democratic witnesses or  
8 Republican witnesses. You're nonpartisan witnesses, and you have stuck to the facts,  
9 and that is as it should be.

10 First, I want to make a couple observations about the hearing today. And,  
11 Dr. Hill, you were criticized several times by my colleagues for your opening statement,  
12 and I'm glad you didn't back down from it. You're much more diplomatic than I am, I  
13 have to say.

14 Anyone watching these proceedings, anyone reading the deposition transcripts  
15 would have the same impression that you evidently had from hearing my colleagues talk  
16 about the Russia hoax, that the whole idea that Russia had gotten involved with the 2016  
17 election was a hoax put out by the Democrats. And, of course, they're not alone in  
18 pushing out this idea. It is trumpeted by no one other the President of the United States  
19 who almost on a daily basis at times would comment and tweet and propagate the idea  
20 that Russia's interference in our election was a hoax.

21 And of course, we all remember that debacle in Helsinki when the President stood  
22 next to Vladimir Putin and questioned his own intelligence agencies. I wish I had heard  
23 just some of the righteous indignation we heard in the committee today when the  
24 President questioned that fundamental conclusion of our intelligence agencies, but of  
25 course, they were silent when the President said that. They'll show indignation today,

1 but they will cover when they hear the President questioning the very conclusions that  
2 our intelligence community has reached.

3 But we saw something interesting also today. My colleagues sought to use you,  
4 Dr. Hill, to besmirch the character of Colonel Vindman, and I thought this was very  
5 interesting. It certainly wasn't unexpected, but it was very interesting for this reason:  
6 They didn't really question anything Colonel Vindman said. After all, what Colonel  
7 Vindman said is what you said. He was in that July 10th meeting. He heard the same  
8 quid quo pro, the same comments by Sondland. If you want this meeting, Ukrainians,  
9 and we have an agreement about this, you've got to announce you're going to do these  
10 investigations. He heard the same quid quo pro that you did. So why are they  
11 smearing him?

12 Mr. Holmes, you testified just as Vindman said, Colonel Vindman said, that he  
13 warned Zelensky about getting involved in U.S. politics. You don't question that. They  
14 didn't take issue with that. So why smear this Purple Heart recipient just like the smear  
15 of Ambassador Yovanovitch. It's just gratuitous. They don't question the facts. It's  
16 just gratuitous.

17 The attacking of you, Mr. Holmes, that you were indiscreet in mentioning this  
18 conversation to others. Well, I think you're quite right. The indiscretion is when an  
19 ambassador to the EU calls the President on an insecure line in a country known for  
20 Russian telecommunications and eavesdropping. That's more than indiscretion. That's  
21 a security risk.

22 But why attack you, Mr. Holmes? They didn't question anything you said. They  
23 didn't question what conversation you overheard. Ambassador Sondland, indeed, didn't  
24 question what you said. He acknowledged that the one thing the President wanted to  
25 know the day after that conversation with Zelensky was is he going to do the

1 investigations. And Sondland said yes, he'll do anything you ask. They don't question  
2 that.

3           So why attack you? They didn't question your testimony when you said -- and I  
4 think you asked Ambassador Sondland does Donald Trump give a blank, and I would like  
5 to use the word here, about Ukraine, and he said he doesn't give a blank about Ukraine.  
6 He only cares about the big stuff. And you said, well, there's some big stuff here.  
7 Ukraine is at war with Russia. That's kind of big stuff. And his answer was no, no, no,  
8 no, no. He cares about the big stuff that matters to him, his personal interests like the  
9 Biden investigation that Giuliani wants.

1 RPTR MOLNAR

2 EDTR CRYSTAL

3 [4:03 p.m.]

4 The Chairman. I mean, one question posed by your testimony, Mr. Holmes, is,  
5 what do we care about? Do we care about the big stuff like the Constitution, like an  
6 oath of office, or do we only care now about party? What do we care about?

7 But let's go beyond your testimony today. Let's look at the bigger picture.  
8 What do we know now after these depositions, these secret depositions?

9 Now, people watching at home might not know that in these secret depositions,  
10 which apparently no one else is allowed to hear, no Members are allowed to participate,  
11 it's just secret apparently, sounds like it's just me and the witness, only over a hundred  
12 Members of Congress are able to participate in those secret depositions.

13 And the minority was just so unable to participate? They got the same time they  
14 got in these open hearings. It was the same format. That was the secret star chamber  
15 that you've been hearing so much about.

16 So what have we learned through these depositions and through the testimony?  
17 Because so much of this is really undisputed.

18 We learned that a dedicated public servant named Marie Yovanovitch, known for  
19 fighting corruption, widely respected throughout the diplomatic corps, was ruthlessly  
20 smeared by Rudy Giuliani, by the President's own son, by their friends on FOX Primetime,  
21 and a whole host of other characters. Her reputation was sullied so they could get her  
22 out of the way, which they did.

23 And you're right, it was gratuitous. The President could have gotten rid of her  
24 any time he wanted. But that's not enough for this President. No, he has to smear and  
25 destroy those that get in his way, and someone fighting corruption in Ukraine was getting

1 in his way. So she's gone. She's gone.

2 And this makes way, almost immediately thereafter, she leaves, the Three Amigos  
3 come in. The Three Amigos, two of whom never made the connection that Burisma  
4 means Biden. It took Tim Morrison all of 30 seconds on Google to figure that out. But  
5 we're to believe, I guess, that in all the companies in all the world, that Rudy Giuliani just  
6 happens to be interested in this one? That's absurd.

7 The interest, of course, was in an investigation of Donald Trump's rival, the one  
8 that he apparently feared the most. And they were willing to do whatever was  
9 necessary to get Ukraine to do that dirty work, to do that political investigation.

10 And so it began, we're not going to set up a phone call until you make certain  
11 commitments. That was Ambassador Sondland's testimony. The first quid pro quo  
12 was actually just getting on the phone with President Trump. And then there was the  
13 quid pro quo involving the White House meeting. And witness after witness -- and none  
14 of my colleagues contested this -- talked about just how important that meeting was to  
15 the President of Ukraine.

16 And why? They're at war with Russia, and their most important ally is the United  
17 States, and the most important person in the United States for that relationship is the  
18 President of the United States. And if President Zelensky can show that he has a good  
19 relationship with the President of the United States, it means to his people that this new  
20 President has the support of their most important patron, and it means to the Russians  
21 that we have their back.

22 This President, this new President, who is negotiating with a far superior power  
23 that has invaded his country, is going into a negotiation with Putin over how to resolve  
24 this conflict, whether he has good leverage or lousy leverage depends on whether the  
25 Russians think he has a relationship with the President.

1           And the President wouldn't give him that, not without getting something in  
2 return, wouldn't give him that official act, that White House meeting, without getting  
3 something in return, and that return was investigations of his rival that would help his  
4 reelection, an official act for something of clear value, and something very important, the  
5 big stuff, as Sondland explained to you, Mr. Holmes, to help his campaign.

6           Now, we also heard abundant testimony about the other quid pro quo, the  
7 withholding of security assistance, which no one can explain. There's no debate among  
8 my colleagues. Everyone in the NSC, in the State Department, the Defense Department,  
9 everyone supported this, everyone. All the reviews that needed to be done to make  
10 sure that Ukraine was meeting its anti-corruption standards had been done, and they had  
11 found to meet the criteria.

12           The aid should have been released, but it was withheld, and no one could  
13 understand or get a clear explanation for why, until it became clear, to everyone, it's all  
14 about the investigations, it's all about the leverage.

15           And if there was any doubt about it, the man closest to the President, who meets  
16 with him every day, Mick Mulvaney, erased all doubt. You're darned right, yes, we  
17 talked about the 2016 election investigation. And, yes, this was in the context of  
18 holding up the military aid. And, you know, just get used to it, or just get over it, or  
19 whatever it was he said, because that's how we roll.

20           Those are my words, not his. But that's the import. Yeah, there's going to be  
21 politics and just get over it.

22           Well, if we care about the big stuff, we can't just get over it.

23           Now, my colleagues have had a lot of defenses to all of this evidence, which has  
24 piled up day after day after day. And it's amazing, they hear you testify, Mr. Holmes,  
25 that it was clear that the security assistance was being withheld, it was clear to all of the

1 Americans, it was clear to the Ukrainians. You testified the Ukrainians felt pressure.  
2 They still feel pressure to this day.

3 And what do my colleagues say in the same hearing? I mean, I guess they're not  
4 listening. The Ukrainians felt no pressure, there's no evidence they felt pressure.

5 Which gets into their next defense, which is it's all hearsay, it's all hearsay.

6 Now, most of my colleagues, I guess, are not lawyers. Lawyers out there  
7 understand just how wrong they are about what hearsay is, but let's just discuss this in  
8 terms that all people can understand.

9 The impression they would have you take from "it's all hearsay" is because we in  
10 this committee were not in that Ward Room with you, Dr. Hill, we were not in that  
11 meeting earlier with Dr. Bolton, that because we're not in the room, it's all hearsay.

12 After all, you're relating what you heard and you're saying it, so it must be  
13 hearsay, and therefore we don't really have to think about it, do we? We don't have to  
14 consider that you have direct evidence that this meeting in the White House was being  
15 withheld because the President wanted these meetings -- these investigations. We  
16 can't accept that.

17 Well, if that were true, you could never present any evidence in court, unless the  
18 jury was also in the Ward Room. That's absurd.

19 They don't accept the documentary evidence, all the text messages about quid pro  
20 quos and are we really saying, and that's crazy, and my worst nightmare is the Russians  
21 will get and I'll quit.

22 They don't accept the documents, the few documents that we have from the State  
23 Department -- that weren't produced, by the way, by the State Department -- where  
24 Sondland communicates directly with the Secretary of State about this investigative  
25 interest of the President. And they don't accept the documents either. I guess the

1 documents are also hearsay.

2 Now, it might be a little more convincing if they were joining us in demanding that  
3 the documents be produced, but of course they're not. And we know why not.  
4 Because the documents are like that one we saw on the screen, they implicate others,  
5 including Secretary Pompeo. So of course Donald Trump and Secretary Pompeo don't  
6 want us to see those documents.

7 But apparently it's all hearsay. Even when you actually hear the President, Mr.  
8 Holmes, that's hearsay. We can't rely on people saying what the President said.  
9 Apparently, we can only rely on what the President says, and there, we shouldn't even  
10 rely on that either.

11 We shouldn't really rely on what the President said in the call record. We should  
12 imagine he said something else. We should imagine he said something about actually  
13 fighting corruption, instead of what he actually said, which was, I want you to do us a  
14 favor, though. I want you to look into this 2016 CrowdStrike conspiracy theory, and I  
15 want you to look into the Bidens. I guess we're not even supposed to rely on that  
16 because that's hearsay.

17 Well, that's absurd. That would be like saying, you can't rely on the testimony of  
18 the burglars during Watergate because it's only hearsay, or you can't consider the fact  
19 that they tried to break in because they got caught. They actually didn't get what they  
20 came for, so, you know, kind of no harm, no foul. That's absurd. That's absurd.

21 But the other -- the other defense besides it failed, the scheme failed, they got  
22 caught, the other defense is the President denies it.

23 Well, I guess that's case closed, right? The President says, really quite  
24 spontaneously, it's not as if he was asked in this way, no quid pro quo. What do you  
25 want from Ukraine? No quid pro quo.

1 This is the "I'm not a crook" defense. You say it, and I guess that's the end of it.

2 Well, the only thing we can say is that it's not so much that the situation is  
3 different in terms of Nixon's conduct and Trump's conduct. What we've seen here is far  
4 more serious than a third-rate burglary of the Democratic headquarters. What we're  
5 talking about here is the withholding of recognition in that White House meeting, the  
6 withholding of military aid to an ally at war. That is beyond anything Nixon did.

7 The difference between then and now is not the difference between Nixon and  
8 Trump. It's the difference between that Congress and this one.

9 And so we are asking, where is Howard Baker? Where is Howard Baker?  
10 Where are the people who are willing to go beyond their party, to look to their duty?

11 I was struck by Colonel Vindman's testimony because he said that he acted out of  
12 duty. What is our duty here? That's what we need to be asking, not using metaphors  
13 about balls and strikes or our team and your team. I've heard my colleagues use those  
14 metaphors. This should be about duty. What is our duty?

15 We are -- and this gets to Mr. Heck's point -- we are the indispensable Nation, we  
16 still are. People look to us from all over the world. Journalists from their jail cells in  
17 Turkey. The victims of mass extrajudicial killing in the Philippines. People who  
18 gathered in Tahrir Square wanting a representative government. People in China who  
19 are Uighurs. People in Ukraine who want a better future.

20 They look to us. They're not going to look to the Russians. They're not going to  
21 the look to the Chinese. They can't look to Europe with all its problems.

22 They still look to us, and increasingly they don't recognize what they see, because  
23 what they see is Americans saying, don't engage in political prosecutions. And what  
24 they say back is, oh, you mean like the Bidens and the Clintons that you want us to  
25 investigate?

1           What they see, they don't recognize. And that is a terrible tragedy for us, but it's  
2 a greater tragedy for the rest of the world.

3           Now, I happen to think that when the Founders provided a mechanism in the  
4 Constitution for impeachment they were worried about what might happen if someone  
5 unethical took the highest office in the land and used it for their personal gain and not  
6 because of deep care about the big things that should matter, like our national security  
7 and our defense and our allies and what the country stands for. I happen to think that's  
8 why they put that remedy in the Constitution.

9           And I think we need to consult our conscience and our constituents and decide  
10 whether that remedy is appropriate here, whether that remedy is necessary here.

11           And as you know, notwithstanding what my colleague said, I resisted going down  
12 this path for a long time. But I will tell you why I could resist no more. And it came  
13 down to this. It came down to -- actually, it came down to timing.

14           It came down to the fact that the day after Bob Mueller testified, the day after  
15 Bob Mueller testified that Donald Trump invited Russian interference -- Hey, Russia, if  
16 you're listening, come get Hillary's emails, and later that day, they tried to hack her  
17 server -- the day after he testified that not only did Trump invite that interference, but  
18 that he welcomed the help in the campaign, they made full use of it, they lied about it,  
19 they obstructed the investigation into it, and all this is in his testimony and his report, the  
20 day after that, Donald Trump is back on the phone asking another nation to involve itself  
21 in another U.S. election.

22           That says to me, this President believes he is above the law, beyond  
23 accountability. And in my view, there is nothing more dangerous than an unethical  
24 President who believes they are above the law.

25           And I would just say to people watching here at home and around the world, in

1 the words of my great colleague, we are better than that.

2 Adjourned.

3 [Whereupon, at 4:19 p.m., the committee was adjourned.]

**Opening Statement of Dr. Fiona Hill  
to the House of Representatives  
Permanent Select Committee on Intelligence**

*November 21, 2019*

Mr. Chairman, Ranking Member Nunes, and members of the Committee. Thank you for inviting me to testify before you today. I have a short opening statement.

I appreciate the importance of the Congress's impeachment inquiry.

I am appearing today as a fact witness, as I did during my deposition on October 14<sup>th</sup>, in order to answer your questions about what I saw, what I did, what I knew, and what I know with regard to the subjects of your inquiry. I believe that those who have information that the Congress deems relevant have a legal and moral obligation to provide it.

I take great pride in the fact that I am a *nonpartisan* foreign policy expert, who has served under three different Republican and Democratic presidents. I have no interest in advancing the outcome of your inquiry in any particular direction, except toward the truth.

I will not provide a long narrative statement, because I believe that the interest of Congress and the American people is best served by allowing you to ask me your questions. I am happy to expand upon my October 14<sup>th</sup> deposition testimony in response to your questions today.

But before I do so, I would like to communicate two things.

First, I'd like to share a bit about who I am. I am an American by choice, having become a citizen in 2002. I was born in the northeast of England, in the same region George Washington's ancestors came from. Both the region and my family have deep ties to the United States.

My paternal grandfather fought through World War I in the Royal Field Artillery, surviving being shot, shelled, and gassed before American troops intervened to end the war in 1918.

During the Second World War, other members of my family fought to defend the free world from fascism alongside American soldiers, sailors, and airmen.

The men in my father's family were coalminers whose families always struggled with poverty.

When my father, Alfred, was 14, he joined his father, brother, uncles and cousins in the coal mines to help put food on the table.

When the last of the local mines closed in the 1960s, my father wanted to emigrate to the United States to work in the coal mines in West Virginia, or in Pennsylvania. But his mother, my grandmother, had been crippled from hard labor. My father couldn't leave, so he stayed in northern England until he died in 2012. My mother still lives in my hometown today.

While his dream of emigrating to America was thwarted, my father loved America, its culture, its history and its role as a beacon of hope in the world. He always wanted someone in the family to make it to the United States.

I began my University studies in 1984, and in 1987 I won a place on an academic exchange to the Soviet Union. I was there for the signing of the Intermediate Nuclear Forces (INF) Treaty, and when President Ronald Reagan met Soviet leader Mikhail Gorbachev in Moscow. This was a turning point for me. An American professor who I met there told me about graduate student scholarships to the United States, and the very next year, thanks to his advice, I arrived in America to start my advanced studies at Harvard.

Years later, I can say with confidence that this country has offered for me opportunities I never would have had in England. I grew up poor with a very distinctive working-class accent. In England in the 1980s and 1990s, this would have impeded my professional advancement.

This background has *never* set me back in America. For the better part of three decades, I have built a career as a nonpartisan, nonpolitical national security professional focusing on Europe and Eurasia and especially the former Soviet Union.

I have served our country under three presidents: in my most recent capacity under President Trump, as well as in my former position of National Intelligence Officer for Russia and Eurasia under Presidents George W. Bush and Barack Obama. In that role, I was the Intelligence Community's senior expert on Russia and the former Soviet republics, including Ukraine.

It was because of my background and experience that I was asked to join the National Security Council in 2017. At the NSC, Russia was a part of my portfolio, but I was also responsible for coordinating U.S. policy for all of Western Europe, all of Eastern Europe (including Ukraine) and Turkey, along with NATO and the European Union. I was hired initially by General Michael

Flynn, K.T. McFarland, and General Keith Kellogg, but then started work in April 2017 when General McMaster was the National Security Advisor.

I—and they—thought I could help them with President Trump’s stated goal of improving relations with Russia, while still implementing policies designed to deter Russian conduct that threatens the United States, including the unprecedented and successful Russian operation to interfere in the 2016 presidential election.

This relates to the second thing I want to communicate.

Based on questions and statements I have heard, some of you on this committee appear to believe that Russia and its security services did not conduct a campaign against our country—and that perhaps, somehow, for some reason, Ukraine did. This is a fictional narrative that has been perpetrated and propagated by the Russian security services themselves.

The unfortunate truth is that Russia was the foreign power that systematically attacked our democratic institutions in 2016. This is the public conclusion of our intelligence agencies, confirmed in bipartisan Congressional reports. It is beyond dispute, even if some of the underlying details must remain classified.

The impact of the successful 2016 Russian campaign remains evident today. Our nation is being torn apart. Truth is questioned. Our highly professional and expert career foreign service is being undermined.

U.S. support for Ukraine—which continues to face armed Russian aggression—has been politicized.

The Russian government's goal is to weaken our country—to diminish America's global role and to neutralize a perceived U.S. threat to Russian interests. President Putin and the Russian security services aim to counter U.S. foreign policy objectives in Europe, including in Ukraine, where Moscow wishes to reassert political and economic dominance.

I say this not as an alarmist, but as a realist. I do not think long-term conflict with Russia is either desirable or inevitable. I continue to believe that we need to seek ways of stabilizing our relationship with Moscow even as we counter their efforts to harm us. Right now, Russia's security services and their proxies have geared up to repeat their interference in the 2020 election. We are running out of time to stop them. In the course of this investigation, I would ask that you please not promote politically driven falsehoods that so clearly advance Russian interests.

As Republicans and Democrats have agreed for decades, Ukraine is a valued partner of the United States, and it plays an important role in our national security. And as I told this Committee last month, I refuse to be part of an effort to legitimize an alternate narrative that the Ukrainian government is a U.S. adversary, and that Ukraine—not Russia—attacked us in 2016.

These fictions are harmful even if they are deployed for purely domestic political purposes. President Putin and the Russian security services operate like a Super PAC. They deploy millions of dollars to weaponize our own political opposition research and false narratives. When we are consumed by partisan rancor, we cannot combat these external forces as they seek to divide us against each another, degrade our institutions, and destroy the faith of the American people in our democracy.

I respect the work that this Congress does in carrying out its constitutional responsibilities, including in this inquiry, and I am here to help you to the best of my ability. If the President, or anyone else, impedes or subverts the national security of the United States in order to further domestic political or personal interests, that is more than worthy of your attention. But we must not let domestic

politics stop us from defending ourselves against the *foreign* powers who truly wish us harm.

I am ready to answer your questions.

STATEMENT OF  
DAVID A. HOLMES  
U.S. EMBASSY KYIV, DEPARTMENT OF STATE  
BEFORE THE  
HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE ON INTELLIGENCE  
CONCERNING  
THE IMPEACHMENT INQUIRY  
PRESENTED ON  
NOVEMBER 21, 2019

**I. Introduction**

Good morning Mr. Chairman, Ranking Member Nunes, and Members of the Committee. My name is David Holmes, and I am a career Foreign Service Officer with the Department of State. Since August 2017, I have been the Political Counselor at the U.S. Embassy in Kyiv, Ukraine. While it is an honor to appear before you, I want to make clear that I did not seek this opportunity to testify today. Since you determined that I may have something of value to these proceedings and issued a subpoena, it is my obligation to appear and tell you what I know. Indeed, as Secretary Pompeo has stated, "I hope everyone who testifies will go do so truthfully, accurately. When they do, the oversight role will have been performed, and I think America will come to see what took place here." That is my goal: to testify truthfully and accurately to enable you to perform that role. And to that end, I have put together this statement to lay out as best I can my recollection of events that may be relevant to this matter.

**II. Background**

By way of background, I have spent my entire professional career as a Foreign Service Officer. Like many of the dedicated public servants who have testified in these proceedings, my entire career has been in service of my country. I am a graduate of Pomona College in Claremont, California, and received graduate degrees in international affairs from the University of St. Andrews (Scotland) and Princeton University's Woodrow Wilson School of Public and International Affairs. I joined the Foreign Service in 2002 through an apolitical, merit-based process under the George W. Bush administration, and I have proudly served administrations of both parties and worked for their appointees, both political and career.

Prior to my current post in Kyiv, Ukraine, I served in the political and economic sections at the U.S. Embassy in Moscow, Russia. In Washington, I served on the National Security

Council staff as Director for Afghanistan and as Special Assistant to the Under Secretary of State. My prior overseas assignments include New Delhi, India; Kabul, Afghanistan; Bogotá, Colombia; and Pristina, Kosovo.

As the Political Counselor at the U.S. Embassy in Kyiv, I lead the Political Section covering Ukraine's internal politics, foreign relations, and security policies, and serve as the senior policy and political adviser to the Ambassador. The job of an embassy political counselor is to gather information about the host country's political landscape, report back to Washington, represent U.S. policies to foreign contacts, and advise the Ambassador on policy development and implementation.

In this role, I am a senior member of the Embassy's Country Team and continually involved in addressing issues as they arise. I am also often called upon to take notes in meetings involving the Ambassador or visiting senior U.S. officials with Ukrainian counterparts. For this reason, I have been present in many meetings with President Zelenskyy and his administration, some of which may be germane to this inquiry.

While I am the Political Counselor at the Embassy, it is important to note that I am not a political appointee or engaged in U.S. politics in any way. It is not my job to cover or advise on U.S. politics. On the contrary, I am an apolitical foreign policy professional, and my job is to focus on the politics of the country in which I serve so that we can better understand the local landscape and better advance U.S. national interests there. In fact, during the period that we will cover today, my colleagues and I followed direct guidance from Ambassador Yovanovitch and Ambassador Taylor to focus on doing our jobs as foreign policy professionals and to stay clear of Washington politics.

### **III. Policy Objectives in Ukraine**

I arrived in Kyiv to take up my assignment as Political Counselor in August 2017, a year after Ambassador Yovanovitch received her appointment. From August 2017 until her removal from post in May 2019, I was Ambassador Yovanovitch's chief policy advisor and developed a deep respect for her dedication, determination, decency, and professionalism. During this time we worked together closely, speaking multiple times per day, and I accompanied Ambassador Yovanovitch to many of her meetings with senior Ukrainian counterparts.

Our work in Ukraine focused on three policy priorities: peace and security, economic growth and reform, and anti-corruption and rule of law. These policies match the three consistent priorities of the Ukrainian people since 2014 as measured in public opinion polling, namely, an end to the conflict with Russia that restores national unity and territorial integrity, responsible economic policies that deliver European standards of growth and opportunity, and effective and impartial rule of law institutions that deliver justice in cases of high-level official corruption. Our efforts on this third priority merit special mention because it was during Ambassador Yovanovitch's tenure that we achieved the hard-fought passage of a law establishing an independent court to try corruption cases. These efforts strained Ambassador Yovanovitch's relationship with former President Poroshenko and some of his allies, including Prosecutor General Yuriy Lutsenko, who resisted fully empowering truly independent anti-

corruption institutions that would help ensure that no Ukrainians, however powerful, were above the law. Despite this resistance, the Ambassador and the Embassy kept pushing anti-corruption and the other priorities of our policy toward Ukraine.

#### **IV. Emergence of a Political Agenda**

Beginning in March 2019, the situation at the Embassy and in Ukraine changed dramatically. Specifically, the three priorities of security, economy, and justice, and our support for Ukrainian democratic resistance to Russian aggression, became overshadowed by a political agenda being promoted by former New York City Mayor Rudy Giuliani and a cadre of officials operating with a direct channel to the White House.

That change began with the emergence of press reports critical of Ambassador Yovanovitch and machinations by then-Prosecutor General Lutsenko and others to discredit her. In mid-March 2019, an Embassy colleague learned from a Ukrainian contact that Mr. Lutsenko had complained that Ambassador Yovanovitch had “destroyed him” with her refusal to support him until he followed through with his reform commitments and ceased using his position for personal gain. In retaliation, Mr. Lutsenko made a series of unsupported allegations against Ambassador Yovanovitch, mostly suggesting that Ambassador Yovanovitch improperly used the Embassy to advance the political interests of the Democratic party.

Among Mr. Lutsenko’s allegations were that the Embassy had ordered the investigation of a former Ukrainian official solely because that former official was allegedly the main Ukrainian contact of the Republican Party and of President Trump personally, and that the Embassy had allegedly pressured Lutsenko’s predecessor to close a case against a different former Ukrainian official, solely because of an alleged connection between that official’s company, Burisma, and former Vice President Biden’s son. Mr. Lutsenko also claimed that he had never received \$4.4 million in U.S. funds intended for his office, and that there was a tape of a Ukrainian official saying he was trying to help Hillary Clinton win the 2016 election. Finally, Mr. Lutsenko publically claimed that Ambassador Yovanovitch had given him a “do not prosecute list” containing the names of her supposed allies, an allegation that the State Department called an “outright fabrication,” and that Mr. Lutsenko later retracted. Mr. Lutsenko said that, as a result of these allegations, Ambassador Yovanovitch would face “serious problems” in the United States. Public opinion polls in Ukraine indicated that Ukrainians generally did not believe Mr. Lutsenko’s allegations, and on March 22, President Poroshenko issued a statement in support of Ambassador Yovanovitch.

Following Mr. Lutsenko’s allegations, Mr. Giuliani and others made a number of public statements critical of Ambassador Yovanovitch, questioning her integrity and calling for her removal from office. Mr. Giuliani was also making frequent public statements pushing for Ukraine to investigate interference in the 2016 election and issues related to Burisma and the Bidens. For example, on May 1, 2019, the New York Times reported that Mr. Giuliani had “discussed the Burisma investigation, and its intersections with the Bidens, with the ousted Ukrainian prosecutor general and the current prosecutor.” On May 9, the New York Times reported that Mr. Giuliani said he planned to travel to Ukraine to pursue investigations into 2016 election interference and into the involvement of former Vice President Biden’s son in a

Ukrainian gas company. Over the next few months, Mr. Giuliani also issued a series of tweets, asking “why Biden shouldn’t be investigated,” attacking the “New Pres of Ukraine” (Zelenskyy) for being “silent” on the 2016 election and Biden investigations, and complaining about the New York Times attacking him for “exposing the Biden family history of making millions . . . from Ukraine criminals.”

Around this same time, the Ukrainian presidential election was approaching, and political newcomer and entertainer Volodymyr Zelenskyy, who had played a president on television, was surging in the polls, ahead of Mr. Lutsenko’s political ally, President Poroshenko. On April 20, I was present for Ambassador Yovanovitch’s third and final meeting with then-candidate Zelenskyy ahead of his landslide victory in the runoff election the next day. As in her two prior meetings that I also attended, they had an entirely cordial, pleasant conversation and signaled their mutual desire to work together. However, the negative narratives about Ambassador Yovanovitch had gained currency in certain segments of the United States press, and on April 26, Ambassador Yovanovitch departed for Washington, DC, where she learned she would be recalled early. The barrage of allegations directed at Ambassador Yovanovitch, a career ambassador, is unlike anything I have seen in my professional career.

#### V. Zelenskyy’s Inauguration and the “Three Amigos”

Following President-elect Zelenskyy’s victory, our attention in the Embassy focused on getting to know the incoming Zelenskyy administration and on preparations for the inauguration scheduled for May 20, the same day Ambassador Yovanovitch departed Post permanently. It quickly became clear that the White House was not prepared to show the level of support for the Zelenskyy administration that we had originally anticipated.

In early May, Mr. Giuliani publicly alleged that Mr. Zelenskyy was “surrounded by enemies of the [U.S. President],” and cancelled a visit to Ukraine. Shortly thereafter, we learned that Vice President Pence no longer planned to lead the Presidential Delegation to the inauguration. The White House then whittled down an initial proposed list for the official Presidential Delegation to the inauguration from over a dozen individuals to just five: Secretary Perry as its head, Special Representative for Ukraine Negotiations Kurt Volker representing the State Department, National Security Council Director Alex Vindman representing the White House, temporary acting Charge d’Affaires Joseph Pennington representing the Embassy, and Ambassador to the European Union Gordon Sondland. While Ambassador Sondland’s mandate as Ambassador accredited to the European Union did not cover individual member states, let alone non-member countries like Ukraine, he made clear that he had direct and frequent access to President Trump and Chief of Staff Mick Mulvaney, and portrayed himself as the conduit to the President and Mr. Mulvaney for the group. Secretary Perry, Ambassador Sondland, and Ambassador Volker later styled themselves the “Three Amigos,” and made clear they would take the lead on coordinating our policy and engagement with the Zelenskyy Administration.

Around the same time, I became aware that Mr. Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy. On April 25, Ivan Bakanov, who was Mr. Zelenskyy’s childhood friend and campaign chair, and was ultimately appointed head of the Security Services of Ukraine, indicated to me privately he had been contacted by “someone named

Giuliani who said he was an advisor to the Vice President.” I reported Mr. Bakanov’s message to Deputy Assistant Secretary of State George Kent. Over the following months, it became apparent that Mr. Giuliani was having a direct influence on the foreign policy agenda that the Three Amigos were executing on the ground in Ukraine. In fact, at one point during a preliminary meeting of the inauguration Delegation, someone wondered aloud about why Mr. Giuliani was so active in the media with respect to Ukraine. My recollection is that Ambassador Sondland stated, “Dammit Rudy. Every time Rudy gets involved he goes and f---s everything up.”

The inauguration took place on May 20, and I took notes in the delegation’s meeting with President Zelenskyy. During the meeting, Secretary Perry passed President Zelenskyy a list that Perry described as “people he trusts.” Secretary Perry told President Zelenskyy that he could seek advice from the people on this list on issues of energy sector reform, which was the topic of subsequent meetings between Secretary Perry and key Ukrainian energy-sector contacts. Embassy personnel were excluded from these later meetings by Secretary Perry’s staff.

On May 23, Ambassador Volker, Ambassador Sondland, Secretary Perry, and Senator Ron Johnson (who had also attended the inauguration, though not in the official delegation) returned to the United States and briefed President Trump. On May 29, President Trump signed a congratulatory letter to President Zelenskyy, which included an invitation to visit the White House at an unspecified date.

It is important to understand that a White House visit was critical to President Zelenskyy. President Zelenskyy needed to show U.S. support at the highest levels in order to demonstrate to Russian President Putin that he had U.S. backing, as well as to advance his ambitious anti-corruption reforms at home. President Zelenskyy’s team immediately began pressing to set a date for the visit. President Zelenskyy and senior members of his team made clear they wanted President Zelenskyy’s first overseas trip to be to Washington to send a strong signal of American support, and requested a call with President Trump as soon as possible. We at the Embassy also believed that a meeting was critical to the success of President Zelenskyy’s administration and its reform agenda, and we worked hard to get it arranged.

When President Zelenskyy’s team did not receive a confirmed date for a White House visit, they made alternative plans for President Zelenskyy’s first overseas trip to be to Brussels instead, in part to attend an American Independence Day event that Ambassador Sondland hosted on June 4. Ambassador Sondland hosted a dinner in President Zelenskyy’s honor following the reception, which included President Zelenskyy, Jared Kushner, Secretary Pompeo’s counselor Ulrich Brechbuhl, senior European Union officials, and comedian Jay Leno, among others.

## **VI. Ambassador Taylor and an Oval Office Meeting**

Ambassador Bill Taylor arrived in Kyiv as Charge d’Affaires on June 17. For the next month, a focus of our activities – along with those of the Three Amigos – was to coordinate a White House visit. To that end, we were working with the Ukrainians to deliver things we

thought President Trump might care about, such as commercial deals benefitting the United States, which might convince President Trump to agree to a meeting with President Zelenskyy. The Ukrainian policy community was unanimous in recognizing the importance of securing the meeting and President Trump's support. Ambassador Taylor reported that Secretary Pompeo had told him prior to his arrival in Kyiv, "We need to work on turning the President around on Ukraine." Ambassador Volker told us the next five years could hang on what could be accomplished in the next three months. I took that to mean that if we did not earn President Trump's support in the next three months, we could lose the opportunity to make progress during President Zelenskyy's term.

Within a week or two, it became apparent that the energy sector reforms, commercial deals, and anti-corruption efforts on which we were making progress were not making a dent in terms of persuading the White House to schedule a meeting between the presidents. On June 27, Ambassador Sondland told Ambassador Taylor in a phone conversation (the gist of which Ambassador Taylor shared with me at the time) that President Zelenskyy needed to make clear to President Trump that President Zelenskyy was not standing in the way of "investigations." I understood that this meant the Burisma/Biden investigations that Mr. Giuliani and his associates had been speaking about in the media since March. While Ambassador Taylor did not brief me on every detail of his communications with the Three Amigos, he did tell me that on a June 28 call with President Zelenskyy, Ambassador Taylor, and the Three Amigos, it was made clear that some action on a Burisma/Biden investigation was a precondition for an Oval Office meeting. Also on June 28, while President Trump was still not moving forward on a meeting with President Zelenskyy, he met with Russian President Putin at the G20 Summit in Osaka, Japan, sending a further signal of lack of support for Ukraine.

We became concerned that even if a meeting between Presidents Trump and Zelenskyy could occur it would not go well, and I discussed with Embassy colleagues whether we should stop seeking a meeting altogether. While a White House visit was critical to the Zelenskyy administration, a visit that failed to send a clear and strong signal of support likely would be worse for President Zelenskyy than no visit at all.

## **VII. The Freezing of Security Assistance**

Congress has appropriated \$1.5 billion in security assistance for Ukraine since 2014. This assistance has provided crucial material and moral support to Ukraine in its defensive war with Russia and has helped Ukraine build its armed forces virtually from scratch into arguably the most capable and battle-hardened land force in Europe. I have had the honor of visiting the main training facility in Western Ukraine with members of Congress and this very Committee, where we witnessed first-hand U.S. National Guard troops, along with allies, conducting training for Ukrainian soldiers. Since 2014, National Guard units from California, Oklahoma, New York, Tennessee and Wisconsin have trained shoulder-to-shoulder with Ukrainian counterparts.

Given the history of U.S. security assistance to Ukraine and the bipartisan recognition of its importance, I was shocked when, on July 18, an Office of Management and Budget staff member surprisingly announced the hold on Ukraine security assistance. The announcement

came toward the end of a nearly two-hour National Security Council secure video conference call, which I participated in from the Embassy conference room. The official said the order had come from the President and had been conveyed to OMB by Mr. Mulvaney with no further explanation. This began a week or so of efforts by various agencies to identify the rationale for the freeze, conduct a review of the assistance, and to reaffirm the unanimous view of the Ukraine policy community of its importance. NSC counterparts confirmed to us that there had been no change in our Ukraine policy, but could not determine the cause of the hold or how to lift it.

#### **VIII. July 26 Meetings and Ambassador Sondland's Call to the President**

On July 25, President Trump made a congratulatory phone call to President Zelenskyy, after his party won a commanding majority in Ukraine's parliamentary election. Contrary to standard procedure, the Embassy received no readout of the call, and I was unaware of what was discussed until the transcript was released September 25. Upon reading the transcript, I was deeply disappointed to see that the President raised none of what I understood to be our inter-agency agreed-upon foreign policy priorities in Ukraine and instead raised the Biden/Burisma investigation and referred to the theory about CrowdStrike, and its supposed connection to Ukraine and the 2016 election.

The next day, July 26, 2019, I attended meetings at the Presidential Administration Building in Kyiv with Ambassador Taylor, Ambassador Volker, and Ambassador Sondland and took notes during those meetings. Our first meeting was with President Zelenskyy's Chief of Staff. It was brief, as he had already been summoned by President Zelenskyy to prepare for a subsequent broader meeting, but he did say that President Trump had expressed interest during the previous day's phone call in President Zelenskyy's personnel decisions related to the Prosecutor General's Office.

The delegation then met with President Zelenskyy and several other senior officials. During the meeting, President Zelenskyy stated that during the July 25 call, President Trump had "three times" raised "some very sensitive issues," and that he would have to follow up on those issues when he and President Trump met "in person." Not having received a readout of the July 25 call, I did not know what those sensitive issues were.

After the meeting with President Zelenskyy, Ambassador Volker and Ambassador Taylor quickly left the Presidential Administration Building for a trip to the front lines. Ambassador Sondland, who was to fly out that afternoon, stayed behind to have a meeting with Andriy Yermak, a top aide to President Zelenskyy.

As I was leaving the meeting with President Zelenskyy, I was told to join the meeting with Ambassador Sondland and Mr. Yermak as note-taker. I had not expected to join that meeting and was a flight of stairs behind Ambassador Sondland as he headed to meet with Mr. Yermak. When I reached Mr. Yermak's office, Ambassador Sondland had already gone in to the meeting. I explained to Mr. Yermak's assistant that I was supposed to join the meeting as the Embassy's representative and strongly urged her to let me in, but she told me that Ambassador Sondland and Mr. Yermak had insisted that the meeting be one-on-one, with no note-taker. I

then waited in the anteroom until the meeting ended, along with a member of Ambassador Sondland's staff and a member of the U.S. Embassy Kyiv staff.

When the meeting ended, the two staffers and I accompanied Ambassador Sondland out of the Presidential Administration Building. Ambassador Sondland said that he wanted to go to lunch. I told Ambassador Sondland that I would be happy to join him and the two staffers for lunch if he wanted to brief me on his meeting with Mr. Yermak or discuss other issues, and Ambassador Sondland said that I should join.

The four of us went to a nearby restaurant and sat on an outdoor terrace. I sat directly across from Ambassador Sondland, and the two staffers sat off to our sides. At first, the lunch was largely social. Ambassador Sondland selected a bottle of wine that he shared among the four of us, and we discussed topics such as marketing strategies for his hotel business.

During the lunch, Ambassador Sondland said that he was going to call President Trump to give him an update. Ambassador Sondland placed a call on his mobile phone, and I heard him announce himself several times, along the lines of "Gordan Sondland holding for the President." It appeared that he was being transferred through several layers of switchboards and assistants. I then noticed Ambassador Sondland's demeanor change, and understood that he had been connected to President Trump. While Ambassador Sondland's phone was not on speakerphone, I could hear the President's voice through the earpiece of the phone. The President's voice was very loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume.

I heard Ambassador Sondland greet the President and explain that he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied, yes, he was in Ukraine, and went on to state that President Zelenskyy "loves your ass." I then heard President Trump ask, "So, he's gonna do the investigation?" Ambassador Sondland replied that "he's gonna do it," adding that President Zelenskyy will do "anything you ask him to." Even though I did not take notes of these statements, I have a clear recollection that these statements were made. I believe that my colleagues who were sitting at the table also knew that Ambassador Sondland was speaking with the President.

The conversation then shifted to Ambassador Sondland's efforts, on behalf of the President, to assist a rapper who was jailed in Sweden, and I could only hear Ambassador Sondland's side of that part of the conversation. Ambassador Sondland told the President that the rapper was "kind of f---d there," and "should have pled guilty." He recommended that the President "wait until after the sentencing or it will make it worse," adding that the President should "let him get sentenced, play the racism card, give him a ticker-tape when he comes home." Ambassador Sondland further told the President that Sweden "should have released him on your word," but that "you can tell the Kardashians you tried."

After the call ended, Ambassador Sondland remarked that the President was in a bad mood, as Ambassador Sondland stated was often the case early in the morning. I then took the opportunity to ask Ambassador Sondland for his candid impression of the President's views on

Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not “give a s--t about Ukraine.” Ambassador Sondland agreed that the President did not “give a s--t about Ukraine.” I asked why not, and Ambassador Sondland stated that the President only cares about “big stuff.” I noted that there was “big stuff” going on in Ukraine, like a war with Russia, and Ambassador Sondland replied that he meant “big stuff” that benefits the President, like the “Biden investigation” that Mr. Giuliani was pushing. The conversation then moved on to other topics.

Upon returning to the Embassy, I immediately briefed my direct supervisor, the Deputy Chief of Mission, about Ambassador Sondland’s call with President Trump and my subsequent conversation with Ambassador Sondland. I told others at the Embassy about the call as well. I also emailed an Embassy official in Sweden regarding the issue with the U.S. rapper that was discussed on the call.

July 26 was my last day in the office ahead of a planned vacation that ended on August 6. After returning to the Embassy, I told Ambassador Taylor about the July 26 call. I also repeatedly referred to the call and conversation with Ambassador Sondland in meetings and conversations where the issue of the President’s interest in Ukraine was potentially relevant. At that time, Ambassador Sondland’s statement of the President’s lack of interest in Ukraine was of particular focus. We understood that in order to secure a meeting between President Trump and President Zelenskyy, we would have to work hard to find a way to explain Ukraine’s importance to President Trump in terms that he found compelling.

#### **IX. Lifting the Hold on Security Assistance**

Over the ensuing weeks, we continued to try to identify ways to frame the importance of Ukraine in ways that would appeal to the President, to determine how to lift the hold on security assistance, and to move forward on the scheduling of a White House visit by President Zelenskyy.

Ukrainian Independence Day is August 24 and presented a good opportunity to show support for Ukraine. Secretary Pompeo had considered attending, as National Security Advisor Bolton had attended in 2018 and Defense Secretary Mattis had attended in 2017. But in the end, nobody senior to Ambassador Volker attended.

Shortly thereafter, on August 27, Ambassador Bolton visited Ukraine and brought welcome news that President Trump had agreed to meet President Zelenskyy on September 1 in Warsaw. Ambassador Bolton further indicated that the hold on security assistance would not be lifted prior to the Warsaw meeting, where it would hang on whether President Zelenskyy was able to “favorably impress” President Trump. I took notes in Ambassador Bolton’s meeting that day with President Zelenskyy and his Chief of Staff. Ambassador Bolton told Zelenskyy’s Chief of Staff that the meeting between the presidents in Warsaw would be “crucial to cementing their relationship.” However, President Trump ultimately pulled out of the Warsaw trip, so the hold remained in place with no clear means to get it lifted.

Between meetings on August 27, I heard Ambassador Bolton express to Ambassador Taylor and National Security Council Senior Director Tim Morrison his frustration about Mr. Giuliani's influence with the President, making clear there was nothing he could do about it. He recommended that Mr. Lutsenko's replacement as Prosecutor General open a channel with his counterpart Attorney General Barr in place of the informal channel between Mr. Yermak and Mr. Giuliani. Ambassador Bolton also expressed frustration about Ambassador Sondland's expansive interpretation of his mandate.

After President Trump cancelled his trip to Warsaw, we continued to try to appeal to the President in foreign policy and national security terms. To that end, Ambassador Taylor told me that Ambassador Bolton recommended that Ambassador Taylor send a first-person cable to Secretary Pompeo articulating the importance of the security assistance. At Ambassador Taylor's direction, I drafted and transmitted the cable on Ambassador Taylor's behalf on August 29, which further attempted to explain the importance of Ukraine and the security assistance to U.S. national security. By this point, however, my clear impression was that the security assistance hold was likely intended by the President either as an expression of dissatisfaction that the Ukrainians had not yet agreed to the Burisma/Biden investigation or as an effort to increase the pressure on them to do so.

On September 5, I took notes at Senator Johnson and Senator Chris Murphy's meeting with President Zelenskyy in Kyiv, where President Zelenskyy asked about the security assistance. Although both Senators stressed bipartisan Congressional support for Ukraine, Senator Johnson cautioned President Zelenskyy that President Trump has a negative view of Ukraine and that President Zelenskyy would have a difficult time overcoming it. Senator Johnson further explained that he had been "shocked" by President Trump's negative reaction during an Oval Office meeting on May 23, when he and the Three Amigos proposed that President Trump meet President Zelenskyy and show support for Ukraine.

On September 8, Ambassador Taylor told me, "now they're insisting Zelenskyy commit to the investigation in an interview with CNN," which I took to refer to the Three Amigos. I was shocked the requirement was so specific and concrete. While we had advised our Ukrainian counterparts to voice a commitment to following the rule of law and generally investigating credible corruption allegations, this was a demand that President Zelenskyy personally commit, on a cable news channel, to a specific investigation of President Trump's political rival.

On September 11, the hold was finally lifted after significant press coverage and bipartisan congressional expressions of concern about the withholding of security assistance. Although we knew the hold was lifted, we were still concerned that President Zelenskyy had committed, in exchange for the lifting, to give the requested CNN interview. We had several indications that the interview would occur. First, the YES! Conference in Kyiv was held from September 12-14, and CNN's Fareed Zakaria was one of the moderators. Second, on September 13, an Embassy colleague received a phone call from a colleague who worked for Ambassador Sondland. My Embassy colleague texted me regarding the call that, "Sondland said the [Zelenskyy] interview is supposed to be today or Monday [Sept 16] and they plan to announce that a certain investigation that was 'on hold' will progress. [Sondland's aide] did not know if this was decided or if [Sondland] is advocating this. Apparently he's been discussing

this with Yermak.” Finally, also on September 13, Ambassador Taylor and I ran into Mr. Yermak on our way out of a meeting with President Zelenskyy in his private office. Ambassador Taylor again stressed the importance of staying out of U.S. politics and said he hoped no interview was planned. Mr. Yermak did not answer, but shrugged in resignation as if to indicate they had no choice. In short, everyone thought there was going to be an interview, and that the Ukrainians believed they had to do it. The interview ultimately did not occur.

On September 21, Ambassador Taylor and I collaborated on input he sent to Mr. Morrison to brief President Trump ahead of a September 25 meeting that had been scheduled with President Zelenskyy in New York on the margins of the UN General Assembly. The transcript of the July 25 call was released the same day. As of today, I still have not seen a readout of the September 25 meeting.

## **X. Impeachment Proceedings**

As the impeachment inquiry has progressed, I have followed press reports and reviewed the statements of Ambassador Taylor and Ambassador Yovanovitch. Based on my experience in Ukraine, my recollection is generally consistent with their testimony, and I believed that the relevant facts were therefore being laid out for the American people. However, in the last couple weeks, I read press reports expressing for the first time that certain senior officials may have been acting without the President’s knowledge, or “freelancing,” in their dealings with Ukraine. At the same time, I also read reports noting the lack of “first-hand” evidence in the investigation and suggesting that the only evidence being elicited at the hearings was “hearsay.” I came to realize I had first-hand knowledge regarding certain events on July 26 that had not otherwise been reported, and that those events potentially bore on the question of whether the President did, in fact, have knowledge that those senior officials were using the levers of our diplomatic power to induce the new Ukrainian President to announce the opening of a criminal investigation against President Trump’s political opponent. It is at that point that I made the observation to Ambassador Taylor that the incident I had witnessed on July 26 had acquired greater significance, which is what he reported in his testimony last week and is what led to the subpoena for my appearance here today.

## **XI. Conclusion**

I would like to take a moment now to turn back to Ukraine. Today marks exactly six years since throngs of pro-Western Ukrainians spontaneously gathered on Kyiv’s Independence Square to launch what became known as the Revolution of Dignity. While the protests began in opposition to a turn toward Russia and away from the West, they expanded over three months to reject the entire corrupt, repressive system that had been sustained by Russian influence in the country. Those events were followed by Russia’s occupation of Ukraine’s Crimean peninsula and invasion of Ukraine’s eastern Donbas region, and an ensuing war that, to date, has cost Ukraine almost 14,000 lives. Despite the Russian aggression, over the past five years, Ukrainians have rebuilt a shattered economy, adhered to a peace process, and moved economically and socially closer to the West – toward our way of life. Earlier this year, large majorities of Ukrainians again chose a fresh start by voting for a political newcomer as president, replacing 80 percent of their parliament, and endorsing a platform consistent with

our democratic values, reform priorities, and strategic interests. This year's revolution at the ballot box underscores that, despite its imperfections, Ukraine is a genuine and vibrant democracy and an example to other post-Soviet countries and beyond – from Moscow to Hong Kong.

How we respond to this historic opportunity will set the trajectory of our relationship with Ukraine and will define our willingness to defend our bedrock international principles and our leadership role in the world. Ukrainians want to hear a clear and unambiguous reaffirmation that our long-standing, bipartisan policy of strong support for Ukraine remains unchanged and that we fully back it at the highest levels. Now is not the time to retreat from our relationship with Ukraine, but rather to double down on it. As we sit here, Ukrainians are fighting a hot war on Ukrainian territory against Russian aggression. This week alone, since I have been here in Washington, two Ukrainian soldiers were killed and two injured by Russia-led forces in eastern Ukraine despite a declared ceasefire. As Vice President Pence said after his meeting with President Zelenskyy in Warsaw, "The U.S.-Ukraine relationship has never been stronger." Ukrainians and their new government earnestly want to believe that.

Ukrainians cherish their bipartisan American support that has sustained their Euro-Atlantic aspirations, and they recoil at the thought of playing a role in U.S. domestic politics or elections. At a time of shifting allegiances and rising competitors in the world, we have no better friend than Ukraine – a scrappy, unbowed, determined, and above all dignified people who are standing up against Russian authoritarianism and aggression. They deserve better. We are now at an inflection point in Ukraine, and it is critical to our national security that we stand in strong support of our Ukrainian partners. Ukrainians and freedom-loving people everywhere are watching the example we set of democracy and the rule of law.

Thank you, I am happy to answer any questions.

**Congress of the United States**  
**Washington, DC 20515**

November 21, 2019

The Honorable Adam B. Schiff  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
HVC-304, Capitol Visitor Center  
Washington, DC 20515

Dear Mr. Chairman:

On September 24, 2019, Speaker Nancy Pelosi unilaterally announced that the House of Representatives would initiate an inquiry into impeaching President Donald J. Trump.<sup>1</sup> Although Speaker Pelosi promised that Democrats would “treat the President with fairness,”<sup>2</sup> you have repeatedly prevented Republicans from fully and fairly examining issues central to the Democrats’ “impeachment inquiry.” Therefore, pursuant to House Rule XI, Clause 2(j)(1), we, the undersigned Republican Members of the Permanent Select Committee on Intelligence, exercise our right to convene a hearing with witnesses selected by the Minority to testify in the Democrats’ “impeachment inquiry.”

House Rule XI, Clause 1(a)(1)(A) states that “[t]he Rules of the House are the rules of its committees and subcommittees so far as applicable.”<sup>3</sup> House Rule XI, Clause 2(j)(1) provides that “the minority members of the committee shall be entitled, upon request to the chair by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify . . . .”<sup>4</sup> Notably, this rule was not displaced by H. Res. 660 and, therefore, under House Rule XI, Clause 1(a)(1)(A), it applies to the Democrats’ “impeachment inquiry.”<sup>5</sup>

As the Committee continues to conduct the Democrats’ partisan and one-sided “impeachment inquiry,” there are still important perspectives and serious issues that you have prevented the Committee from examining. We will inform you of the witnesses we intend to call once you have provided a hearing date and time to which we agree. Your failure to schedule this hearing shall constitute evidence of your denial of fundamental fairness and due process.

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<sup>1</sup> Speaker Nancy Pelosi, Pelosi Remarks Announcing Impeachment Inquiry (Sept. 24, 2019).

<sup>2</sup> Speaker Nancy Pelosi, Transcript of Pelosi Weekly Press Conference Today (Oct. 2, 2019).

<sup>3</sup> House Rule XI, cl. 1(a)(1)(A).

<sup>4</sup> House Rule XI, cl. 2(j)(1).

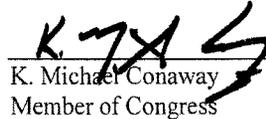
<sup>5</sup> See generally, H. Res. 660, 116<sup>th</sup> Cong. (2019).

The Honorable Adam Schiff  
November 21, 2019  
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Sincerely,



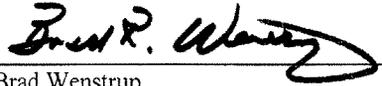
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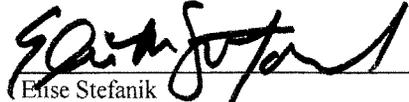
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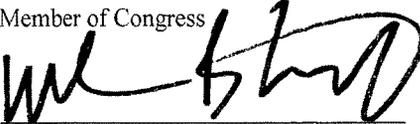
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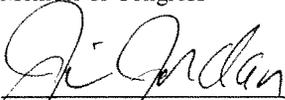
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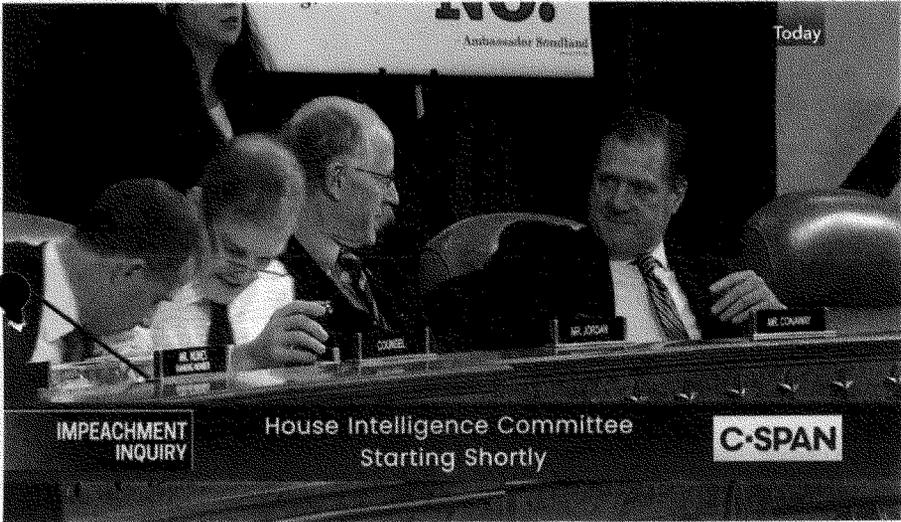
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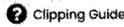
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**IMPEACHMENT INQUIRY: AMBASSADOR GORDON SONDLAND**

**Wednesday, November 20, 2019**

**U.S. House of Representatives,**

**Permanent Select Committee on Intelligence,**

**Washington, D.C.**

The committee met, pursuant to call, at 9:09 a.m., in Room 1100, Longworth House Office Building, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

The Chairman. The committee will come to order.

Good morning, everyone. This is the fifth in a series of public hearings the committee will be holding as part of the House of Representatives' impeachment inquiry. Without objection, the chair is authorized to declare a recess at any time. There is a quorum present.

We will proceed today in the same fashion as our other hearings. I'll make an opening statement, and then Ranking Member Nunes will have the opportunity to make a statement. Then we will turn to our witness for an opening statement, and then to questions.

For audience members, we welcome you and respect your interest in being here. In turn, we ask for your respect as we proceed with today's hearing. It is the intention of the committee to proceed without disruptions. As chairman, I'll make all necessary and appropriate steps to maintain order and to ensure the committee is run in accordance with House rules and House Resolution 660.

With that, I now recognize myself to give an opening statement in the impeachment inquiry into Donald J. Trump, the 45th President of the United States.

This morning, we will hear from Gordon Sondland, the American ambassador to the European Union. We are here today as part of the House of Representatives' impeachment inquiry because President Donald Trump sought to condition military aid to Ukraine and an Oval Office meeting with the new Ukrainian President, Volodymyr Zelensky, in exchange for politically motivated investigations that Trump believed would help his reelection campaign.

The first investigation was of a discredited conspiracy theory that Ukraine, not Russia, was responsible for interfering in the 2016 election. The second investigation

that Trump demanded was into a political rival that he apparently feared most, Joe Biden.

Trump sought to weaken Biden and to refute the fact that his own election campaign in 2016 had been helped by a Russian hacking and dumping operation and Russian social media campaign directed by Vladimir Putin to help Trump.

Trump's scheme undermined military and diplomatic support for a key ally and undercut U.S. anticorruption efforts in Ukraine. Trump put his personal and political interests above those of the United States. As Ambassador Sondland would later tell career Foreign Service Officer David Holmes immediately after speaking to the President, Trump "did not give a [expletive]" about Ukraine. He cares about "big stuff" that benefits him, like the "Biden investigations" that Rudy Giuliani was pushing.

Ambassador Sondland was a skilled dealmaker, but in trying to satisfy a directive from the President found himself increasingly embroiled in an effort to press the new Ukrainian President that deviated sharply from the norm in terms of both policy and process.

In February, Ambassador Sondland traveled to Ukraine on his first official trip to that country. While in Kyiv, he met with then U.S. Ambassador to Ukraine Marie Yovanovitch and found her to be an excellent diplomat with a deep command of Ukrainian internal dynamics.

On April 21st, Zelensky was elected President of Ukraine and spoke to President Trump, who congratulated him and said he would "look into" attending Zelensky's inauguration, but pledged to send someone at a "very, very high level."

Between the time of that call and the inaugural on May 20, Trump's attitude towards Ukraine hardened. On May 13th, the President ordered Vice President Mike Pence not to attend Zelensky's inauguration, opting instead to dispatch the self-dubbed "Three Amigos": Energy Secretary Rick Perry, Ambassador Sondland, and Ambassador

Kurt Volker, the special representative for Ukraine negotiations.

After returning from the inauguration, members of the U.S. delegation briefed President Trump on their encouraging first interactions with the new Ukrainian administration. They urged the President to meet with Zelensky, but the President's reaction was decidedly hostile. The President's order was clear, however: "Talk with Rudy."

During this meeting, Ambassador Sondland first became aware of what Giuliani and the President were really interested in. "This whole thing was sort of a continuum," he testified at his deposition, "starting at the May 23rd meeting, ending up at the end of the line when the transcript of the call came out." It was a continuum, he would explain, that became more insidious over time.

The Three Amigos were disappointed with Trump's directive to engage Giuliani, but vowed to press ahead. Ambassador Sondland testified, "We could abandon the goal of a White House meeting for President Zelensky," which the group deemed "crucial" for U.S.-Ukrainian relations, "or we could do as President Trump directed and talk to Mr. Giuliani to address the President's concerns. We chose the latter path."

In the coming weeks, Ambassador Sondland got more clearly involved in Ukraine policymaking, starting with the June 4 U.S. mission to the EU Independence Day event in Brussels 1 month early. Secretary Perry, Ulrich Brechbuhl, the State Department counselor, and Sondland met with President Zelensky, whom Sondland had invited personally, on the margins of the event.

On June 10, 2019, Secretary Perry organized a conference call with Sondland, then National Security Advisor John Bolton, Volker, and others. They reviewed Ukraine's strategy with Bolton and decided that Perry, Sondland, and Volker would assist Ambassador Bill Taylor, the new acting ambassador in Kyiv, on Ukraine and discuss

Trump's desire for Rudy Giuliani to be somehow involved.

At the end of the call, according to Sondland, "we all felt very comfortable with the strategy moving forward."

Two weeks later, on June 27th, Ambassador Sondland called Taylor to say that, quote, "Zelensky needed to make clear to President Trump that he was not standing in the way of investigations."

On July 10th, Ambassador Sondland and other U.S. officials met at the White House with a group of U.S. and Ukrainian officials. Participants in the meeting have told us that Ambassador Sondland invoked Acting White House Chief of Staff Mick Mulvaney and said that the White House meeting sought by the Ukrainian President with Trump would happen only if Ukraine undertook certain investigations. National Security Advisor Bolton abruptly ended the meeting upon hearing this.

Undeterred, Sondland brought the Ukrainian delegation downstairs to another part of the White House and was more explicit. According to witnesses, Ukraine needed to investigate the Bidens or Burisma and the 2016 election interference if they wanted to get a meeting at all.

Following this meeting in July, Bolton said that he would not "be part of whatever drug deal Sondland and Mulvaney are cooking up on this."

Sondland continued to press for a meeting, but he and others were willing to settle for a phone call as an intermediate step. On July 21, Taylor texted Sondland that, quote, "President Zelensky is sensitive about Ukraine being taken seriously, not merely as an instrument of Washington domestic reelection politics."

Sondland responded, "Absolutely. But we need to get the conversation started and the relationship built, irrespective of the pretext," so that Zelensky and Trump could meet and "all of this will be fixed."

On July 25th, the day of the Trump-Zelensky call, Volker had lunch in Kyiv with a senior aide to Ukrainian President Zelensky and later texted the aide to say that he had "heard from the White House -- assuming President Z convinces Trump he will investigate, get to the bottom of what happened in 2016, we will nail down date for visit to Washington. Good luck."

Ambassador Sondland spoke to President Trump a few minutes before the call was placed, but was not on the call.

During that now infamous phone call with Zelensky, Trump responded to the Ukrainian expression of appreciation for U.S. defense support and request to buy more Javelin antitank missiles by saying, "I would like you to do us a favor, though."

Trump asked Zelensky to investigate the discredited 2016 conspiracy theory and, even more ominously, look into the Bidens. Neither had been part of the official preparatory material for the call, but they were in Donald Trump's personal interest and the interests of his reelection campaign. And the Ukrainian President knew about both in advance, in part because of Ambassador Volker and Ambassador Sondland's efforts to make him aware of what the President was demanding.

Around this time, Ambassador Sondland became aware of the suspension of security assistance to Ukraine, which had been announced on a secure interagency videoconference on July 18th, telling us that it was "extremely odd" that nobody involved in making and implementing policy towards Ukraine knew why the aid had been put on hold.

During August, Sondland participated in conference calls and text messages with Volker and Giuliani and said that "the gist of every call was what was going to go in the press statement."

In an August 9 text message with Volker, Sondland stated, "I think POTUS really

wants the deliverable," which was, according to Sondland, a deliverable public statement that President Trump wanted to see or hear before a White House meeting could happen.

On September 1, Ambassador Sondland participated in Vice President Pence's bilateral meeting with Zelensky in Warsaw, during which Zelensky raised the suspended security assistance. Following that meeting, Sondland approached a senior Ukrainian official to tell him that he believed "what could help them move the aid was if the Ukrainian prosecutor general would go to the mike and announce that he was opening the Burisma investigation."

Sondland told Taylor that he had "made a mistake" by telling the Ukrainians that an Oval Office meeting "was dependent on a public announcement of investigations. In fact, everything was dependent on such an announcement, including security assistance."

But even the announcement by the prosecutor general would not satisfy the President. On September 7, Sondland spoke to the President and told Tim Morrison and Bill Taylor about the call shortly thereafter. The President said that although this was "not a quid pro quo," if President Zelensky did not clear things up in public, we would be at a stalemate.

Moreover, an announcement by the prosecutor general would not be enough. President Zelensky must personally -- must announce personally that he would open the investigations.

Sondland told Taylor that President Trump is a businessman. When a businessman is about to sign a check to someone who owes him something, he said, the businessman asks that person to pay up before signing the check. The "check" referred to here was the U.S. military assistance to Ukraine, and Ukraine had to pay up with investigations.

Throughout early September, Volker and Sondland sought to close the deal on an

agreement that Zelensky would announce investigations. After Taylor texted Sondland on September 9, 2019, that "I think it's crazy to withhold security assistance for help with a political campaign."

Sixteen days later, the transcript of the July 25th call was made public and the American people learned the truth of how our President tried to take advantage of a vulnerable ally.

Now it is up to Congress, as the people's representatives, to determine what response is appropriate. If the President abused his power and invited foreign interference in our elections, if he sought to condition, coerce, extort, or bribe an ally into conducting investigations to aid his reelection campaign and did so by withholding official acts, a White House meeting or hundreds of millions of dollars of needed military aid, it will be up to us to decide whether those acts are compatible with the office of the Presidency.

Finally, I want to say a word about the President and Secretary Pompeo's obstruction of this investigation.

We have not received a single document from the State Department, and, as Ambassador Sondland's opening statement today will make clear, those documents bear directly on this investigation and this impeachment inquiry.

I think we know now, based on a sample of the documents attached to Ambassador Sondland's statement, that the knowledge of this scheme was far and wide, and included, among others, Secretary of State Pompeo, as well as the Vice President.

We can see why Secretary Pompeo and President Trump have made such a concerted and across-the-board effort to obstruct this investigation and this impeachment inquiry. And I will just say this: They do so at their own peril. I remind the President that Article 3 of the impeachment articles drafted against President Nixon

was his refusal to obey the subpoenas of Congress.

And with that, I recognize Ranking Member Nunes for any remarks that he would wish to make.

[The statement of The Chairman follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Nunes. I thank the gentleman.

As we learned last night, story time last night, we get story time first thing this morning.

Ambassador Sondland, welcome. I'm glad you're here. I'm really not glad you are here, but welcome to the fifth day of this circus.

As I've noted before, the Democrats on this committee spent 3 years accusing President Trump of being a Russian agent. In March 2018, after a year-long investigation, Intelligence Committee Republicans issued a 240-page report describing in detail how the Russians meddled in the 2016 elections and making specific recommendations to improve our election security.

Denouncing the report as a whitewash and accusing Republicans of subverting the investigation, the Democrats issued their own report, focusing on their now-debunked conspiracy theory that the Trump campaign colluded with Russia to hack the elections.

Notably, the Democrats vowed at the time to present a further, quote, "comprehensive report," unquote, after they finished their investigation into Trump's treasonous collusion with Russia. For some completely inexplicable reason, after the implosion of their Russia hoax the Democrats failed to issue that comprehensive report. We're still waiting.

This episode shows how the Democrats have exploited the Intelligence Committee for political purposes for 3 years, culminating in these impeachment hearings. In their mania to attack the President, no conspiracy theory is too outlandish for the Democrats. Time and time again they floated the possibility of some farfetched malfeasance by Trump, declared the dire need to investigate it, and then suddenly dropped the issue and moved on to their next asinine theory.

A sampling of their accusations and insinuations includes these: Trump is a long-time Russian agent, as described in the Steele dossier. The Russians gave Trump advance access to emails stolen by the DNC and the Hillary Clinton campaign. The Trump campaign based some of its activities on these stolen documents. Trump received nefarious materials from the Russians through a Trump campaign aide. Trump laundered Russian money through real estate deals. Trump was blackmailed by Russia through his financial exposure with Deutsche Bank. Trump had a diabolical plan to build a Trump Tower in Moscow. Trump changed the Republican National Committee platform to hurt Ukraine and benefit Russia. The Russians laundered money through the NRA for the Trump campaign. Trump's son-in-law lied about his Russian contacts while obtaining his security clearance.

It's a long list of charges, all false, and I could go on and on and on, but I will spare you for these moments.

Clearly, these ludicrous accusations don't reflect committee members who are honestly searching for the truth. They are the actions of partisan extremists who hijacked the Intelligence Committee, transformed it into the impeachment committee, abandoned its core oversight functions, and turned it into a beachhead for ousting an elected President from office.

You have to keep that history in mind as you consider the Democrats' latest catalog of supposed Trump outrages. Granted, a friendly call with the Ukrainian President wouldn't seem to rise to the same level as being a Russian agent, but the Democrats were running out of time. If they waited any longer, their impeachment circus would intervene with their own candidates' 2020 campaigns. So you have to give them points for creativity in selling this absurdity as an impeachable offense.

All this explains why the Democrats have gathered zero Republican support in the

House of Representatives for their impeachment crusade. In fact, the vote we held was a bipartisan vote against this impeachment inquiry.

Speaker Pelosi, Chairman Schiff, and Chairman Nadler, the key figures behind this impeachment crusade, all proclaimed that impeachment is so damaging to the country that it can only proceed with bipartisan support.

Are those declarations suddenly no longer true? Did impeachment become less divisive? Of course not. They know exactly what kind of damage they're inflicting on this Nation, but they've passed the point of no return.

After 3 years of preparation work, much of it spearheaded by the Democrats on this committee, using all the tools of Congress to accuse, investigate, indict, and smear the President, they stoked a frenzy amongst their most fanatical supporters that they can no longer control.

Ambassador Sondland, you are here today to be smeared. You'll make it through it, and I appreciate your service to this country; and I am sorry that you've had to go through this.

In closing, the Democrats have zeroed in on an anonymous whistleblower complaint that was cooked up in cooperation with the Democrats on this very committee. They lied to the American people about that cooperation and refused to let us question the whistleblower to discover the truth.

Meanwhile, the Democrats lash out against anyone who questions or casts doubt on this spectacle. When Ukrainian President Zelensky denies anything improper happened on the phone call, the Democrats say that he's a liar. When journalists report on Ukraine election meddling and Hunter Biden's position on the board of corrupt Ukrainian companies, the Democrats label them conspiracy theorists. When the Democrats can't get any traction for their allegations of quid pro quo, they move the

goalposts and accuse the President of extortion, then bribery, and at last resort, obstruction of justice.

The American people sent us to Washington to solve problems, not to wage scorched earth political warfare against the other party. This impeachment is not helping the American people, it's not a legitimate use of taxpayer dollars, and it's definitely not improving our national security.

Finally, the Democrats' fake outrage that President Trump used his own channel to communicate with Ukraine. I remind my friends on the other side of the aisle that our first President, George Washington, directed his own diplomatic channel to secure a treaty with Great Britain. If my Democratic colleagues were around in 1794, they'd probably want to impeach him, too.

Mr. Chairman, this morning we have transmitted to you a letter exercising our rights under H. Res. 660 to subpoena documents and witnesses. We take this step because you have failed to ensure fairness and objectivity in this inquiry. As such, we need to subpoena Hunter Biden and the whistleblower for closed door depositions as well as relevant documents from the DNC, Hunter Biden's firm, Rosemont Seneca, and the whistleblower. In the interest of some basic level of fairness, we expect you to concur with these subpoenas.

And I will submit that letter for the record, and yield back the balance of my time.

[The statement of Mr. Nunes follows.]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. I thank the gentleman.

We are joined this afternoon by Ambassador Gordon Sondland -- I'm sorry, this morning. It was a long day yesterday. Gordon Sondland is the U.S. Representative to the European Union with the rank of ambassador.

Before joining the State Department, Ambassador Sondland was the founder and CEO of Provenance Hotels, a national owner and operator of full-service hotels. Also prior to his government service, Ambassador Sondland was engaged in charitable enterprises.

Two final points before our witness is sworn.

First, witness depositions as part of this inquiry were unclassified in nature, and all open hearings will also be held at the unclassified level. Any information that may touch on classified information will be addressed separately.

Second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for testifying before Congress, including you or any of your colleagues.

If you would please rise and raise your right hand, I will begin by swearing you in.

Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Ambassador Sondland. I do.

The Chairman. Let the record show the witness has answered in the affirmative.

Thank you, and please be seated.

The microphone is sensitive, so please speak directly into it. Without objection, your written statement will be made part of the record.

And with that, Ambassador Sondland, you are now recognized for your opening

statement.

Ambassador Sondland. Thank you, Mr. Chairman, and thank you, Ranking Member Nunes. I appreciate the opportunity to speak again to the members of this committee.

First, let me offer my thanks to the men and women of the U.S. Department of State who have committed their professional lives to support the foreign policy work of the United States.

In particular, I want to thank my staff at the U.S. Mission to the European Union. Your integrity, dedication, and hard work, often performed without public acclaim or recognition, serve as a shining example of true public service, and I am personally grateful to work beside you each and every day.

It is my honor to serve as the U.S. ambassador to the European Union. The U.S. Mission to the EU is the direct link between the United States and the European Union and its members, America's longest standing allies and one of the largest economic blocs in the world.

Every day, I work to support a strong, united, and peaceful Europe. Strengthening our ties with Europe serves both American and European goals as we together promote political stability and economic prosperity around the world.

I expect that few Americans have heard my name before these events, so before I begin my substantive testimony, please let me share some of my personal background.

My parents fled Europe during the Holocaust. Escaping the atrocities of that time, my parents left Germany for Uruguay, and then in 1953 emigrated to Seattle, Washington, where I was born and raised.

Like so many immigrants, my family was eager for freedom and hungry for opportunity. They raised my sister and me to be humble, hardworking, and patriotic,

and I am forever grateful for the sacrifices they made on our behalf.

Public service has always been important to me. As a lifelong Republican, I have contributed to initiatives of both Republican and Democratic administrations.

In 2003, I served as a member of the transition team for Oregon Democratic Governor Ted Kulongoski. Governor Kulongoski also appointed me to serve on various statewide boards.

In 2007, President George W. Bush appointed me as a member of the Commission on White House Fellows. I worked with President Bush on charitable events for his foundation's military service initiative, and I also worked briefly with former Vice President Joe Biden's office in connection with the Vice President's nationwide anticancer initiative at a local Northwest hospital.

And of course, the highest honor in my public life came when President Trump asked me to serve as the United States ambassador to the European Union. The Senate confirmed me as an ambassador on a bipartisan voice vote, and I assumed the role in Brussels on July 9th, 2018.

Although today is my first public testimony on the Ukraine matters, this is not my first time cooperating with this committee. As you know, I've already provided 10 hours of deposition testimony, and I did so despite directives from the White House and the State Department that I refuse to appear, as many others have done. I agreed to testify because I respect the gravity of the moment and I believe I have an obligation to account fully for my role in these events.

But I also must acknowledge that this process has been challenging and in many respects less than fair. I have not had access to all of my phone records, State Department emails, and many, many other State Department documents. And I was told I could not work with my EU staff to pull together the relevant files and information.

Having access to the State Department materials would have been very helpful to me in trying to reconstruct with whom I spoke and met and when and what was said. As ambassador, I've had hundreds of meetings and calls with individuals, but I'm not a notetaker or a memo writer, never have been.

My job requires that I speak with heads of state, senior government officials, members of the Cabinet, the President, almost each and every day. Talking with foreign leaders might be memorable to some people, but this is my job. I do it all the time.

My lawyers and I have made multiple requests to the State Department and the White House for these materials, yet these materials were not provided to me, and they have also refused to share these materials with this committee. These documents are not classified and, in fairness -- and in fairness -- should have been made available.

In the absence of these materials, my memory, admittedly, has not been perfect, and I have no doubt that a more fair, open, and orderly process of allowing me to read the State Department records and other materials would have made this process far more transparent.

I don't intend to repeat my prior opening statement or attempt to summarize 10 hours of previous deposition testimony. However, a few critical points have been obscured by noise over the last few days and weeks, and I'm worried that the bigger picture is being ignored. So let me make a few key points.

First, Secretary Perry, Ambassador Volker, and I worked with Mr. Rudy Giuliani on Ukraine matters at the express direction of the President of the United States. We did not want to work with Mr. Giuliani. Simply put, we were playing the hand we were dealt. We all understood that if we refused to work with Mr. Giuliani, we would lose a very important opportunity to cement relations between the United States and Ukraine. So we followed the President's orders.

Second, although we disagreed with the need to involve Mr. Giuliani, at the time we did not believe that his role was improper. As I previously testified, if I had known of all of Mr. Giuliani's dealings or his associations with individuals, some of whom are now under criminal indictment, I personally would not have acquiesced to his participation. Still, given what we knew at the time, what we were asked to do did not appear to be wrong.

Third, let me say, precisely because we did not think that we were engaging in improper behavior, we made every effort to ensure that the relevant decisionmakers at the National Security Council and the State Department knew the important details of our efforts. The suggestion that we were engaged in some irregular or rogue diplomacy is absolutely false.

I have now identified certain State Department emails and messages that provide contemporaneous support for my view. These emails show that the leadership of the State Department, the National Security Council, and the White House were all informed about the Ukraine efforts from May 23rd, 2019, until the security aid was released on September 11th, 2019. I will quote from some of those messages with you shortly.

Fourth, as I testified previously -- as I testified previously -- Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. Mr. Giuliani demanded that Ukraine make a public statement announcing the investigations of the 2016 election, DNC server, and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President.

Fifth, in July and August of 2019, we learned that the White House had also suspended security aid to Ukraine. I was adamantly opposed to any suspension of aid -- I was adamantly opposed to any suspension of aid -- as the Ukrainians needed those

funds to fight against Russian aggression. I tried diligently to ask why the aid was suspended, but I never received a clear answer. I still haven't to this day.

In the absence of any credible explanation for the suspension of aid, I later came to believe that the resumption of security aid would not occur until there was a public statement from Ukraine committing to the investigations of the 2016 elections and Burisma, as Mr. Giuliani had demanded. I shared concerns of the potential quid pro quo regarding the security aid with Senator Ron Johnson, and I also shared my concerns with the Ukrainians.

Finally, at all times I was acting in good faith -- I was acting in good faith. As a Presidential appointee, I followed the directions of the President. We worked with Mr. Giuliani because the President directed us to do so.

We had no desire to set any conditions -- we had no desire to set any conditions on the Ukrainians. Indeed, my own personal view, which I shared repeatedly with others, was that the White House and security assistance should have proceeded without preconditions of any kind.

We were working to overcome the problems, given the facts as they existed. Our only interest -- and my only interest -- was to advance longstanding U.S. policy and to support Ukraine's fragile democracy.

Now, let me provide additional details specifically about Ukraine and my involvement.

First, my very first days as ambassador to the EU, which was starting back in July of 2018, Ukraine has featured prominently in my broader portfolio. Ukraine's political and economic development are critical to the longstanding and long-lasting stability of Europe.

Moreover, the conflict in eastern Ukraine and Crimea remains one of the most

significant security crises for Europe and the United States. Our efforts to counterbalance an aggressive Russia depend in substantial part on a strong Ukraine.

On April 21st, 2019, Volodymyr Zelensky was elected President of Ukraine in an historic election. With the express support of Secretary Pompeo, I attended President Zelensky's inauguration on May 20th as part of the U.S. delegation, which was led by Energy Secretary Rick Perry. The U.S. delegation also included Senator Johnson, Ukraine Special Envoy Volker, and Lieutenant Colonel Alex Vindman of the National Security Council.

My attendance at President Zelensky's inauguration was not my first involvement with Ukraine. As I testified previously, just 4 days after assuming my post as ambassador in July of 2018, I received an official delegation from the government of then-Ukraine President Petro Poroshenko. The meeting took place at the U.S. Mission in Brussels and was prearranged by my career EU mission staff, and I've had several meetings since then in Brussels.

Later, in February of 2019, I worked well with U.S. Ambassador Marie Yovanovitch in making my first official visit to Ukraine for a U.S. Navy visit to the strategic Black Sea port of Odessa.

The reason I raise these prior Ukraine activities -- the meetings in Brussels, my visit to Odessa -- is to emphasize that Ukraine has been a part of my portfolio from my very first days as the U.S. Ambassador. Any claim that I somehow muscled my way into the Ukraine relationship is simply false.

During the Zelensky inauguration on May 20th, the U.S. delegation developed a very positive view of the Ukraine Government. We were impressed by President Zelensky's desire to promote a stronger relationship with the United States. We admired his commitment to reform, and we were excited about the possibility of Ukraine

making the changes necessary to support a greater Western economic investment. And we were excited that Ukraine might, after years and years of lip service, finally get serious about addressing its own well-known corruption problems.

With that enthusiasm, we returned to the White House on May 23rd to brief President Trump. We advised the President of the strategic importance of Ukraine and the value of strengthening the relationship with President Zelensky.

To support this reformer, we asked the White House for two things: first, a working phone call between Presidents Trump and Zelensky; and second, a working Oval Office visit. In our view, both were vital to cementing the U.S.-Ukraine relationship, demonstrating support for Ukraine in the face of Russian aggression, and advancing broader U.S. foreign policy interests.

Unfortunately, President Trump was skeptical. He expressed concerns that the Ukrainian Government was not serious about reform, and he even mentioned that Ukraine tried to take him down in the last election.

In response to our persistent efforts in that meeting to change his views, President Trump directed us to, quote, "Talk with Rudy." We understood that "talk with Rudy" meant talk with Mr. Rudy Giuliani, the President's personal lawyer.

Let me say again, we weren't happy with the President's directive to talk with Rudy. We did not want to involve Mr. Giuliani. I believed then, as I do now, that the men and women of the State Department, not the President's personal lawyer, should take responsibility for Ukraine matters.

Nonetheless, based on the President's direction, we were faced with a choice. We could abandon the efforts to schedule the White House phone call and a White House visit between Presidents Trump and Zelensky, which was unquestionably in our foreign policy interest, or we could do as President Trump had directed and talk with Rudy.

We chose the latter course, not because we liked it, but because it was the only constructive path open to us.

Over the course of the next several months, Secretary Perry, Ambassador Volker, and I were in communication with Mr. Giuliani. Secretary Perry volunteered to make the initial calls with Mr. Giuliani, given their prior relationship. Ambassador Volker made several of the early calls and generally informed us of what was discussed.

I first communicated with Mr. Giuliani in early August, several months later. Mr. Giuliani emphasized that the President wanted a public statement from President Zelensky committing Ukraine to look into the corruption issues. Mr. Giuliani specifically mentioned the 2016 election, including the DNC server, and Burisma as two topics of importance to the President.

We kept the leadership of the State Department and the NSC informed of our activities, and that included communications with Secretary of State Pompeo; his counselor, Ulrich Brechbuhl; his executive secretary, Lisa Kenna, and also communications with Ambassador Bolton, Dr. Hill, Mr. Morrison, and their staff at the NSC. They knew what we were doing and why.

On July 10th, 2019, senior Ukrainian national security officials met with Ambassador Bolton, Ambassador Volker, Dr. Hill, Secretary Perry, myself, and several others in Washington, D.C. During that meeting, we all discussed the importance of the two action items I identified earlier: one, a working phone call; and two, a White House meeting between Presidents Trump and Zelensky.

From my perspective, the July 10th meeting was a positive step toward accomplishing our shared goals. While I am now aware of accounts of the meeting from Dr. Hill and Lieutenant Colonel Vindman, their recollections of those events simply don't square with my own or with those of Ambassador Volker or Secretary Perry.

I recall mentioning the prerequisite of investigations before any White House call or meeting, but I do not recall any yelling or screaming or abrupt terminations, as others have said. Instead, after the meeting, Ambassador Bolton walked outside with our group and we all took some great pictures together outside on the White House lawn.

More important, those recollections of protest do not square with the documentary record of our interactions with the NSC in the days and weeks that followed. We kept the NSC apprised of our efforts, including specifically our efforts to secure a public statement from the Ukrainians that would satisfy President Trump's concerns.

For example, on July 13th -- and this is 3 days after that July 10th meeting -- I emailed Tim Morrison. He had just taken over Dr. Hill's post as the NSC Eurasia director, and I met him that day for the first time.

I wrote to Mr. Morrison with these words: "The call between Zelensky and POTUS," President of the United States, "should happen before 7/21," which is the parliamentary elections in Ukraine. "Sole purpose is for Zelensky to give POTUS assurances of 'new sheriff' in town, corruption ending, unbundling moving forward, and" -- and I emphasize -- "any hampered investigations will be allowed to move forward transparently. Goal is for POTUS to invite him to Oval. Volker, Perry, Bolton and I strongly recommend."

Mr. Morrison acknowledged and said, "Thank you," and specifically noted that he was "tracking" these issues.

Again, there was no secret regarding moving forward and the discussion of investigations. Moreover, I've reviewed other State Department documents, some of which are not currently in the public domain, detailing Mr. Giuliani's efforts.

For example, on July 10th, the very same day that Ambassador Volker, Secretary

Perry, and I were meeting with the Ukraine officials in Washington, Ambassador Taylor received a communication that Mr. Giuliani was still talking with Ukrainian Prosecutor Yuriy Lutsenko.

In WhatsApp messages with Ambassador Volker and I, Ambassador Taylor wrote to us as follows: "Just had a meeting with Andriy and Vadym," referring to Ukraine Foreign Minister Vadym Prystaiko. Taylor said the Ukrainians were, quote, "very concerned about what Lutsenko told them, that according to RG," meaning Rudy Giuliani, "the Zelensky-POTUS meeting will not happen."

Volker responded: "Good grief. Please tell Vadym to let the official U.S. Government representatives speak for the U.S. Lutsenko has his own self-interest here."

Taylor confirmed that he had communicated that message to the Ukrainians, and he added, "I briefed Ulrich this afternoon on this," referring to State Department Counselor Ulrich Brechbuhl. Again, everyone's in the loop.

Three things are critical about this WhatsApp exchange.

First, while the Ukrainians were in Washington at the White House, Mr. Giuliani was communicating with the Ukrainians without our knowledge. Ambassador Taylor, Ambassador Volker, and I were all surprised by this.

Second, Mr. Giuliani was communicating with the reportedly corrupt Ukrainian prosecutor Lutsenko and discussing whether a Zelensky-Trump meeting was going to happen, again without our knowledge.

And third, with this alarming news, Ambassador Taylor briefed Ulrich Brechbuhl, who is the counselor to Secretary of State Pompeo. And even as late as September 24th of this year, Secretary Pompeo was directing Kurt Volker to speak with Mr. Giuliani. In a WhatsApp message, Kurt Volker told me, in part, "Spoke with Rudy per guidance from S."

S is the State Department's official designator for the Secretary. "Spoke with Rudy per guidance from S."

Look, we tried our best to fix the problem, while keeping the State Department and the NSC closely apprised of the challenges we faced.

On July 25th, Presidents Trump and Zelensky had their official call. I was not on the call and I don't think I was invited to be on the call. In fact, I first read the transcript on September 25th, the day it was publicly released. All I had heard at that time was that the call had gone well.

Looking back, I find it very odd -- very odd -- that neither I nor Ambassador Taylor nor Ambassador Volker ever received a detailed readout of that call with the Biden references. Now, there are people who say they had concerns about the call, but no one shared any concerns about the call with me at the time, which, frankly, would have been very helpful to know.

On July 26th, Ambassador Taylor, Ambassador Volker, and I were all in Kyiv to meet with President Zelensky. The timing of that trip, immediately after the call between Presidents Trump and Zelensky, was entirely, entirely coincidental. The Kyiv meetings had been scheduled well before the date that the White House finally fixed the call.

During our Kyiv meeting, I do not recall President Zelensky discussing the substance of his July 25th call with President Trump, nor did he discuss any request to investigate Vice President Biden, which we all later learned was discussed on the July 25th call. And this is consistent with the reported comments from Ambassadors Volker and Taylor.

After the Zelensky meeting, I also met with Zelensky's senior aide, Andriy Yermak. I don't recall the specifics of our conversation, but I believe the issue of investigations was

probably a part of that agenda or meeting.

Also, on July 26th, shortly after our Kyiv meetings, I spoke by phone with President Trump. The White House, which has finally, finally shared certain call dates and times with my attorneys, confirms this. The call lasted 5 minutes.

I remember I was at a restaurant in Kyiv, and I have no reason to doubt that this conversation included the subject of investigations. Again, given Mr. Giuliani's demand that President Zelensky make a public statement about investigations, I knew that investigations were important to President Trump. We did not discuss any classified information.

Other witnesses have recently shared their recollection of overhearing this call. For the most part, I have no reason to doubt their accounts. It's true that the President speaks loudly at times, and it's also true I think we primarily discussed ASAP Rocky.

It's true that the President likes to use colorful language. Anyone who has met with him any reasonable amount of time knows this.

While I cannot remember the precise details, again, the White House has not allowed me to see any readouts of that call and the July 26th call did not strike me as significant at the time.

Actually, actually, I would have been more surprised if President Trump had not mentioned investigations, particularly given what we were hearing from Mr. Giuliani about the President's concerns. However, I have no recollection of discussing Vice President Biden or his son on that call or after the call ended.

I know that members of this committee frequently frame these complicated issues in the form of a simple question: Was there a quid pro quo? As I testified previously with regard to the requested White House call and the White House meeting, the answer is yes.

Mr. Giuliani conveyed to Secretary Perry, Ambassador Volker, and others that President Trump wanted a public statement from President Zelensky committing to investigations of Burisma and the 2016 election.

Mr. Giuliani expressed those requests directly to the Ukrainians, and Mr. Giuliani also expressed those requests directly to us. We all understood that these prerequisites for the White House call and the White House meeting reflected President Trump's desires and requirements.

Within my State Department emails, there is a July 19th email. This email was sent -- this email was sent to Secretary Pompeo; Secretary Perry; Brian McCormack, who was Secretary Perry's chief of staff at the time; Ms. Kenna, who is the acting -- pardon me, who is the executive secretary for Secretary Pompeo; Chief of Staff Mulvaney; and Mr. Mulvaney's senior adviser, Rob Blair. A lot of senior officials, a lot of senior officials.

Here is my exact quote from that email: "I talked to Zelensky just now. He is prepared to receive POTUS' call. Will assure him that he intends to run a fully transparent investigation and will 'turn over every stone.' He would greatly appreciate a call prior to Sunday so that he can put out some media about a 'friendly and productive call' -- no details -- prior to Ukraine election on Sunday."

Chief of Staff Mulvaney responded: "I asked the NSC to set it up for tomorrow."

Everyone was in the loop. It was no secret. Everyone was informed via email on July 19th, days before the Presidential call. As I communicated to the team, I told President Zelensky in advance that assurances to run a fully transparent investigation and turn over every stone were necessary in his call with President Trump.

On July 19th, in a WhatsApp message between Ambassador Taylor, Ambassador Volker, and me, Ambassador Volker stated: "Had breakfast with Rudy this morning." That's Ambassador Volker and Rudy Giuliani. "Teeing up call with Yermak Monday."

That's Senior Adviser Andriy Yermak. "Must have helped. Most important is for Zelensky to say that he will help investigation -- and address any specific personnel issues -- if there are any."

On August 10th, the next day, Mr. Yermak texted me: "Once we have a date," which is a date for the White House meeting, we "will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of the U.S.-Ukraine relationship, including, among other things, Burisma and election meddling in investigations." This is from Mr. Yermak to me.

The following day, August 11th, and this is critical, I sent an email to Counselor Brechbuhl and Lisa Kenna. Lisa Kenna was frequently used as the pathway to Secretary Pompeo, as sometimes he preferred to receive his emails through her. She would print them out and put them in front of him.

With the subject "Ukraine," I wrote: "Mike," referring to Mike Pompeo, "Kurt and I negotiated a statement from Zelensky to be delivered for our review in a day or two. The contents will hopefully make the boss happy enough," the boss being the President, "to authorize an invitation. Zelensky plans to have a big presser," press conference, "on the openness subject (including specifics) next week," all of which referred to the 2016 and the Burisma.

Ms. Kenna replied: "Gordon, I'll pass to [the Secretary.] Thank you."

Again, everyone was in the loop.

Curiously, and this was very interesting to me, on August 26th, shortly before his visit to Kyiv, Ambassador Bolton's office requested Mr. Giuliani's contact information from me. I sent Ambassador Bolton the information directly. They requested Mr. Giuliani's contact information on August 26th.

I was first informed that the White House was withholding security aid to Ukraine

during conversations with Ambassador Taylor on July 18th, 2019. However, as I testified before, I was never able to obtain a clear answer regarding the specific reason for the hold, whether it was bureaucratic in nature, which often happens, or reflected some other concern in the interagency process.

I never participated in any of the subsequent DOD or DOS review meetings that others have described, so I can't speak to what was discussed in these meetings.

Nonetheless, before the September 1st Warsaw meeting, the Ukrainians had become aware that security funds had yet to be disbursed. In the absence of any credible explanation for the hold, I came to the conclusion that the aid, like the White House visit, was jeopardized.

In preparation for the September 1 Warsaw meeting, I asked Secretary Pompeo whether a face-to-face conversation between Trump and Zelensky would help to break the logjam, and this was when President Trump was still intending to travel to Warsaw.

RPTR ZAMORA

EDTR HUMKE

[10:08 a.m.]

Ambassador Sondland. Specifically, on August 22, I emailed Secretary Pompeo directly copying Secretariat Kenna. I wrote -- and this is my email to Secretary Pompeo -- "should we block time in Warsaw for a short pull-aside for POTUS to meet Zelensky? I would ask Zelensky to look him in the eye and tell him that once Ukraine's new justice folks are in place in mid-September that Zelensky, he Zelensky, should be able to move forward publicly and with confidence on those issues of importance to POTUS and the U.S. Hopefully that will break the log jam." The Secretary replied, "yes."

I followed up the next day asking to get 10 to 15 minutes on the Warsaw schedule for this. I said, "we would like to know when it's locked so that I can tell Zelensky and brief him." Executive Secretary Kenna replied, I will try for sure.

Moreover, given my concerns about the security aid, I have no reason to dispute that portion of Senator Johnson's recent letter in which he recalls conversations he and I had on August 30. By the end of August, my belief was that if Ukraine did something to demonstrate a serious intention to fight corruption, and specifically addressing Burisma and the 2016, then the hold on military aid would be lifted.

There was a September 1 meeting with President Zelensky in Warsaw. Unfortunately, President Trump's attendance at the Warsaw meeting was canceled due to Hurricane Dorian. Vice President Pence attended instead.

I mentioned to Vice President Pence before the meetings with the Ukrainians that I had concerns that the delay in aid had become tied to the issue of investigations. I recall mentioning that before the Zelensky meeting. During the actual meeting, President Zelensky raised the issue of security assistance directly with Vice President

Pence, and the Vice President said that he would speak to President Trump about it.

Based on my previous communication with Secretary Pompeo, I felt comfortable sharing my concerns with Mr. Yermak. It was a very, very brief pull-aside conversation that happened within a few seconds. I told Mr. Yermak that I believed that the resumption of U.S. aid would likely not occur until Ukraine took some kind of action on the public statement that we had been discussing for many weeks.

As my other State Department colleagues have testified, this security aid was critical to Ukraine's defense and should not have been delayed. I expressed this view to many during this period, but my goal at the time was to do what was necessary to get the aid released, to break the log jam. I believed that the public statement we had been discussing for weeks was essential to advancing that goal.

You know, I really regret that the Ukrainians were placed in that predicament, but I do not regret doing what I could to try to break the log jam and to solve the problem. I mentioned at the outset that throughout these events we kept State Department leadership and others apprised of what we were doing. State Department was fully supportive of our engagement in Ukraine efforts and was aware that a commitment to investigations was among the issues we were pursuing.

To provide just two examples, on June 5, the day after the U.S. EU mission hosted our Independence Day -- we did it a month early -- Acting Assistant Secretary Phil Reeker sent an email to me, to Secretary Perry, and to others forwarding some positive media coverage of President Zelensky's attendance at our event.

Mr. Reeker wrote, and I quote, "this headline underscores the importance and timeliness of Zelensky's visit to Brussels and the critical -- and the critical -- perhaps historic role of the dinner and engagement Gordon coordinated. Thank you for your participation and dedication to this effort."

Months later, on September 3, I sent Secretary Pompeo an email to express my appreciation for his joining a series of meetings in Brussels following the Warsaw trip. I wrote, "Mike, thanks for schlepping to Europe. I think it was really important and the chemistry seems promising. Really appreciate it." Secretary Pompeo replied the next day, on Wednesday, September 4, quote, "all good. You're doing great work. Keep banging away." State Department leadership expressed total support for our efforts to engage the new Ukrainian administration.

Look, I have never doubted the strategic value of strengthening our alliance with Ukraine, and at all times -- at all times -- our efforts were in good faith and fully transparent to those tasked with overseeing them. Our efforts were reported and approved, and not once do I recall encountering an objection.

It remains an honor to serve the people of the United States as their United States Ambassador to the European Union. I look forward to answering the committee's questions. Thank you.

[The statement of Ambassador Sondland follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. We'll now proceed to the first round of questions. As detailed in the memo provided to committee members, there will be 45 minutes of questions conducted by the chairman and majority counsel followed by 45 minutes for the ranking member or minority counsel.

Following that, unless I specify additional equal time for extended questioning, we'll proceed under the 5-minute rule, and every member will have the chance to ask questions.

I recognize myself or majority counsel for the first round of questions.

Ambassador Sondland, there's a lot of new material in your opening statement for us to get through, but I want to start with a few top-line questions before passing it over to Mr. Goldman. In your deposition you testified that you found yourself on a continuum that became more insidious over time. Can you describe what you mean by this continuum of insidiousness?

Ambassador Sondland. Well, Mr. Chairman, when we left the Oval Office, I believe on May 23, the request was very generic for an investigation of corruption in a very vanilla sense and dealing with some of the oligarch problems in Ukraine, which were longstanding problems.

And then as time went on, more specific items got added to the menu, including the Burisma and 2016 election meddling, specifically the DNC server specifically. And over this continuum it became more and more difficult to secure the White House meeting because more conditions were being placed on the White House meeting.

The Chairman. And then, of course, on July 25, although you were not privy to the call, another condition was added, that being the investigation of the Bidens?

Ambassador Sondland. I was not privy to the call, and I did not know that the

condition of investigating the Bidens was a condition, correct.

The Chairman. You saw that in the call record, correct?

Ambassador Sondland. It was not in any record I received.

The Chairman. But when you did receive --

Ambassador Sondland. Yes. I saw that in September, correct.

The Chairman. So on this continuum, the beginning of the continuum begins on May 23 when the President instructs you to talk to Rudy?

Ambassador Sondland. Correct.

The Chairman. And you understood that as a direction by the President that you needed to satisfy the concerns that Rudy Giuliani would express to you about what the President wanted in Ukraine?

Ambassador Sondland. Not to me, to the entire group, Volker, Perry, and myself correct.

The Chairman. Now, in your opening statement you confirm that there was a quid pro quo between the White House meeting and the investigations into Burisma and the 2016 election that Giuliani was publicly promoting. Is that right?

Ambassador Sondland. Correct.

The Chairman. And, in fact, you say that other senior officials in the State Department and the chiefs of staff's office, including Mick Mulvaney, Secretary Pompeo, were aware of this quid pro quo that in order to get the White House meeting there were going to have to be these investigations the President wanted?

Ambassador Sondland. Correct.

The Chairman. And those, again, are investigations into 2016 and Burisma slash the Bidens?

Ambassador Sondland. 2016, Burisma. The Bidens did not come up.

The Chairman. But you would ultimately learn that Burisma meant the Bidens when you saw the call record, correct?

Ambassador Sondland. Of course. Today I know exactly what it means. I didn't know at the time.

The Chairman. And then on July 26 you confirm you did indeed have the conversation with President Trump from a restaurant in Kyiv that David Holmes testified about last week. Is that right?

Ambassador Sondland. Correct.

The Chairman. And you have no reason to doubt Mr. Holmes' recounting of your conversation with the President?

Ambassador Sondland. The only part of Mr. Holmes' recounting that I take exception with is I do not recall mentioning the Bidens. That did not enter my mind. It was Burisma and 2016 elections.

The Chairman. You have no reason to believe that Mr. Holmes would make that up if that's what he recalls you saying? You have no reason to question that, do you?

Ambassador Sondland. I don't recall saying Biden. I never recalled saying Biden.

The Chairman. But the rest of Mr. Holmes' recollection is consistent with your own?

Ambassador Sondland. Well, I can't testify as to what Mr. Holmes might or might not have heard through the phone. I don't know how he heard the conversation.

The Chairman. Are you familiar with his testimony?

Ambassador Sondland. Vaguely, yes.

The Chairman. And the only exception you take is to the mention of the name "Biden"?

Ambassador Sondland. Correct.

The Chairman. And I think you said in your testimony this morning that not only is it correct that the President brought up with you investigations on the phone the day after the July 25 call, but you would have been surprised had he not brought that up. Is that right?

Ambassador Sondland. Right. Because we had been hearing about it from Rudy and we presumed Rudy was getting it from the President, so it seemed like a logical conclusion.

The Chairman. Mr. Holmes also testified that you told him President Trump doesn't care about Ukraine. He only cares about big stuff that relates to him personally. I take it from your comment, you don't dispute that part of the conversation?

Ambassador Sondland. Well, he made that clear in the May 23 meeting, that he was not particularly fond of Ukraine, and we had a lot of heavy lifting to do to get him to engage.

The Chairman. So you don't dispute that part of Mr. Holmes' recollection?

Ambassador Sondland. No.

The Chairman. In August, when you worked with Rudy Giuliani and a top Ukrainian aide to draft a public statement for President Zelensky to issue that includes the announcement of investigations into Burisma, you understood that was required by President Trump before he would grant the White House meeting to President Zelensky?

Ambassador Sondland. That's correct.

The Chairman. And the Ukrainians understood that as well?

Ambassador Sondland. I believe they did.

The Chairman. And you informed Secretary Pompeo about that statement as well?

Ambassador Sondland. I did.

The Chairman. Later in August, you told Secretary Pompeo that President Zelensky would be prepared to tell President Trump that his new justice officials would be able to announce matters of interest to the President, which could break the logjam. When you say matters of interest to the President, you mean the investigations that President Trump wanted. Is that right?

Ambassador Sondland. Correct.

The Chairman. And that involved 2016 and Burisma or the Bidens?

Ambassador Sondland. 2016 and Burisma.

The Chairman. And when you're talking here about breaking the logjam, you're talking about the logjam over the security assistance, correct?

Ambassador Sondland. I was talking logjam generically because nothing was moving.

The Chairman. But that included the security assistance, did it not?

Ambassador Sondland. Correct.

The Chairman. And based on the context of that email, this was not the first time you had discussed these investigations with Secretary Pompeo, is it?

Ambassador Sondland. No.

The Chairman. He was aware of the connections that you were making between the investigations and the White House meeting and the security assistance?

Ambassador Sondland. Yes.

The Chairman. Did he ever take issue with you and say, no, that connection is not there or you're wrong?

Ambassador Sondland. Not that I recall.

The Chairman. Now, you mentioned that you also had a conversation with Vice

President Pence before his meeting with President Zelensky in Warsaw, and that you raised the concern you had as well that the security assistance was being withheld because of the President's desire to get a commitment from Zelensky to pursue these political investigations. What did you say to the Vice President?

Ambassador Sondland. I was in a briefing with several people, and I just spoke up and I said, it appears that everything is stalled until this statement gets made, something -- words to that effect, and that's what I believed to be the case based on, you know, the work that the three of us had been doing, Volker, Perry, and myself. And the Vice President nodded like, you know, he heard what I said, and that was pretty much it, as I recall.

The Chairman. And you understood that the Ukrainians were going to raise the security assistance with the Vice President at this meeting?

Ambassador Sondland. I didn't know what they were going to raise, but they, in fact, did raise it, Mr. Chairman.

The Chairman. Well, it was public by that point that there was a hold on the security assistance, correct?

Ambassador Sondland. Yeah. But I didn't know what they were going to raise. I didn't get a pre-brief from the Ukrainians.

The Chairman. Well, you knew certainly they were concerned about the hold on the security assistance, right?

Ambassador Sondland. They were concerned obviously.

The Chairman. And you wanted to help prepare the Vice President for the meeting by letting him know what you thought was responsible for the hold on the security assistance?

Ambassador Sondland. That's fair.

The Chairman. Do you recall anything else the President -- the Vice President said other than nodding his head when you made him aware of this fact?

Ambassador Sondland. No. I don't have a readout of that meeting, so I can't remember anything else.

The Chairman. And it was immediately after this meeting between the Vice President and Zelensky that you went to speak with Yermak and you told him similarly that in order to release the military assistance they were going to have to publicly announce these investigations?

Ambassador Sondland. Yeah. Much has been made of that meeting, and it really wasn't a meeting. What happened was everyone got up after the bilateral meeting between President Zelensky and Vice President Pence, and people do what they normally do. They get up, they mill around, they shake hands. And I don't know if I came over to Yermak or he came over to me, but he said, you know, what's going on here? And I said, I don't know. It might all be tied together now. You know, I have no idea. I was presuming that it was. But it was a very short conversation.

The Chairman. Well, in that short conversation, as you would later relay to Mr. Morrison and Ambassador Taylor, you informed Mr. Yermak that they would need to announce these investigations in order to get the aid. Did you not?

Ambassador Sondland. Well, Mr. Yermak was already working on those investigation -- or on the statement about the investigations.

The Chairman. And you confirmed for him that he needed to get it done if they were going to get the military aid?

Ambassador Sondland. I likely did.

The Chairman. Mr. Morrison and Ambassador Taylor have also related a conversation you had with the President following the Warsaw meeting in which the

President relayed to you that there was no quid pro quo, but nevertheless, unless Zelensky went to the mike and announced these investigations, they would be a stalemate over the aid. Is that correct?

Ambassador Sondland. That's correct.

The Chairman. And that was an accurate reflection of your discussion with the President?

Ambassador Sondland. Well, that email was not artfully written. I'm the first to admit. What I was trying to convey to Ambassador Taylor after his frantic emails to me and to others about the security assistance -- which, by the way, I agreed with him. I thought it was a very bad idea to hold that money.

I finally called the President. I believe it was on the 9th of September. I can't find the records and they won't provide them to me. But I believe I just asked him an open-ended question, Mr. Chairman. What do you want from Ukraine? I keep hearing all these different ideas and theories and this and that. What do you want?

And it was a very short, abrupt conversation. He was not in a good mood. And he just said, I want nothing. I want nothing. I want no quid pro quo. Tell Zelensky to do the right thing, something to that effect.

So I typed out a text to Ambassador Taylor, and my reason for telling him this was not to defend what the President was saying, not to opine on whether the President was being truthful or untruthful, but simply to relay, I've gone as far as I can go. This is the final word that I heard from the President of the United States. If you're still concerned, you, Ambassador Taylor, are still concerned, please get a hold of the Secretary. Maybe he can help.

The Chairman. Ambassador, I'm not asking you about your text message. I'm asking about your conversations with Mr. Morrison and Ambassador Taylor after you

spoke with the President, either in that call or in a different call.

Ambassador Sondland. I'm confused, Mr. Chairman. Which conversations with Mr. Morrison and Mr. Taylor?

The Chairman. Well, Mr. Morrison testified that you related a conversation you had with the President in which the President told you no quid pro quo, but President Zelensky must go to a microphone and announce these investigations and that he should want to.

Similarly, you told Ambassador Taylor that while the President said no quid pro quo, unless Zelensky announced these investigations they would be at a stalemate, presumably a stalemate over the military assistance. Do you have any reason to question those conversations that Mr. Morrison and Ambassador Taylor took notes about?

Ambassador Sondland. Well, I think it's tied to my text, Mr. Chairman, because in my text I think I said something to the effect that he wants Zelensky to do what he ran on, I believe is transparency, et cetera, et cetera, which was my clumsy way of saying he wanted these announcements to be made.

The Chairman. Again, Ambassador, I'm not asking you about your text message. I'm asking you about what you relayed to Ambassador Taylor and Mr. Morrison about your conversation with the President. Do you have any reason to question their recollection of what you told them?

Ambassador Sondland. All I can say is that I expressed what I told or what the President told me in that text, and if I had relayed anything other than what was in that text, I don't recall.

The Chairman. You don't recall?

Ambassador Sondland. I don't recall.

The Chairman. You have no reason to question Ambassador Taylor or Mr. Morrison of what they wrote in their notes about your conversation with them?

Ambassador Sondland. Could you kindly repeat what they wrote?

The Chairman. I'll have Mr. Goldman go through that with you.

Ambassador Sondland. That'd be great.

The Chairman. But let me get to the very -- the top line here, Ambassador Sondland.

Ambassador Sondland. Okay.

The Chairman. You've testified that the White House meeting that President Zelensky desperately wanted -- and that was very important to President Zelensky, was it not?

Ambassador Sondland. Absolutely.

The Chairman. You testified that that meeting was conditioned, was a quid pro quo, for what the President wanted, these two investigations. Is that right?

Ambassador Sondland. Correct.

The Chairman. And that everybody knew it?

Ambassador Sondland. Correct.

The Chairman. Now, that White House meeting was going to be an official meeting between the two Presidents, correct?

Ambassador Sondland. Presumably.

The Chairman. It would be an Oval Office meeting, hopefully?

Ambassador Sondland. A working meeting, yes.

The Chairman. A working meeting. So an official act, correct?

Ambassador Sondland. Yeah.

The Chairman. And in order to perform that official act, Donald Trump wanted

these two investigations that would help his reelection campaign, correct?

Ambassador Sondland. I can't characterize why he wanted them. All I can tell you is this is what we heard from Mr. Giuliani.

The Chairman. But he had to get those two investigations if that official act was going to take place, correct?

Ambassador Sondland. He had to announce the investigations. He didn't actually have to do them, as I understood it.

The Chairman. Okay. President Zelensky had to announce the two investigations the President wanted, make a public announcement, correct?

Ambassador Sondland. Correct.

The Chairman. And those were of great value to the President. He was quite insistent upon them and his attorney was insistent upon them?

Ambassador Sondland. I don't want to characterize whether they were of value or not value. Again, through Mr. Giuliani, we were led to believe that that's what he wanted.

The Chairman. Well, and you said that Mr. Giuliani was acting at the President's demand, correct?

Ambassador Sondland. Right. When the President says talk to my personal lawyer, Mr. Giuliani, we followed his direction.

The Chairman. And so that official act of that meeting was being conditioned on the performance of these things the President wanted as expressed both directly and through his lawyer, Rudy Giuliani, correct?

Ambassador Sondland. As expressed through Rudy Giuliani, correct.

The Chairman. And you've also testified that your understanding, it became your clear understanding that the military assistance was also being withheld pending Zelensky

announcing these investigations, correct?

Ambassador Sondland. That was my presumption, my personal presumption based on the facts at the time. Nothing was moving.

The Chairman. And, in fact, you had a discussion, communication with the Secretary of State in which you said that logjam over aid could be lifted if Zelensky announced these investigations, right?

Ambassador Sondland. I did not -- I don't recall saying the logjam over aid. I recall saying the logjam. I don't know that --

The Chairman. That's what you meant, right, Ambassador?

Ambassador Sondland. I meant that whatever was holding up the meeting, whatever was holding up our deal with Ukraine, I was trying to break. Again, I was presuming --

The Chairman. Well, here's what you said in your testimony a moment ago --

Ambassador Sondland. Okay.

The Chairman. -- page 18: But my goal at the time was to do what was necessary to get the aid released to break the logjam. Okay. That's still your testimony, right?

Ambassador Sondland. Yeah.

The Chairman. So the military aid is also an official act, am I right?

Ambassador Sondland. Yes.

The Chairman. This is not President Trump's personal bank account he's writing a check from. This is \$400 million of U.S. taxpayer money. Is it not?

Ambassador Sondland. Absolutely.

The Chairman. And there was a logjam in which the President would not write that U.S. check you believed until Ukraine announced these two investigations the

President wanted, correct?

Ambassador Sondland. That was my belief.

The Chairman. Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman.

In your opening statement, Ambassador Sondland, you detailed the benefits that you have gained from obtaining some additional documents over the past few weeks. Is that right?

Ambassador Sondland. In terms of refreshing my recollection.

Mr. Goldman. Right. Because reviewing these documents has helped you to remember the events that we're asking about. Is that correct?

Ambassador Sondland. Correct.

Mr. Goldman. Because you acknowledge, of course, that when you can place a document and a date and a context, it helps to jog your memory?

Ambassador Sondland. That's correct.

Mr. Goldman. And so you would agree that for people unlike yourself who take notes that that is very helpful to their own recollection of events, right?

Ambassador Sondland. I think you asked your question backwards. Are you saying people that take notes it's helpful to have those documents, or people that don't take notes it's helpful to have those documents?

Mr. Goldman. No. No. You are not a note taker, right?

Ambassador Sondland. I am not a note taker, never have been.

Mr. Goldman. But you would agree that people who do take contemporaneous notes generally are more able to remember things than people who don't?

Ambassador Sondland. Some, yes.

Mr. Goldman. And there are additional documents that you've been unable to

obtain. Is that right?

Ambassador Sondland. That's correct.

Mr. Goldman. And I think you even said in your opening statement that the State Department prevented you and your staff from trying to gather more documents.

Is that correct?

Ambassador Sondland. Certain documents, yes.

Mr. Goldman. Which documents?

Ambassador Sondland. Documents that I didn't have immediate access to.

Mr. Goldman. And who at the State Department prevented you from doing that?

Ambassador Sondland. You'll have to ask my counsel. He was dealing with them.

Mr. Goldman. But certainly based on the additional memory that you have gained over the past few weeks from reading the testimony of others based on their notes and reviewing your own documents, you have remembered a lot more than you did when you were deposed. Is that right?

Ambassador Sondland. That's correct.

Mr. Goldman. And one of the things that you now remember is the discussion that you had with President Trump on July 26 in that restaurant in Kyiv, right?

Ambassador Sondland. Yeah. What triggered my memory was someone's reference to A\$AP Rocky, which was, I believe, the primary purpose of the phone call.

Mr. Goldman. Certainly. So that's one way a memory works, isn't it?

And you were sitting in a restaurant with David Holmes in Kyiv, right, having lunch?

Ambassador Sondland. I think I took the whole team out to lunch after the

meeting, yeah.

Mr. Goldman. And it was a meeting, a one-on-one meeting you had with Andriy Yermak?

Ambassador Sondland. Again, trying to reconstruct a very busy day without the benefit, but if someone said I had a meeting and I went to the meeting, then I am not going to dispute that.

Mr. Goldman. And particularly if that person took notes at that meeting?

Ambassador Sondland. Correct.

Mr. Goldman. Or sat outside the door when you didn't let them in?

Ambassador Sondland. I have no control over who goes into a meeting in Ukraine. That was the Ukrainians that didn't let them in.

Mr. Goldman. And you had also met with President Zelensky among others that day. Is that right?

Ambassador Sondland. That is correct.

Mr. Goldman. And you called President Trump from your cell phone from the restaurant. Is that right?

Ambassador Sondland. That's right.

Mr. Goldman. And this was not a secure line, was it?

Ambassador Sondland. No. It was an open line.

Mr. Goldman. Did you worry that a foreign government may be listening to your phone call with the President of the United States?

Ambassador Sondland. Well, I have unclassified conversations all the time from landlines that are unsecured and cell phones. If the topic is not classified and it's up to the President to decide what's classified and what's not classified, and we were having -- he was aware that it was an open line as well.

Mr. Goldman. And you don't recall the specifics of holding your phone outside -- far away from your ear as Mr. Holmes testified, but you have no reason to question his recollection of that, do you?

Ambassador Sondland. I mean, it seems a little strange I would hold my phone here. I probably had my phone close to my ear, and he claims to have overheard part of the conversation, and I'm not going to dispute what he did or didn't hear.

Mr. Goldman. Well, he also testified that you confirmed to President Trump that you were in Ukraine at the time and that President Zelensky, quote, "loves your ass," unquote. Do you recall saying that?

Ambassador Sondland. Yeah. That sounds like something I would say. That's how President Trump and I communicate, a lot of four-letter words, in this case three letter.

Mr. Goldman. Holmes then said that he heard President Trump ask, quote, "is he," meaning Zelensky, "going to do the investigation?" To which you replied, "he's going to do it." And then you added that President Zelensky will do anything that you, meaning President Trump, ask him to. Do you recall that?

Ambassador Sondland. I probably said something to the effect because I remember the meeting -- the President -- or President Zelensky was very -- "solicitous" is not a good word. He was just very willing to work with the United States and was being very amicable. And so putting it in Trump speak by saying he loves your ass, he'll do whatever you want, meant that he would really work with us on a whole host of issues.

Mr. Goldman. He was not only willing. He was very eager, right?

Ambassador Sondland. That's fair.

Mr. Goldman. Because Ukraine depends on the United States as its most significant ally. Isn't that correct?

Ambassador Sondland. One of its most, absolutely.

Mr. Goldman. So just so we understand, you were in Kyiv the day after President Trump spoke to President Zelensky on the phone. And you now know from reading the call record that in that phone call he requested a favor for President Zelensky to do investigations related to the Bidens and the 2016 election, right?

Ambassador Sondland. I do now know that, yes.

Mr. Goldman. And you met with President Zelensky and his aides on the day after that phone call. And then you had a conversation with President Trump from your cell phone from a restaurant terrace, and he asked you whether President Zelensky will do the investigations. And you responded that he's going to do them -- or it. And that President Zelensky will do anything you ask him to do. Is that an accurate recitation of what happened there?

Ambassador Sondland. It could have been words to that effect. I don't remember my exact response.

Mr. Goldman. But you don't have any reason to dispute Mr. Holmes' recollection, correct?

Ambassador Sondland. I won't dispute it, but, again, I don't recall.

Mr. Goldman. After you hung up with the President, Mr. Holmes testified about a conversation that you and he had where he says that you told Mr. Holmes that the President does not care about Ukraine, but the President used the more colorful language, including a four-letter word that you just referenced to -- you've just referenced. Do you recall saying that to Mr. Holmes?

Ambassador Sondland. Again, I don't recall my exact words, but clearly the President, beginning on May 23, when we met with him in the Oval Office, was not a big fan.

Mr. Goldman. But he was a big fan of the investigations?

Ambassador Sondland. Apparently so.

Mr. Goldman. And, in fact, Mr. Holmes said that you said that President Trump only cares about the, quote, big stuff that benefits himself. Is that something that you would have said at the time?

Ambassador Sondland. I don't think I would have said that. I would have honestly said that he was not a big fan of Ukraine, and he wants the investigations that we had been talking about for quite some time to move forward. That's what I would have said because that's the fact.

Mr. Goldman. Mr. Holmes also remembers that you told him in, giving an example of the big stuff, the Biden investigation that Rudy Giuliani was pushing. Do you recall that?

Ambassador Sondland. I don't. I recall Burisma, not Biden.

Mr. Goldman. But do you recall saying -- at least referring to an investigation that Rudy Giuliani was pushing? Is that something that you likely would have said?

Ambassador Sondland. I would have, yes.

Mr. Goldman. Now, even if you don't recall specifically mentioning the Biden investigation to David Holmes, we know that it was certainly on President Trump's mind, because just the day before in his call with President Zelensky he mentions specifically the Biden investigation.

And I want to show you that exhibit or that excerpt from the call on July 25 where President Trump says, "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of people want to find out about that. So whatever you can do with the attorney general would be great. Biden went around bragging that he stopped the prosecution, so if you can look into it. It sounds horrible to me."

President Zelensky then responds with a reference to the company that he's referring to, and two witnesses yesterday said that when President Zelensky actually said "the company" he said "Burisma."

So you would agree that regardless of whether you knew about the connection to the Bidens, at the very least that you now know that that's what President Trump wanted at the time through the Burisma investigation?

Ambassador Sondland. I now know it all, of course.

Mr. Goldman. And at this time you were aware of the President's desire, along with Rudy Giuliani, to do these investigations including the 2016 election interference investigation. Is that right?

Ambassador Sondland. That's correct.

Mr. Goldman. And you said President Trump had directed you to talk -- you and the others to talk to Rudy Giuliani at the Oval Office on May 23. Is that right?

Ambassador Sondland. If we wanted to get anything done with Ukraine, it was apparent to us we needed to talk to Rudy.

Mr. Goldman. Right. You understood that Mr. Giuliani spoke for the President, correct?

Ambassador Sondland. That's correct.

Mr. Goldman. And, in fact, President Trump also made that clear to President Zelensky. In that same July 25 phone call, he said, Mr. Giuliani is a highly respected man. He was the mayor of New York City, a great mayor, and I would like him to call you. I will ask him to call you along with the attorney general. Rudy very much knows what's happening, and he is a very capable guy. And after this President Trump then mentions Mr. Giuliani twice more in that call.

Now, for Mr. Giuliani, by this point, you understood that in order to get that

White House meeting that you wanted President Zelensky to have and that President Zelensky desperately wanted to have that Ukraine would have to initiate these two investigations. Is that right?

Ambassador Sondland. Well, they would have to announce that they were going to do it.

Mr. Goldman. Right. Because Giuliani and President Trump didn't actually care if they did them, right?

Ambassador Sondland. I never heard, Mr. Goldman, anyone say that the investigations had to start or had to be completed. The only thing I heard from Mr. Giuliani or otherwise, was that they had to be announced in some form and that form kept changing.

Mr. Goldman. Announced publicly?

Ambassador Sondland. Announced publicly.

Mr. Goldman. And you, of course, recognize that there would be political benefits to a public announcement as opposed to a private confirmation, right?

Ambassador Sondland. Well, the way it was expressed to me was that the Ukrainians had a long history of committing to things privately and then never following through. So President Trump presumably, again, communicated through Mr. Giuliani, wanted the Ukrainians on record publicly that they were going to do these investigations. That's the reason that was given to me.

Mr. Goldman. But you never heard anyone say that they really wanted them to do the investigations, just that they wanted to announce them?

Ambassador Sondland. I didn't hear either way.

Mr. Goldman. Now, your July 26 call with the President was not the only time that you spoke to the President surrounding that Ukraine trip, was it?

Ambassador Sondland. I believe I spoke to him before his call.

Mr. Goldman. So that would be on July 25, the day before?

Ambassador Sondland. Yeah. I think I was flying to Ukraine and I spoke with him, if I recall correctly, just before I got on the plane.

Mr. Goldman. So that's two private telephone calls with President Trump in the span of 2 days. Is that right?

Ambassador Sondland. Correct.

Mr. Goldman. You have direct access then to President Trump, correct?

Ambassador Sondland. I had occasional access when he chose to take my calls. Sometimes he would. Sometimes he wouldn't.

Mr. Goldman. Well, he certainly took your call twice as it related to Ukraine on these 2 days. Is that right?

Ambassador Sondland. He did.

Mr. Goldman. Now, the morning of July 25, you texted Ambassador Volker -- and we can bring up the next text exchange -- at 7:54 a.m., and you said call ASAP. Ambassador Volker did not respond to you for another hour and a half, and he said, "Hi, Gordon. Got your message. Had a great lunch with Yermak and then passed your message to him. He will see you tomorrow. Think everything is in place."

Volker though, an hour before that and about a half an hour before the phone call, had texted Andriy Yermak, a top aide for President Zelensky. And he wrote, "Good lunch. Thanks. Heard from White House. Assuming President Z convinces Trump he will investigate, get to the bottom of what happened in 2016, we will nail down date for visit to Washington. Good luck. See you tomorrow."

Ambassador Sondland, was this message that Kurt Volker passed to Andriy Yermak the message you left for Kurt Volker on that voicemail that he referenced?

Ambassador Sondland. You know, I don't remember, Mr. Goldman, but it very well could have been.

Mr. Goldman. You don't have any reason to think it wasn't, right?

Ambassador Sondland. Again, I honestly, honestly don't remember, but seems logical to me.

Mr. Goldman. And if Ambassador Volker testified that he did get that message from you, you have no reason to doubt that, right?

Ambassador Sondland. No. If he testified that he got that message from me then I would concur with that.

Mr. Goldman. So is it fair to say that this message is what you received from President Trump on that phone call that morning?

Ambassador Sondland. Again, if he testified to that, to refresh my own memory, then, yes, likely I would have received that from President Trump.

Mr. Goldman. But the sequence certainly makes sense, right?

Ambassador Sondland. Yeah, it does.

Mr. Goldman. You talked to President Trump.

Ambassador Sondland. Yeah.

Mr. Goldman. You told Kurt Volker to call you. You left a message for Kurt Volker. Kurt Volker sent this text message to Andriy Yermak to prepare President Zelensky and then President Trump had a phone call where President Zelensky spoke very similar to what was in this text message, right?

Ambassador Sondland. Right.

Mr. Goldman. And you would agree that the message in this -- that is expressed here is that President Zelensky needs to convince Trump that he will do the investigations in order to nail down the date for a visit to Washington, D.C. Is that correct?

Ambassador Sondland. That's correct.

Mr. Goldman. Now, I am going to move ahead in time to the end of August and early September when you came to believe, I believe, as you testified, that it wasn't just the White House meeting that was contingent on the announcement of these investigations that the President wanted but security assistance as well.

You testified that, in the absence of any credible explanation for the hold on security assistance, you came to the conclusion that like the White House visit the aid was conditioned on the investigations that President Trump wanted. Is that what you said in your opening statement?

Ambassador Sondland. It is.

Mr. Goldman. So let me break this down with you. By this time you and many top officials knew that that coveted White House meeting for President Zelensky was conditioned on these investigations, right?

Ambassador Sondland. The announcement of the investigations, correct.

Mr. Goldman. Thank you. And that includes Secretary Pompeo, right?

Ambassador Sondland. Many, many people.

Mr. Goldman. Well, Secretary Pompeo?

Ambassador Sondland. Yes.

Mr. Goldman. And acting Chief of Staff Mulvaney?

Ambassador Sondland. Yes.

Mr. Goldman. And you testified that this was a quid pro quo. Is that right?

Ambassador Sondland. I did.

Mr. Goldman. And you at this point, by the end of August, knew that the aid had been held up for at least 6 weeks. Is that correct?

Ambassador Sondland. I believe I found out through Ambassador Taylor that the

aid had been held up around July 18, is when I heard originally.

Mr. Goldman. And even though you searched for reasons, you were never given a credible explanation. Is that right?

Ambassador Sondland. That's right.

Mr. Goldman. And no one you spoke to thought that the aid should be held, to your knowledge, is that right?

Ambassador Sondland. I never heard anyone advocate for holding the aid.

Mr. Goldman. And now by this point, at the end of August, it went public and the Ukrainians knew about it, right?

Ambassador Sondland. I believe there was some press reports, you know, presuming, or who knows, but I think at that point it became sort of common knowledge that everything might be tied together.

Mr. Goldman. And, in fact, President Zelensky brought it up at that September 1 meeting with Vice President Pence that you were at, right?

Ambassador Sondland. I don't know if he brought it up specifically, but asked where the aid was, I think, was more -- I think he sort of asked, again, very vague recollection because I don't have a readout of the bilateral meeting, but why don't I have my check, essentially.

Mr. Goldman. And you understood the Ukrainians received no credible explanation. Is that right?

Ambassador Sondland. I certainly couldn't give them one.

Mr. Goldman. So is this kind of a two-plus-two-equals-four conclusion that you reached?

Ambassador Sondland. Pretty much.

Mr. Goldman. It's the only logical conclusion to you that given all of these

factors that the aid was also a part of this quid pro quo?

Ambassador Sondland. Yep.

Mr. Goldman. Now, I want to go back to that conversation that you had with Vice President Pence right before that meeting in Warsaw. And you indicated that you said to him that you were concerned that the delay in the aid was tied to the issue of investigations. Is that right?

Ambassador Sondland. I don't know exactly what I said to him. This was a briefing attended by many people, and I was invited at the very last minute. I wasn't scheduled to be there. But I think I spoke up at some point late in the meeting and said, it looks like everything is being held up until these statements get made, and that's my, you know, personal belief.

Mr. Goldman. And Vice President Pence just nodded his head?

Ambassador Sondland. Again, I don't recall any exchange or where he asked me any questions. I think he -- it was sort of a duly noted response.

Mr. Goldman. Well, he didn't say, Gordon, what are you talking about?

Ambassador Sondland. No, he did not.

Mr. Goldman. He didn't say, what investigations?

Ambassador Sondland. He did not.

Mr. Goldman. Now, after this meeting you discussed this pull-aside you had with Mr. Yermak where you relayed your belief that they needed to announce these investigations prior to the aid being released. Is that right?

Ambassador Sondland. I said I didn't know exactly why but this could be a reason.

Mr. Goldman. And obviously you had been speaking with Mr. Yermak for quite a while about a public announcement of these investigations, right?

Ambassador Sondland. We had all been working on toward that end, yes.

Mr. Goldman. So you indicated to him that in addition to the White House meeting security aid was now also involved in that --

Ambassador Sondland. As I said, I said it could have been involved, yes.

Mr. Goldman. Now, I'm going to show you another text exchange you had on September 1, where Ambassador Taylor says to you, are we now saying that security assistance and White House meeting are conditioned on investigations? And you respond, call me.

Ambassador Taylor recalls that he did call you and you did have a conversation. And in that conversation you told Ambassador Taylor that the announcement of these investigations by President Zelensky needed to be public and that that announcement was conditioned on -- that announcement would ultimately release the aid. Do you recall that conversation with Ambassador Taylor?

Ambassador Sondland. Again, my conversation with Ambassador Taylor, my conversation with Senator Johnson were all my personal belief just based on, as you put it, two plus two equals four.

Mr. Goldman. Well, in his testimony, Ambassador Taylor says that you said that President Trump had told you that he wanted President Zelensky to state publicly, as of September 1. Do you have any reason to doubt Ambassador Taylor's testimony, which he said was based on his meticulous contemporaneous notes?

Ambassador Sondland. President Trump never told me directly that the aid was conditioned on the meetings. The only thing we got directly from Giuliani was that the Burisma and 2016 elections were conditioned on the White House meeting. The aid was my own personal, you know, guess based again on your analogy two plus two equals four.

Mr. Goldman. So you didn't talk to President Trump when Ambassador Taylor says that that's what you told him? Is that your testimony here?

Ambassador Sondland. My testimony is, I never heard from President Trump that aid was conditioned on an announcement of elections.

Mr. Goldman. So you never heard those specific words --

Ambassador Sondland. Correct.

Mr. Goldman. -- right? But --

Ambassador Sondland. Never heard those words.

Mr. Goldman. Well, let's move ahead because you have another conversation in -- a little bit later that both Tim Morrison and Ambassador Taylor recount. But in this September 1 conversation, Ambassador Taylor also says that -- testified under oath that you said that President Trump wanted Zelensky in a public box. Do you recall using that expression?

Ambassador Sondland. Yeah. It goes back to my earlier comment that, again, coming from the Giuliani source, because we didn't discuss this specifically with President Trump, that they wanted whatever commitments Ukraine made to be made publicly so that they would be on the record and be held more accountable, whatever those commitments were.

Mr. Goldman. You also testified -- or Ambassador Taylor rather testified that you told him that you had made a mistake in telling the Ukrainians that only the White House meeting was conditioned on the announcement of the investigations and that, in fact, everything was, including the security assistance. Do you remember saying that?

Ambassador Sondland. When I referenced a mistake, what I recall was I thought that a statement made by the new Ukrainian prosecutor that these investigations would be started up again or commenced would be sufficient to satisfy

Mr. Giuliani/President Trump.

As I recall, my mistake was someone came back through Volker or otherwise and said, no, it's not going to do if the prosecutor makes these statements. The President wants to hear it from Zelensky directly. That's the mistake I think I made.

Mr. Goldman. Do you have any reason to question Ambassador Taylor's testimony based on his meticulous and careful contemporaneous notes?

Ambassador Sondland. I'm not going to question or not question. I'm just telling you what I believe I was referring to.

Mr. Goldman. Let me fast forward a week and show you another text exchange, which may help refresh your recollection. On September 8 you had a -- you sent a text to Ambassador Taylor and Ambassador Volker. Can you read what you wrote there?

Ambassador Sondland. "Guys, multiple convos with Zelensky, POTUS. Let's talk."

Mr. Goldman. And so this was September 8 at 11:20 in the morning?

Ambassador Sondland. Uh-huh.

Mr. Goldman. And Ambassador Taylor responds immediately, "Now is fine with me."

And if we could go to the next exchange. Ambassador Taylor then 15 minutes later says, "Gordon and I just spoke" -- or 20 minutes later rather. "I can brief you if you and Gordon don't connect," speaking to Ambassador Taylor.

Then Ambassador Taylor an hour later says, "The nightmare is they give the interview and don't get the security assistance, the Russians love it, and I quit."

You would agree that in this text message after you had spoken earlier, an hour earlier with Ambassador Taylor, that he is linking the security assistance to this interview, this public announcement by President Zelensky. Is that right?

Ambassador Sondland. Absolutely.

Mr. Goldman. And, in fact, Ambassador Taylor testified that you did have a conversation with him at that point and he did -- and that you told him that just as your text message indicates, you did have a conversation with President Trump prior to that text message. Does that help to refresh your recollection that you, in fact, spoke to President Trump at that time?

Ambassador Sondland. Again, I don't recall President Trump ever talking to me about any security assistance ever. What this tells me, refreshing my memory, is that by the 8th of September it was abundantly clear to everyone that there was a link, and that we were discussing the chicken and egg issue of should the Ukrainians go out on a ledge and make the statement that President Trump wanted them to make and then they still don't get their White House visit and their aid, that would be really bad for our credibility. I think that's what he was referring to.

Mr. Goldman. So you do acknowledge you spoke to President Trump as you indicated in that text, right?

Ambassador Sondland. If I said I did, I did.

Mr. Goldman. And that after that conversation you were still under the impression that the aid was contingent on these public announcements?

Ambassador Sondland. I did not get that from President Trump, but I was under the impression that absolutely it was contingent.

Mr. Goldman. Well, you weren't dissuaded then, right, because you still thought that the aid was conditioned on the public announcement of the investigations after speaking to President Trump?

Ambassador Sondland. By September 8 I was absolutely convinced it was.

Mr. Goldman. And President Trump did not dissuade you of that in the

conversation that you acknowledge you had with him?

Ambassador Sondland. I don't ever recall -- because that would have changed my entire calculus. If President Trump had told me directly, I'm not --

Mr. Goldman. That's not what I'm asking, Ambassador Sondland. I'm just saying, you still believed that the security assistance was conditioned on the investigation after you spoke to President Trump. Yes or no?

Ambassador Sondland. From a timeframe standpoint, yes.

Mr. Goldman. Now, Ambassador Taylor also testified that -- and Mr. Morrison, both of them testified that you told them that President Trump said there was no quid pro quo, which you also included in that text message that you referred, but then you went on -- and they had slight variations as to what you told them, but then you said that, to Ambassador Taylor, that President Zelensky himself, not the prosecutor general, needed to clear things up in public or there would be a stalemate. And Mr. Morrison recounted something similar. You don't have any reason to doubt that both of their very similar recollections of the conversations they had with you, do you, Ambassador Sondland?

Ambassador Sondland. Let me break that down, Mr. Goldman. The text, as I said, about the no quid pro quo was my effort to respond to Ambassador Taylor's concerns to go to President Trump. Apparently Ambassador Taylor had access to Secretary Pompeo. He did not have access to President Trump. So I made the phone call. I said, what do you want? President Trump responded with what I put in the text. And then I strongly encouraged Ambassador Taylor to take it up with the Secretary, and he responded, "I agree," when I said that.

As far as the other part of your question relating to whether or not the prosecutor could make the statement or Zelensky could make the statement, I don't recall who told

me, whether it was Volker, whether it was Giuliani, or whether it was President Trump, it has got to be Zelensky. It can't be the prosecutor. But that's what I relayed. Whoever I got that information from I relayed that to, I believe, both Mr. -- or excuse me, Ambassador Taylor and to Mr. Morrison.

Mr. Goldman. But as of September 9 you understood, did you not, that President Trump either himself or through his agents required that President Zelensky make a public announcement of the two investigations that President Trump cared about in order to get both the White House meeting and to release the security assistance. Is that correct?

Ambassador Sondland. I believe that is correct.

Mr. Goldman. Mr. Chairman. I yield back.

The Chairman. That concludes our 45 minutes. I now recognize Mr. Nunes. Oh, okay. Why don't we take a 5 or 10-minute break?

Ambassador Sondland. Thank you.

[Recess.]

RPTR BRYANT

EDTR HUMKE

[11:20 a.m.]

The Chairman. The committee will come to order. I now recognize Ranking Member Nunes and minority counsel for 45 minutes of questions.

Mr. Nunes. I thank the gentleman. For those of you watching at home, that was not a bathroom break. That was actually a chance for the Democrats to go out and hold a press conference, Ambassador, for all the supposed bombshells that were in your opening testimony.

I want to get back to the facts of the matter here. And the thing that the Democrats have been unwilling to accept is that their operatives got campaign dirt from Ukrainians in the 2016 election. Now, they know it. They know it's true, because we have financial records that show it. So they were -- the Democrats were heavily involved working with Ukrainians to dirty up the Trump campaign in 2016.

So, Ambassador, I want to go through just a few of the incidents that we know. I know you may not know all about them. You may know about them now. But I want to walk through some of those examples of why the President may be very upset with Ukraine and think that they're a country that's out to get him, as I think both you've said that and Ambassador Volker have said that from that May 23rd meeting.

The first question I have is, were you aware of the anti-Trump efforts by DNC operative Alexandra Chalupa?

Ambassador Sondland. I am not aware of it.

Mr. Nunes. So in 2000 -- there was a 2017 article that also quotes a Ukrainian Parliamentarian Artemenko saying, quote, it was clear that they were supporting, meaning Ukraine, supporting Hillary Clinton's candidacy, and they did everything from

organizing meetings with the Clinton team to publicly supporting her to criticizing Trump. I think that they simply didn't meet with the Trump campaign because they thought Hillary would win.

Do you know that Ukrainian official, by any chance, that stated that?

Ambassador Sondland. I don't.

Mr. Nunes. Were you aware that then-Ukrainian Ambassador to U.S. Chaly wrote an op-ed in The Hill during the 2016 Presidential campaign criticizing then-candidate Trump?

Ambassador Sondland. I'm not aware.

Mr. Nunes. But you know that now after the last few months?

Ambassador Sondland. Correct.

Mr. Nunes. So probably one of the more disturbing ones is the Ukraine Internal Affairs Minister Avakov mocked and disparaged then-candidate Trump on Facebook and Twitter.

Were you aware that Serhiy Leshchenko, a Ukrainian parliamentarian, admitted that part of his motivation in spreading the information about the so-called black ledger, a disputed document purporting to reveal corruption by a former Trump campaign official, was to undermine the Trump candidacy?

Ambassador Sondland. I wasn't aware.

Mr. Nunes. So you may be familiar the black ledger was used in the 2016 election to dirty up a campaign associate, and later Mueller didn't use that as evidence in his report on election meddling.

So, knowing all these facts from high-ranking Ukrainian officials, Ambassador, it probably makes a little more sense now as to why the President may think that there's problems with Ukraine and that Ukraine was out to get him. Is that correct?

Ambassador Sondland. I understand your -- I understand your point, yes, Chairman -- or Ranking Member.

Mr. Nunes. Because you said in your deposition, and I'm just going to make sure this was your -- just read it back to you. On page 279, for your legal team. Quote: "They are all corrupt." This is what you said about your conversation with the President. So this is your words about what the President told you.

Ambassador Sondland. This is the May 23rd meeting?

Mr. Nunes. That is correct.

They are all corrupt. They are all terrible people and, you know, I don't want to spend any time with that. And he also said, they tried to take me down.

Ambassador Sondland. That is correct.

Mr. Nunes. When they tried to take him down, I think any logical person that wants to do two plus two equals four games would say that that was in the 2016 election, wasn't it?

Ambassador Sondland. I believe that's what he was referring to, yes, Ranking Member.

Mr. Nunes. Right. So during all this time -- and remember, in the spring the Democrats' Russia hoax witch hunt is still ongoing. They're still claiming that President Trump is a Russian agent. They're out to get -- they're out to get President Trump at the time.

His personal attorney is then interested in trying to figure out who are these Ukrainians that are trying to get to my candidate? As those of us, the Republicans on this committee, who are also trying to get to the bottom of who were the sources in the Steele dossier that the Democrats had paid for? The House Republicans wanted to know that all through the spring and even the summer of -- and even as of today, we'd

still like to know.

That's why we've subpoenaed the DNC operatives that they refuse to subpoena. We sent a letter this morning. I doubt we'll see those subpoenas. We want to know exactly -- get to the bottom of exactly who were these Democratic operatives that were dirtying up the Trump campaign in 2016. And they just can't get over that the President would send his personal attorney over there to try to get to the bottom of that.

And, Ambassador, you had very few dealings with Rudy Giuliani and a few text messages.

Ambassador Sondland. A few text messages and a few phone calls.

Mr. Nunes. All right. So the whistleblower, we're trying to put together here with their timeline. They seem to have a timeline problem, because the whistleblower that only they know, who they won't subpoena, who clearly Mr. Vindman knows who they blocked testimony yesterday from -- would not allow Mr. Vindman to answer our questions, that whistleblower says on July 25th that there were all these promises being made.

Yet, the -- I forget what they call it. The drug deal that the Three Amigos were cooking up seems to be their latest. You're part of the Three Amigos and the drug deal, Ambassador. Were you aware of any drug deal on July 25th, when the phone call actually occurred?

Ambassador Sondland. I don't know about any drug deal.

Mr. Nunes. Right. And did you know you were part of the Three Amigos?

Ambassador Sondland. I am. I'm a proud part of the Three Amigos.

Mr. Nunes. And that's the same thing Ambassador Volker said yesterday, because by the time that the phone call that supposedly the whistleblower claims was the reason, was the original quid pro quo, has now got down to -- we're now a month later

where you're involved, and their quid pro quo has gotten down to the low level of, well, they want a statement. And you didn't even know about anything to do with -- on July 25th, you knew nothing about military aid being withheld.

Ambassador Sondland. I knew military aid was withheld beginning I believe on July 18th, when Ambassador Taylor told both of us that that was the case.

Mr. Nunes. But on July -- but you don't know about -- you were not on the July 25th call.

Ambassador Sondland. I was not.

Mr. Nunes. Where the aid doesn't come up at all.

Ambassador Sondland. Again, I just read the readout when everyone else did.

Mr. Nunes. Everybody has testified that was on the July 25th call that there was no aid discussed on the July 25th call.

So then you're in the process. You have no idea that this is tied to Burisma or anybody else. You say you don't realize this until the end of August.

Ambassador Sondland. I didn't realize that aid was tied. The Burisma and 2016 piece was much earlier, Mr. -- or Ranking Member.

Mr. Nunes. I'm glad you bring up Burisma, because this is another issue that the Democrats don't want to go into. They refuse to call in Hunter Biden. Hunter Biden could get to the bottom of all of this. He could come in and talk about whether or not it was appropriate for him to receive over \$50,000 a month while his dad was Vice President and when they -- they actually were able to stop and get an investigator fired. They could call in Hunter Biden, but they don't want to do it.

But let's talk about Burisma, Ambassador. I know you're the Ambassador to the EU, and I think some of the members later will get into whether or not it was appropriate for you to be in Ukraine or not. I believe it was. I think you have a clear mandate to do

it.

But you wouldn't be the first Ambassador to actually be interested in Burisma. Did you know that in September 2015, then Ambassador to Ukraine, Jeffrey Pyatt, publicly called for an investigation into Zlochevsky, the president of Burisma? This was the Ukrainian Ambassador appointed by President Obama in Ukraine.

Ambassador Sondland. I wasn't aware of that, no.

Mr. Nunes. You were not aware of it?

Ambassador Sondland. No.

Mr. Nunes. So you would not be the first one to be mentioning that investigations should be done on Burisma, because it happened during the Obama administration.

Did you know that financial records show Burisma routed more than \$3 million to the American accounts tied to Hunter Biden?

Ambassador Sondland. I did not know that.

Mr. Nunes. Did you know that Burisma's American lawyers tried to secure a meeting with the new state prosecutor the same day his predecessor, Viktor Shokin, who the Vice President wanted fired, was announced?

Ambassador Sondland. I did not know that.

Mr. Nunes. Well, we're not going to get to the answer to many of these questions, because the witnesses that need to come in and clarify exactly what the Democrats were doing in 2016, we're not going to be able to visit with those witnesses.

And so it's an inconvenient truth that the Democrats don't want to admit. Their operatives that were dirtying up the Trump campaign using Ukrainian sources in 2016 and they do not want us to get to the bottom of it. They don't want you, Ambassador, to get to the bottom of it. They don't want the President's personal attorney, even though

he's under a special counsel investigation that they fed into the FBI, that we've dealt with for over 3 years, they don't want to get to the bottom of that, Ambassador.

I think Mr. Castor has some questions for you.

Mr. Castor. Thank you, Mr. Nunes.

Good morning, Ambassador, how are you?

Ambassador Sondland. Good morning, Mr. Castor.

Mr. Castor. Welcome back. You were here all day on the 17th late into the night, so thank you for your cooperation with the investigation.

Did the President ever tell you personally about any preconditions for anything?

Ambassador Sondland. No.

Mr. Castor. Okay. So the President never told you about any preconditions for the aid to be released?

Ambassador Sondland. No.

Mr. Castor. The President never told you about any preconditions for a White House meeting?

Ambassador Sondland. Personally, no.

Mr. Castor. You said you didn't have your records or your documents from the State Department, but if you did, there wouldn't be any document or record that ties President Trump personally to any of this, correct?

Ambassador Sondland. Boy, I don't want to speculate what would be on --

Mr. Castor. Your documents or records.

Ambassador Sondland. I don't recall anything like that, no.

Mr. Castor. Okay. Good heavens. Okay.

You testified Mr. Giuliani's requests for a quid pro quo for the White House meeting, and you indicated that you believe that was -- he was evincing President

Trump's interests, correct?

Ambassador Sondland. My contact with Mr. Giuliani began, as I said, very late in the process, after August 1st, when I was first introduced to him by a text from Ambassador Volker. So we had already begun those discussions, I believe, with the Ukrainians prior to August 1st. So everything was being funneled through others, including Mr. Volker.

Mr. Castor. Okay. You testified that Mr. Giuliani was expressing the desires of the President, correct?

Ambassador Sondland. That's our understanding, yes.

Mr. Castor. But how did you know that? Who told you?

Ambassador Sondland. Well, when the President says, talk to my personal attorney, and then Mr. Giuliani, as his personal attorney, makes certain requests or demands, we assume it's coming from the President. I don't -- I don't -- I'm not testifying that I heard the President tell Mr. Giuliani to tell us. So if that's your question.

Mr. Castor. But at your deposition, you said -- the question was, at the May 23rd meeting, when the President said go talk to -- go talk to Rudy, you responded, he didn't even say go talk. He said, talk to Rudy. You subsequently said, it was sort of like I don't want to talk about this. So it wasn't an order or a direction to go talk with Mr. Giuliani, correct?

Ambassador Sondland. Our conclusion and the conclusion of the three of us was that if we did not talk to Rudy, nothing would move forward on Ukraine.

Mr. Castor. Okay. And that was May 23rd. And then you never had any personal communications with Giuliani until August, right?

Ambassador Sondland. That is correct.

Mr. Castor. And Volker was handling -- Ambassador Volker was the primary --

Ambassador Sondland. Volker, Perry, and others.

Mr. Castor. Okay. Ambassador Volker, you testified he's a professional diplomat, correct?

Ambassador Sondland. Yes, he is.

Mr. Castor. And you said you had a great relationship with him?

Ambassador Sondland. I do, yes.

Mr. Castor. You said he was a very smart guy.

Ambassador Sondland. Yes.

Mr. Castor. Ambassador Yovanovitch said he's a brilliant diplomat, in fact. Do you agree with that?

Ambassador Sondland. He's pretty smart.

Mr. Castor. You stated that he's one of those people I'd hand my wallet to.

Ambassador Sondland. I would.

Mr. Castor. And so did you hear his testimony yesterday?

Ambassador Sondland. I did not.

Mr. Castor. Okay. Because --

Ambassador Sondland. I was busy getting ready for you.

Mr. Castor. He didn't have any -- he didn't have any evidence of any of these preconditions. And he was the one most engaged with the Ukrainians, wasn't he?

Ambassador Sondland. Yes.

Mr. Castor. Okay. I mean, you testified, you know, this was his full-time job, although he was doing it for free.

Ambassador Sondland. He was the special envoy.

Mr. Castor. And you testified you came in and out of the events, correct?

Ambassador Sondland. That is correct.

Mr. Castor. Okay. At your deposition, we asked you about your communications with the President, and we asked you whether there were so many that it would be impossible to chronicle. And you said, no, it wasn't that many. And we went down the path of building a list of communications you remember with the President, right?

Ambassador Sondland. Correct.

Mr. Castor. We talked about May 23rd in the Oval Office.

Ambassador Sondland. Yes.

Mr. Castor. You mentioned on July 25th, before you went to Ukraine, you called the President, but there was no material information on the 25th call, correct?

Ambassador Sondland. Not that I recall.

Mr. Castor. Okay. Then last Friday, Mr. Holmes came in, and I guess his testimony refreshed your recollection?

Ambassador Sondland. Yeah. What refreshed my recollection was when he mentioned A\$AP Rocky. Then all of a sudden it came back to me.

Mr. Castor. Okay. And talking about President Zelensky loving the President and so forth?

Ambassador Sondland. Well, the whole thing sort of came back to me after he mentioned A\$AP Rocky.

Mr. Castor. And then the next time -- you know, we tried to unpack this. The next time you talk with the President was -- on the telephone was September 9th, according to your deposition, right?

Ambassador Sondland. I may have even spoken to him on September 6th, but, again, I just don't have all the records. I wish I could get them. Then I could answer your questions very easily.

Mr. Castor. Okay. But on September 9th, at least at your deposition, you were extremely clear. You called the President. You said he was feeling cranky that day, right?

Ambassador Sondland. He seemed very cranky to me.

Mr. Castor. And you said in no uncertain terms -- and this is on the heels of the Bill Taylor text, right?

Ambassador Sondland. Right.

Mr. Castor. And why don't you tell us, what did the President say to you on September 9th that you remember?

Ambassador Sondland. Well, words to the effect -- I decided to ask the President the question in an open-ended fashion, because there were so many different scenarios floating around as to what was going on with Ukraine.

So, rather than ask the President nine different questions, is it this, is it this, is it that, I just said, what do you want from Ukraine? I may have even used a four-letter word. And he said, I want nothing. I want no quid pro quo. I just want Zelensky to do the right thing, to do what he ran on, or words to that effect.

And that gave me the impetus to respond to Ambassador Taylor with the text that I sent. As I said to Mr. Goldman, it was not an artfully written text. I should have been more specific, put it in quotes, something like that. But, basically, I wanted Mr. Taylor, Ambassador Taylor to pick up the ball and take it from there. I had gone as far as I could go.

Mr. Castor. And you believed the President, correct?

Ambassador Sondland. You know what, I'm not going to characterize whether I believed or didn't believe. I was just trying to convey what he said on the phone.

Mr. Castor. Okay. And at that point in time, the pause in the aid, the aid was

paused for 55 days. There was a news article in Politico on August 28th talking about it. So by that point in time, the President had been receiving calls from Senators. He had been getting pressure to lift the aid, correct?

Ambassador Sondland. That's what I understand, yes.

Mr. Castor. I want to turn back to your opener on page 5, under -- when you talk about, in the absence of any credible explanation for the suspension of aid, I later came to believe that the resumption of security aid would not occur until there was a public statement from Ukraine committing to the investigations, correct?

Ambassador Sondland. Correct.

Mr. Castor. And you acknowledge that this is speculation, right?

Ambassador Sondland. It was a presumption.

Mr. Castor. Okay. It was a guess, in fact, I think you even said this morning.

Ambassador Sondland. Well, I want to say that it goes back to Mr. Goldman's point or Chairman Schiff's two plus two equaled four in my mind at that point.

Mr. Castor. Okay. But you didn't have any evidence of that, correct?

Ambassador Sondland. Other than the aid wasn't being released and we weren't getting anywhere with the Ukrainians.

Mr. Castor. Okay. But did Ambassador Volker clue you in that that was the issue? I mean, this is a pretty high -- I mean, this is a pretty serious conclusion you've reached without precise evidence.

Ambassador Sondland. Well, I sent that email to Secretary Pompeo to set up a potential meeting between President Trump and President Zelensky in Warsaw. And when I referred to the logjam, I referred to the logjam in a very inclusive way. Everything was jammed up at that point. And Secretary Pompeo essentially gave me the green light to brief President Zelensky about making those announcements.

Mr. Castor. Okay. We can turn to that. And that was your email dated what date?

Ambassador Sondland. Do you have the page there?

Mr. Castor. Your email to Secretary Pompeo, was that August 11th?

Ambassador Sondland. August 22nd.

Mr. Castor. Okay. So you're asking Secretary Pompeo whether we should block time -- I mean, is there any discussion of specific investigations? Is there any discussion of Biden or Burisma or anything linking to aid in this email that you sent to Pompeo, Secretary Pompeo?

Ambassador Sondland. No. This was a proposed briefing that I was going to give President Zelensky, and I was going to call President Zelensky and ask him to say what is in this email. And I was asking essentially President Pompeo's permission to do that, which he said yes.

Mr. Castor. But at that point in time, we're talking about investigations into the origins of the 2016 election. We're not talking about anything to do with Joe Biden.

Ambassador Sondland. Joe Biden did not come up.

Mr. Castor. Okay. Stepping back a page to your email to the State Department on August 11th, you email Secretary Pompeo and you say: Kurt and I negotiated a statement from Zelensky to be delivered for our review in a day or two.

And the question I have here is that, I mean, that statement never was issued and, in fact, Ambassador Volker has testified that he didn't think it was a good idea and ultimately the Ukrainians didn't think it was a good idea, and so the statement never reached a finalized state.

Ambassador Sondland. That is correct.

Mr. Castor. But even if it had, it doesn't talk about Bidens or Burisma or anything

insidious, correct?

Ambassador Sondland. Well, the statement, as I recall, would have mentioned the 2016 election/DNC server and Burisma. It would not have mentioned the Bidens.

Mr. Castor. Okay. And have you heard Ambassador Volker, how he talks about what might be an investigation into Burisma?

Ambassador Sondland. No.

Mr. Castor. Okay. I mean, he has said that if there were Ukrainians engaged in violations of Ukrainian law, then the prosecutor general with the new administration ought to investigate that. Did Ambassador Volker ever relate that to you?

Ambassador Sondland. No. We just talked in generic terms about, quote, "investigating Burisma."

Mr. Castor. But it had nothing to do with Vice President Biden?

Ambassador Sondland. I had never heard Vice President Biden come up until very late in the game.

Mr. Castor. When?

Ambassador Sondland. I don't recall the exact date, but when it all sort of came together. Maybe after the transcript of the July 25th call. I don't know. I don't know the exact date when I made the connection.

Mr. Castor. Okay.

Ambassador Sondland. Apparently, a lot of people did not make the connection.

Ambassador Sondland. I want to turn to the letter from Senator Johnson. When he heard about some of these issues and the hold on the aid, he called the President. He called the President on August 31st. It's page 6 of his letter.

Senator Johnson states, or he writes: I asked him, the President, whether there was some kind of arrangement where Ukraine would take some action and the hold

would be lifted. Without hesitation, President Trump immediately denied such an arrangement existed. Senator Johnson quotes the President saying, no, and he prefaced it with a different word. No way. I would never do that. Who told you that? I have -- Senator Johnson says, I have accurately characterized the President's reaction as adamant, vehement, and angry.

Senator Johnson's telephone call with the President wasn't a public event. It was capturing a genuine, you know, moment with the President. And he had -- at this point in time on August 31st, he was adamant, vehement, and angry that there was no connections to aid, there were no preconditions.

Ambassador Sondland. I had my meeting with Senator Johnson where, again, I had made the presumption that I had made to both Mr. Yermak and the email I had sent to Secretary Pompeo. And we were sort of ruminating about what was going on, and Senator Johnson, I believe, said, I'm going to call President Trump, you know, and find out. And then he obviously had that phone call. I wasn't involved in that phone call.

Mr. Castor. Okay. But you have no reason to disbelieve that wasn't the way it went down, right?

Ambassador Sondland. No, no reason to disbelieve Senator Johnson.

Mr. Castor. Okay. And now that you've had some time since your deposition and you submitted an addendum relating to the Warsaw get-together with Mr. Yermak, as you sit here today, I mean, are we missing a lot of your communications with the President?

Ambassador Sondland. I haven't had that many communications with the President and, in fact, a bunch of the call records that I have had access to, just the short period of time on the call indicates I never got through. In other words, I was put on hold for 1 or 2 minutes and the call never connected.

So I really can't give you an accurate count of how many conversations. Plus, Mr. Castor, I've had a lot of conversations with the President about completely unrelated matters that have nothing to do with Ukraine.

Mr. Castor. But you don't think we're missing any material conversations that you had with the President?

Ambassador Sondland. I don't recall any material conversations today as I'm sitting here.

Mr. Castor. Or with Rudy Giuliani?

Ambassador Sondland. Yeah. My memory about the conversations with Rudy Giuliani, whether they were direct, whether they were conference calls with Ambassador Volker or Secretary Perry, is really vague without seeing the -- you know, the call logs.

Mr. Castor. Are there any other key fact witnesses that would help us get to the bottom of whether there was any link to the aid and the --

Ambassador Sondland. Maybe Brian McCormack, the chief of staff for Secretary Perry, who was involved in and out as well.

Mr. Castor. Okay. Now, the aid was ultimately lifted on September 11th, correct?

Ambassador Sondland. I believe that is correct.

Mr. Castor. Okay. And Senator Johnson, in his letter on page 6, quotes the President on August 31st: Ron, I understand your position. We're reviewing it now and you'll probably like my final decision.

So even on August 31st -- and this is before any congressional investigation started -- the President was signaling to Senator Johnson that he was going to lift the aid, lift the --

Ambassador Sondland. Sounds like it, yeah.

Mr. Castor. Okay. And most of the other witnesses we talked to, whether it's from the Department of Defense or OMB or -- you know, have told us that all along during this 55-day period, they genuinely believed the hold would be lifted. Was that your feeling too at the time?

Ambassador Sondland. I didn't know, because every time I asked about the hold, I was never given a straight answer as to why it had been put in place to begin with.

Mr. Castor. Now, what do you know about the Ukrainians' knowledge of the hold?

Ambassador Sondland. Oh, that's very vague. I don't know if the Politico article triggered it. I don't know if they were told by Mr. Giuliani. It would be pure, you know, guesswork on my part, speculation. I don't know.

Mr. Castor. Okay. I mean, during your deposition, you testified that you did not believe the Ukrainians believed the -- were aware of the hold until the Politico article.

Ambassador Sondland. Yeah. Again, I think -- I think I testified that I was not clear on the exact dates of when these things -- when the light went on. There were a lot of conversations going on with the Ukrainians by a lot of people, so I don't know who communicated what to them.

Mr. Castor. We have testimony from several witnesses that the President was concerned about foreign aid generally, and so he had an appetite to put holds on aid, because he was trying to be a good steward of U.S. taxpayer dollars. Do you agree with that?

Ambassador Sondland. I'm aware that that's been his position on aid in other matters, yes.

Mr. Castor. And are you aware that he was also interested in better understanding the contributions of our European allies?

Ambassador Sondland. That I'm definitely aware of.

Mr. Castor. And there was some back-and-forth between the State Department officials trying to better understand that information for the President?

Ambassador Sondland. Yes, that is correct.

Mr. Castor. And how do you know that wasn't the reason for the hold?

Ambassador Sondland. I don't.

Mr. Castor. But yet, you speculate that there was, you know, a link to this announcement.

Ambassador Sondland. I presumed it, yes.

Mr. Castor. Okay. I want to turn quickly to the July 10th meeting. The July 10th meeting in Ambassador Bolton's office involving Ambassador Volker, Mr. Danylyuk, Mr. Yermak, has been the subject of some controversy.

Ambassador Volker yesterday testified that it wasn't until the end of the meeting -- Mr. Danylyuk he said was going through some real detailed -- some real detailed information about some of the plans he had, but it wasn't until the end of the meeting Ambassador Volker recalls that you mentioned something general about investigations.

What do you remember from that meeting?

Ambassador Sondland. Well, again, I'm not going to dispute Ambassador Volker's recollection, particularly if he had notes. I know that the desire to have the 2016 election, DNC server, and Burisma were already being discussed by them. Again, I had no direct contact with Mr. Giuliani on July 10th but through Ambassador Volker. And I probably mentioned that this needs to happen in order to move the process forward. That seemed to be the conventional wisdom at the time.

I don't recall any abrupt ending of the meeting or people storming out or anything

like that. That would have been very memorable if someone had stormed out of a meeting, based on something I said.

Mr. Castor. Okay. And nobody accused you at that point in time of being involved with some sort of drug deal?

Ambassador Sondland. No.

Mr. Castor. Did Dr. Hill ever relate to you her concerns about you being involved in a drug deal?

Ambassador Sondland. Never.

Mr. Castor. Okay. So you were surprised when testimony emerged that she thought there was a drug deal going on?

Ambassador Sondland. I was shocked.

Mr. Castor. Okay. And, in fact, after the meeting, you went out and you took a picture, right?

Ambassador Sondland. Yeah. We -- Ambassador Bolton -- or his assistant indicated that he was out of time, that he needed -- he had another meeting to attend. And we all walked out of the White House. Everyone was smiling, everyone was happy, and we took a picture on the lawn on a nice sunny day.

Mr. Castor. Okay. Then did you retire to the Ward Room?

Ambassador Sondland. I think Secretary Perry asked to use the Ward Room to continue the conversation. And the real subject that was under debate -- and it wasn't an angry debate, it was a debate -- should the call from President Trump to President Zelensky be made prior to the parliamentary elections in Ukraine or after the parliamentary elections? And there was good reason for both.

We felt -- Ambassador Perry, Ambassador Volker, and I thought it would help President Zelensky to have President Trump speak to him prior to the parliamentary

elections, because it would give President Zelensky more credibility, and ultimately he would do better with his people in the parliamentary elections.

Others, I believe, pushed back and said, no, it's not appropriate to do it before. It should be done after. And ultimately, it was done after.

Mr. Castor. Okay. There was no mention of Vice President Biden in the Ward Room?

Ambassador Sondland. Not that I remember, no.

Mr. Castor. Or any specific investigation?

Ambassador Sondland. Just the generic investigations.

Mr. Castor. Okay. When, again, did the Vice President Biden nexus come to your attention?

Ambassador Sondland. Very late. Again, I don't -- I can't recall the exact date the light bulb went on. It could have been as late as once the transcript was out. But it was always Burisma to me, and I didn't know about the connection between Burisma and Biden.

Mr. Castor. To the best of your knowledge, you never understood that anyone was asking Ukrainians to investigate U.S. persons, correct?

Ambassador Sondland. Ukrainians to investigate U.S. persons?

Mr. Castor. Right.

Ambassador Sondland. No, no.

Mr. Castor. Okay. And just to sort of be clear here, ultimately, the aid was lifted on September 11th. There was never any announcement by the Ukrainians about any investigations they were going to do, correct?

Ambassador Sondland. Correct.

Mr. Castor. The Ukrainians never, to your knowledge, started any of these

investigations, correct?

Ambassador Sondland. Not to my knowledge.

Mr. Castor. And consequently, these allegations that there was a quid pro quo that had to be enforced before the aid is released, that never came to fruition, right?

Ambassador Sondland. I don't believe so.

Mr. Castor. I want to just step back a little bit and just verify with you that the President had some genuinely deep-rooted concerns about corruption in Ukraine, correct?

Ambassador Sondland. That's what he expressed to us, yes.

Mr. Castor. Okay. And you believed him, right, given his business dealings in the region?

Ambassador Sondland. When we had the conversation, I did.

Mr. Castor. And when you first started discussing the concerns the President had with corruption, Burisma wasn't the only company that was mentioned, right?

Ambassador Sondland. It was a generic -- as I think I testified to Chairman Schiff, it was a generic corruption, oligarchs, just bad stuff going on in Ukraine.

Mr. Castor. Okay. But other companies came up, didn't they?

Ambassador Sondland. I don't know if they were mentioned specifically. It might have been Naftogaz, because we were working on another issue with Naftogaz. So that might have been one of them.

Mr. Castor. At one point in your deposition, I believe you said, yeah, Naftogaz comes up at every conversation. Is that fair?

Ambassador Sondland. Probably.

Mr. Castor. Okay. You had -- I guess Dr. Hill at one point attributed to you the terminology that the President has given you a large remit. Are you familiar with her

assertion of that?

Ambassador Sondland. I didn't understand what she was talking about.

Mr. Castor. Okay. But you have -- and we got into this a little bit in your deposition. You know, you said that the President gave you a special assignment with regard to Ukraine, correct?

Ambassador Sondland. Well, when the President appointed me to the -- as the U.S. Ambassador to the European Union, Ukraine was part of my portfolio. What made my assignment larger than just being part of my portfolio were the unique circumstances where there was no current sitting Ambassador in Ukraine and there was a new President in Ukraine.

And the discussions that we had, the Three Amigos, Perry, Volker, and I, was that Ukraine needed extraordinary, as high-level support as it could get from the United States during this period, which we cleared with both Ambassador Bolton and with Chief of Staff Mulvaney to continue working on it.

So, by extension, yes, if the National Security Advisor and the chief of staff approve your remit, it really is coming from the President.

Mr. Castor. Okay. When we asked you that at the deposition, you said, I was spinning a little bit.

Ambassador Sondland. I was spinning about something else I think in the interview in Kyiv.

Mr. Castor. Okay. And you further testified: So when I said the President gave me an assignment, it wasn't really the President, it was the Secretary through the President, and that's where I received my direction, correct?

Ambassador Sondland. Correct.

Mr. Castor. Okay. Did Ambassador Taylor ever bring any concerns to your

attention about the so-called -- the channel he dubbed irregular?

Ambassador Sondland. No. In fact, the opposite. When he came to post, I think -- I know I called him or he called me. I think he spoke with Secretary Perry and Ambassador Volker separately. And in the course of the first few weeks, he was highly appreciative that a new Ambassador coming to post like himself was getting the kind of support he was getting from all three of us.

Having a Cabinet member, a Special Envoy, and a fellow Ambassador all helping to raise the profile of Ukraine, he was highly appreciative and highly complimentary.

Mr. Castor. And you maintained an open line with him, correct?

Ambassador Sondland. Correct. I think there are a number of texts, some of which I have and some of which I don't, where he is reaching out constantly to me and to the others for advice and help.

Mr. Castor. Okay. We had, I think -- we tried to count them up. There's 215 or something text messages between you, Volker, and Ambassador Taylor, you know, during the early August timeframe. Does that make sense to you?

Ambassador Sondland. Yeah. I think he -- I think Taylor started in late June or early July was when he first took post, and I think we began communicating fairly shortly thereafter.

Mr. Castor. Okay. And he never communicated any concerns to you during this timeframe that he had issues with what was going on?

Ambassador Sondland. What do you mean by "what was going on"?

Mr. Castor. This request for some sort of investigation.

Ambassador Sondland. Not in the early stages. You know, as his -- as time went on, his emails began to be a little more pointed and frantic. And that's when we had very little visibility as to what was going on either. I think it had to do more with the

aid and as to why the aid was suspended.

Mr. Castor. Right. And ultimately, you put a period on that issue by having the September 9th communication with the President, correct?

Ambassador Sondland. That is correct.

Mr. Castor. And when you shared that feedback with Ambassador Taylor, was he satisfied that this issue was now behind them?

Ambassador Sondland. I don't really know, because he responded -- when I said, you know, get a hold of the Secretary, he said, I agree. And I never knew whether he reached out to the Secretary or not. That was sort of the end of that --

Mr. Castor. At one point in your text, you said, let's get on the phone, right? And you said you're an individual that doesn't like to walk through these issues on text when you can talk about it on the telephone, correct?

Ambassador Sondland. I say that to everybody when something becomes more substantive than just a few lines of text. I say, let's talk.

Mr. Castor. Okay. And did you talk with Ambassador Taylor?

Ambassador Sondland. I don't recall. I mean, I don't recall whether we spoke right after that, whether he called the Secretary. I basically, Mr. Castor, wanted to get the notion across that I've gone as far as I can go with this. You need to pick up the -- you're the Ambassador. You need to pick up the ball and run with it at this point.

Mr. Castor. Okay. Just getting back to the irregular channel, did anyone else express any concerns to you about this so-called irregular channel?

Ambassador Sondland. I'm not sure how someone could characterize something as an irregular channel when you're talking to the President of the United States, the Secretary of State, the National Security Advisor, the chief of staff of the White House, the Secretary of Energy. I don't know how that's irregular.

If a bunch of folks that are not in that channel are aggrieved for some reason for not being included, I don't know how they can consider us to be the irregular channel and they to be the regular channel when it's the leadership that makes the decisions.

Mr. Castor. And so the concerns, you know, raised were never brought to -- were never brought to a head?

Ambassador Sondland. Well, they were never raised. They were never raised. No one said, back off of Ukraine, this is dangerous, you're doing something that's untoward. We have concerns. There was a bad phone call on July 25th. There's talk about a drug cocktail or something. No one ever said that to me by phone, by text, by email.

I don't remember anybody sounding any alarm bell, because, of course, had someone mentioned it, I would have sat up and taken notice. Everyone's hair was on fire, but no one decided to talk to us.

Mr. Castor. Okay. When you talk in your statement about in the absence of any credible explanation for the suspension of aid, I later came to believe, it was your speculation, it was your guess that the resumption of security aid would not occur until there was a public statement from Ukraine committing to the investigations of 2016. And I believe you said that at this point you believed everyone, everyone knew this. Is that correct?

Ambassador Sondland. I think once that Politico article broke, it started making the rounds that, you know, if you can't get a White House meeting without the statement, what makes you think you're going to get a, you know, \$400 million check? I mean, again, that was my presumption.

Mr. Castor. Okay. But you had no evidence to prove that, correct?

Ambassador Sondland. That is correct.

Mr. Castor. You've stated that you haven't been able to access your records. Is that correct?

Ambassador Sondland. Not all of them. And there are lots of notes, records, readouts of calls. Can't get to them.

Mr. Castor. But you've also stated that you don't take notes, right?

Ambassador Sondland. I don't take notes, but there are a lot of others out there.

Mr. Castor. And you freely admit that -- you know, when asked at your deposition, we put together a list of all the times you said you don't recall. It's like two pages long. So --

Ambassador Sondland. Is that all?

Mr. Castor. So, you know, you don't -- on a lot of these questions, I mean, there's nuance, there are ambiguities. And we don't have records, we don't have notes, and we don't have recollections, correct?

Ambassador Sondland. Right. I mean, it's situational things that sort of trigger memory, especially when I'm -- you know, I'm dealing with the European Union. I'm dealing with the 28 member countries. I'm dealing with other countries that are not in the European Union that are part of my mandate. I'm dealing with the White House leadership. There's a lot of stuff to juggle.

And, as I said in my opening statement, a phone call for me with the President of the United States or the President of fill in the blank country, while people who get a call like that maybe once in a lifetime, a call like that might be very memorable. They might remember every single thing about it. I'm doing that all day long. And I'm not saying it in a way of being braggadocio or anything like that, but it's part of my routine day.

So all of these calls, these meetings with very important people tend to sort of blend together until I have someone that can show me what we discussed, what the

subject was, then all of a sudden it comes back.

Mr. Castor. I mean, we're trying to get to the facts here. We're trying to find out what actually happened, what's reliable, what's accurate. Bill Taylor kept notes. He brought a little notebook in his pocket at his deposition and he held it up and he says, when I'm not at my desk and I'm on the phone, I use this notebook. When I'm at my desk, I use a notebook. George Kent said he wrote just innumerable memos to the file. Catherine Croft, she testified that she didn't believe George Kent's notes would be accurate.

And so, you know, we have all this, you know, back-and-forth, but, you know, as we get to the end here, you don't have records, you don't have your notes, because you didn't take notes. You don't have a lot of recollections. I mean, this is like the trifecta of unreliability. Isn't that true?

Ambassador Sondland. Well, what I'm trying to do today is to use the limited information I have to be as forthcoming as possible with you and the rest of the committee. And as these recollections have been refreshed by subsequent testimony, by some texts and emails that I've now had access to, I think I filled in a lot of blanks.

Mr. Castor. But a lot of it's speculation, a lot of it is your guess. And we're talking about, you know, an impeachment of the President of the United States. So the evidence here ought to be pretty darn good.

Ambassador Sondland. I've been very clear as to when I was presuming, and I was presuming on the aid.

On the other things, Mr. Castor, I did have some texts that I read from. So when it comes to those, I'll rely on those texts, because I don't have any reason to believe that those texts were, you know, falsely sent or that there's some subterfuge there. They are what they are. They say what they say.

Mr. Castor. Okay. Thank you, sir.

Ambassador Sondland. Thank you.

The Chairman. The time of the gentleman has expired. We'll now move to a second staff-led round of 30 minutes.

Mr. Volker, I just have a few questions before I turn it back to Mr. Goldman. You testified in response to my colleagues in the minority something along the lines of a lot of people did not make the connection between Burisma and Biden. I think a lot of people have real difficulty understanding that. Tim Morrison testified that I think it took him all of doing a Google search to find out, oh, this is the significance of Burisma, it involves the Bidens.

Are you saying during all this time up until the call, you never made the connection between Burisma and the Bidens? You just thought that the President and Rudy Giuliani were interested in this one particular Ukrainian company?

Ambassador Sondland. Again, my role, Mr. Chairman, was just to get the meeting.

The Chairman. I understand that, but my question is, are you saying that for months and months, notwithstanding everything Rudy Giuliani was saying on TV and all the discussion with Rudy Giuliani, that you never put Burisma together with the Bidens?

Ambassador Sondland. I didn't. And I wasn't paying attention to what Mr. Giuliani was saying on TV. We were talking to him directly.

The Chairman. Let me ask you this: Ambassador Volker testified yesterday to a similar epiphany, for lack of a better word. This is what he said: In hindsight, I now understand that others saw the idea of investigating possible corruption involving Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them very different, as very different, the former being appropriate and

unremarkable, the latter being unacceptable. In retrospect, I should have seen that connection differently, and had I done so, I would have raised my own objections.

Does that sum up your views as well?

Ambassador Sondland. It does.

The Chairman. Now, I think you were asked a question with a bit of an incorrect premise by my colleagues in the minority about Fiona Hill saying that -- referring to a drug deal between you and Mr. Mulvaney. It was Ambassador Bolton who made the comment that he didn't want to be part of any drug deal that Ambassador Sondland and Mulvaney were cooking up.

No one thinks they're talking about a literal drug deal here or a drug cocktail. The import I think of the Ambassador's comments is quite clear, that he believed that this bargain, this quid pro quo, as you've described it, over a meeting, the investigations to get the meeting, was not something he wanted to be a part of.

What I want to ask you about is, he makes reference in that drug deal to a drug deal cooked up by you and Mulvaney. It's the reference to Mulvaney that I want to ask you about. You've testified that Mulvaney was aware of this quid pro quo, of this condition that the Ukrainians had to meet, that is, announcing these public investigations to get the White House meeting. Is that right?

Ambassador Sondland. Yeah. A lot of people were aware of it. And --

The Chairman. Including Mr. Mulvaney?

Ambassador Sondland. Correct.

The Chairman. And including the Secretary of State?

Ambassador Sondland. Correct.

The Chairman. Now, have you seen the acting chief of staff's press conference, in which he acknowledged that the military aid was withheld, in part, because of a desire

to get that 2016 investigation you've talked about?

Ambassador Sondland. I don't think I saw it live. I saw it later, yeah.

The Chairman. So you saw him acknowledge publicly what you have confirmed too, that Mr. Mulvaney understood that two plus two equals four. Is that right?

Ambassador Sondland. Well, again, I didn't know that the aid was conclusively tied. I was presuming. He was in a position to say yes, it was, or no, it wasn't, because --

The Chairman. And he said, yes, it was, did he not?

Ambassador Sondland. He said, yes, it was.

The Chairman. Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman.

And thank you again, Ambassador Sondland. We do appreciate your efforts to refresh your recollection through the documents, and we understand, we share your frustration in not having the documents to help guide this investigation. So we do appreciate those efforts.

One of the documents that you provided to us goes back to the conversation you and the chairman were having about Mr. Mulvaney. And you had been trying for some time before the July 25th call to set up that call. Is that right?

Ambassador Sondland. To set up the call between President Trump and President Zelensky, yes.

Mr. Goldman. Correct, yes.

Ambassador Sondland. Yes.

Mr. Goldman. And I want to show you an email that you reference in your opening statement that is a July 19th email. And who is this from?

Ambassador Sondland. It looks like it's -- is it from me? I don't know.

Mr. Goldman. It's from you, I believe.

Ambassador Sondland. Yeah it's from me to the group.

Mr. Goldman. Now, who is the group?

Ambassador Sondland. People mentioned on the email: Blair, Kenna, McCormack, Mulvaney, Perry, Pompeo.

Mr. Goldman. And who's Robert Blair?

Ambassador Sondland. I believe he's a deputy chief of staff or an adviser to the chief of staff.

Mr. Goldman. And you've already told us that Lisa Kenna is the Executive Secretary for Secretary Pompeo. Who's Brian McCormack?

Ambassador Sondland. The chief of staff for -- he was the chief of staff for Secretary Perry.

Mr. Goldman. And then we see Mr. Mulvaney, Secretary Perry, and Secretary Pompeo.

Can you read what you wrote on July 19th to this group, please?

Ambassador Sondland. He is prepared to receive POTUS call. Will assure him that he intends to run a fully transparent investigation. Will turn over every stone. He would greatly appreciate a call prior to Sunday so he can put out some media about a friendly and productive call, no details, prior to Ukraine election on Sunday.

Mr. Goldman. So Sunday was the 21st, which was the date of the parliamentary elections in Ukraine. Is that right?

Ambassador Sondland. That's right.

Mr. Goldman. When you say, will assure him that he intends to run a fully transparent investigation and will, quote, "turn over every stone," unquote, what do you mean there?

Ambassador Sondland. I'm referring to the Burisma and the 2016/DNC server investigations.

Mr. Goldman. Later that evening, Secretary Perry responds just to you and Brian McCormack, saying, Mick just confirmed the call being set up for tomorrow by NSC. RP. And then a little later, Mr. Mulvaney replies to all, saying: I asked NSC to set it up for tomorrow.

Were these the only responses that you received to this email?

Ambassador Sondland. I don't know. If I have them, I would show them. I don't -- I don't know.

Mr. Goldman. No one wrote back to you and said, what are you talking about, in terms of these investigations and turning over every stone?

Ambassador Sondland. No. There was a chain, and I don't know if it's part of this email or a subsequent email, where I believe Ambassador Bolton pushed back and said he did not want a call to President Zelensky made by President Trump until after the parliamentary elections.

Mr. Goldman. So that would explain why it was moved from the next day, July 20th, to the 25th, right?

Ambassador Sondland. That's right.

Mr. Goldman. But Ambassador Bolton is not on this email, is he?

Ambassador Sondland. I don't think he is, no.

Mr. Goldman. Now, you were asked by Mr. Castor if there are any other key witnesses who might be able to help with our investigation. And you mentioned Brian McCormack, right, the chief of staff for Secretary Perry?

Ambassador Sondland. I did.

Mr. Goldman. You are aware that the committee subpoenaed him, are you not?

Ambassador Sondland. I wasn't aware of that.

Mr. Goldman. And that he refused to come testify. Are you also aware that Mr. Mulvaney was subpoenaed by the committee and refused to come testify?

Ambassador Sondland. I did read that in the newspaper, yes.

Mr. Goldman. Are you also aware that Robert Blair was subpoenaed and refused to come testify?

Ambassador Sondland. I think I'm aware of that.

Mr. Goldman. And that Secretary Perry was asked to come testify and refused?

Ambassador Sondland. I am aware of that as well.

Mr. Goldman. So would you include them as well as Secretary Pompeo as key witnesses that would be able to provide some additional information on this inquiry?

Ambassador Sondland. I think they would.

Mr. Goldman. Now, this was not the first time, as you indicated, that Mr. Mulvaney heard about these investigations into Burisma and the 2016 election. Is that right?

Ambassador Sondland. I don't know what Mr. Mulvaney heard or didn't hear. I think there's been a huge amount of exaggeration over my contact with Mr. Mulvaney. It was actually quite limited.

Mr. Goldman. Well, he certainly didn't indicate -- he certainly indicated a familiarity with what you were talking about in this July 19th email. Is that right?

Ambassador Sondland. Right. Because I think Mr. Mulvaney was in the May 23rd briefing with President Trump. I don't remember, because there were people sitting behind us that were coming and going when we were sitting in front of President Trump's desk.

Mr. Goldman. Okay. Now, you've said that you don't have a recollection of

saying -- referencing Mulvaney in the July 10th meeting in Ambassador Bolton's office.

Is that right or --

Ambassador Sondland. I don't recall.

Mr. Goldman. So when both Fiona Hill and Colonel Vindman testify that in response to a question from Ukrainian officials at that July 10th meeting about scheduling a White House visit that you said, well, I spoke with Mr. Mulvaney and it will be scheduled after they announce these investigations, do you have any reason to dispute that characterization?

Ambassador Sondland. I don't have any reason to agree or dispute. I just don't remember.

Mr. Goldman. So if they both remembered it and they both then went and spoke to the NSC legal adviser about it, you would trust that whatever they relayed to the NSC legal adviser would likely be an accurate reflection?

Ambassador Sondland. Again, I trust that they relayed it to the NSC legal adviser. I don't know whether I said it, and I don't know which conversation -- again, I've had very, very limited conversations with Mr. Mulvaney.

Mr. Goldman. This email indicates that you spoke to President Zelensky and were relaying what he said to very senior officials. Is that right?

Ambassador Sondland. Which email, again?

Mr. Goldman. Sorry. The July 19th email, where you say, the subject is: I talked to Zelensky just now.

Ambassador Sondland. Yes, I've got it.

Mr. Goldman. Was there some sort of assurance that President Zelensky needed to provide about what he would say to President Trump in order just to get the phone call?

Ambassador Sondland. I think that part was verbal. And then there were a lot of communications going around back and forth with the Ukrainians, and that's when someone -- and I don't remember who -- came up with the idea of a draft statement so there would be no misunderstanding about what, in fact, the Ukrainians would say and would be willing to say that we could rely on and negotiate, something on a piece of paper.

Mr. Goldman. So just to place you in time, we're going to get to that draft statement, which was in August. This is July 19th, before the July 25th call. Do you remember whether there was a need from any of the White House officials or other national security officials for President Zelensky to provide some assurance of what he would say to President Trump before a phone call, not the meeting but a phone call was scheduled?

Ambassador Sondland. There was initially apparently a condition, but that condition was obviously dropped, because the phone call took place and there was no such statement made. The phone call took place, as you said, on the 25th of July.

Mr. Goldman. When you say there was no such statement that took place, what do you mean?

Ambassador Sondland. Well, the Ukrainians never made their public statement prior to the phone call on the 25th of July.

Mr. Goldman. Right. But we're not talking about a public statement. What I was asking is whether President Zelensky needed to relay to you or the other American officials that he would assure President Trump that he would do these investigations in a phone call. That is --

Ambassador Sondland. Well, in my email, I obviously had just spoken with him, and he, "he" being Zelensky, and he said that he was prepared to receive the call, and he

would make those assurances to President Trump on that call, and then presumably that would then lead to the White House meeting.

RPTR ZAMORA

EDTR CRYSTAL

[12:19 p.m.]

Mr. Goldman. And you had been discussing this phone call for quite -- for several weeks now. Is that right?

Ambassador Sondland. Yes, with -- I think with Volker, with Perry, with Giuliani through Volker and Perry.

Mr. Goldman. And then right after you sent this email assuring the others that he will discuss the investigations and will turn over every stone, the Burisma and 2016 election investigations, Mr. Mulvaney responded that he asked to set up the call for the next day. Is that right?

Ambassador Sondland. That's what it says.

Mr. Goldman. Now, let's go to that press statement that you were discussing in August. And you testified, I believe, that you understood that Rudy Giuliani was representing the President's interests with regard to Ukraine. Is that right?

Ambassador Sondland. That's what we all understood.

Mr. Goldman. And you all. Who do you mean "we all"?

Ambassador Sondland. Secretary Perry, Ambassador Volker, myself.

Mr. Goldman. In August, you and Ambassador Volker were coordinating with Andriy Yermak, the Zelensky aide, about a press statement. And I want to pull up some of the text exchanges that you are referring to, which, as you acknowledge, helps you refresh your recollection. Is that right?

Ambassador Sondland. And I think Taylor was involved in those initial discussions as well.

Mr. Goldman. Well, he's not on any of these text messages, so perhaps he was.

He does not remember that.

But let's go to the first one on August 9th. There's an exchange between Ambassador Volker and you where you are discussing setting up -- we'll try to bring it up in a second, but I'll just summarize for you.

You're discussing trying to set up a White House meeting -- here it is -- and you say, "Morrison ready to get dates as soon as Yermak confirms."

Mr. Volker -- Ambassador Volker says, "Excellent. How did you sway him?"

You said, "Not sure I did. I think POTUS really wants the deliverable."

What did you mean there?

Ambassador Sondland. The commitment to do the investigations.

Mr. Goldman. And how did you know that the President wanted the deliverable?

Ambassador Sondland. I don't recall. I may have had a conversation with him, or I may have heard it from someone else. But I don't recall, again, without all these records.

Mr. Goldman. Going to the next exhibit, exhibit 10, where -- or August 10 rather -- this is between you and Andriy Yermak. What did you say initially in this exchange?

Ambassador Sondland. "Hello. Good." Oh, no, that's Yermak. "How was your conversation?"

Mr. Goldman. And Mr. Yermak responds, "Hello. Good. My proposal, we receive date and then we make general statement with discussed things. Once we have a date will call for a press briefing announcing upcoming visit and outlining vision for the reboot of U.S.-Ukraine relationship, including, among other things, Burisma and election meddling in investigations."

And you respond, "Got it."

That was your understanding of what this statement had to say to satisfy

Mr. Giuliani. Is that right?

Ambassador Sondland. Yes.

Mr. Goldman. And then ultimately to satisfy the POTUS deliverable?

Ambassador Sondland. Yes.

Mr. Goldman. Now, the next day you write an email to Ulrich Brechbuhl and Lisa Kenna. Are you able to see that on your --

Ambassador Sondland. Yeah, I can see it on the screen, yeah.

Mr. Goldman. Okay. What is the subject of the email?

Ambassador Sondland. Ukraine.

Mr. Goldman. And can you read what you wrote there?

Ambassador Sondland. "Mike," and I'm referring to Secretary Pompeo, "Kurt and I negotiated a statement from Zelensky to be delivered for our review in a day or two. The contents will hopefully make the boss happy enough to authorize an invitation. Zelensky plans to have a big presser on the openness subject, including specifics, next week."

Mr. Goldman. And in your opening statement you said that the specifics -- what did the specifics represent?

Ambassador Sondland. The 2016 and the Burisma.

Mr. Goldman. And when you say "the boss," who do you mean by that?

Ambassador Sondland. President Trump.

Mr. Goldman. And the invitation is what?

Ambassador Sondland. To the White House meeting.

Mr. Goldman. And Lisa Kenna responds, "Gordon, I'll pass to S." And "S" is

Secretary Pompeo?

Ambassador Sondland. Correct.

Mr. Goldman. "Thank you. Lisa."

Now, 2 days later you have a text exchange with Ambassador Volker again, and this is at the end of it, but the earlier text, which we don't have here, you may recall includes the press statement, the revised press statement that includes Burisma and the 2016 election. Is that -- do you recall that?

Ambassador Sondland. Yes. If I could see it, that would be helpful, but yes.

Mr. Goldman. So but you ultimately remembered that after your conversation with Mr. Giuliani you did pass along a statement to the Ukrainians that included Burisma and the 2016 election. Is that right?

Ambassador Sondland. I think there were statements being passed back and forth between Volker, the Ukrainians, and others to try and negotiate acceptable language.

Mr. Goldman. And ultimately that statement was not issued, was it?

Ambassador Sondland. Correct.

Mr. Goldman. And the White House meeting did not --

Ambassador Sondland. Still hasn't occurred.

Mr. Goldman. Still hasn't occurred.

But you certainly understood at that time, did you not, that it was the President's direction and instruction that a White House meeting with President Zelensky would not occur until President Zelensky announced publicly the investigations that the President wanted. Is that right?

Ambassador Sondland. That's correct.

Mr. Goldman. And you now know that the investigations the President wanted

was an investigation into the Bidens and an investigation into the 2016 election?

Ambassador Sondland. I know that now, yes.

Mr. Goldman. I'm going to move ahead to August 22nd. And you wrote an email to Secretary Pompeo, directly to Secretary Pompeo, cc'ing Lisa Kenna, with the subject of Zelensky. And could you please read what you wrote to Secretary Pompeo?

Ambassador Sondland. "Mike, should we block time in Warsaw for a short pull-aside for POTUS to meet Zelensky? I would ask Zelensky to look him in the eye and tell him that once Ukraine's new Justice folks are in place mid-September, Zelensky should be able to move forward publicly and with confidence on those issues of importance to POTUS and to the U.S. Hopefully that will break the logjam."

Mr. Goldman. And Secretary Pompeo responds to you 3 minutes later, "Yes." Now, I want to unpack this a little bit. You said that -- in the middle -- "once Ukraine's new Justice folks are in place." What did you mean by that?

Ambassador Sondland. The new prosecutor that was going to be working for President Zelensky. The old prosecutor, I believe his term was up or he was being let go. He was the Poroshenko prosecutor, and Zelensky wanted to wait until his person was in place.

Mr. Goldman. So once that new prosecutor was in place then Z, "President Zelensky, should be able to move forward publicly and with confidence on those issues of importance to POTUS."

What did you mean by "those issues of importance to POTUS"?

Ambassador Sondland. Again, the 2016 election and Burisma investigation.

Mr. Goldman. Were you aware at this time that Secretary Pompeo had listened into the July 25th phone call?

Ambassador Sondland. I was not.

Mr. Goldman. If he had, do you believe that he would fully understand what the issues of importance to POTUS related to Ukraine would be?

Ambassador Sondland. I mean, I can't characterize his state of mind. He listened in on the phone call and he concluded what he concluded.

Mr. Goldman. But now that you've read the phone call, it's quite clear what the issues of importance to POTUS are?

Ambassador Sondland. Yes.

Mr. Goldman. Biden investigation --

Ambassador Sondland. Yes.

Mr. Goldman. -- and the 2016 election investigation. Is that right?

Ambassador Sondland. That's correct.

Mr. Goldman. Then it says, "Hopefully that will break the logjam."

Now, by this point you were aware that security assistance had been on hold for about 5 weeks. Is that right?

Ambassador Sondland. I became aware on the 18th of July.

Mr. Goldman. And you understood that there was a lot of activity within the State Department and elsewhere to try to get that hold lifted. Is that right?

Ambassador Sondland. That's right.

Mr. Goldman. Just about everybody in the interagency, meaning the national security apparatus, wanted to lift the hold and wanted the aid to go to Ukraine?

Ambassador Sondland. Correct.

Mr. Goldman. So what did you mean here when you said logjam?

Ambassador Sondland. Well, as I said to Chairman Schiff, I meant inclusively anything that was holding up moving forward on the meeting and the Ukraine-U.S. relationship.

Mr. Goldman. And what was holding that up?

Ambassador Sondland. At that point it was the statements about Burisma and the 2016 election.

Mr. Goldman. But what was being held up?

Ambassador Sondland. Well, the aid was being held up obviously.

Mr. Goldman. Four days later, you said in your opening statement, that you sent Rudy Giuliani's contact information to John Bolton. Is that right?

Ambassador Sondland. I did.

Mr. Goldman. Did you know why he asked for that?

Ambassador Sondland. No idea.

Mr. Goldman. Did you know that he was going to Ukraine the next day?

Ambassador Sondland. I knew he was about to go to Ukraine. I didn't know exactly when his trip was, but I thought it was kind of an odd request given that the White House can pretty much get anyone's phone number they want.

Mr. Goldman. Now, in this email to Secretary Pompeo you reference a trip to Warsaw. Ultimately, the Vice President went on that trip?

Ambassador Sondland. That's correct.

Mr. Goldman. And that was the conversation that you talked about -- or you testified earlier to that -- where you said that we really need to get these investigations from Ukraine in order to release the aid in the pre-meeting?

Ambassador Sondland. That's right.

Mr. Goldman. And Vice President Pence just nodded?

Ambassador Sondland. He heard what I said.

Mr. Goldman. And didn't respond in any way?

Ambassador Sondland. I don't recall any substantive response.

Mr. Goldman. But you never specifically referenced the Bidens or Burisma in that meeting, did you?

Ambassador Sondland. I don't remember ever mentioning the Bidens. I may have mentioned Burisma.

Mr. Goldman. And that meeting was with a group. You were not alone with Vice President Pence. Is that right?

Ambassador Sondland. That's correct.

Mr. Goldman. And you know that at that bilateral meeting with President Zelensky, I believe you testified earlier, that Vice President Pence did not mention these investigations at all, right?

Ambassador Sondland. I don't recall him mentioning the investigations.

Mr. Goldman. So that -- your testimony is just simply in a pre-meeting with a group of Americans before the bilateral meeting you referenced the fact that Ukraine needed to do these investigations in order to lift the aid. Is that right?

Ambassador Sondland. I think I referenced -- I didn't say that Ukraine had to do the investigations. I think I said that we heard from Mr. Giuliani that that was the case.

Mr. Goldman. So that helps inform your presumption, correct?

Ambassador Sondland. Correct.

Mr. Goldman. So it wasn't really a presumption. You heard from Mr. Giuliani?

Ambassador Sondland. Well, I didn't hear from Mr. Giuliani about the aid. I heard about the Burisma and 2016.

Mr. Goldman. And you understood at that point, as we discussed, two plus two equals four --

Ambassador Sondland. That's right.

Mr. Goldman. -- that the aid was there as well?

Ambassador Sondland. That was the problem, Mr. Goldman. No one told me directly that the aid was tied to anything. I was presuming it was.

Mr. Goldman. Right. Well, I want to go ahead to -- I want to go back, on September 1st -- or I'm going to jump actually ahead to September 7th, okay. When we discussed those text messages where you said there were multiple convos with President Zelensky and POTUS. Do you recall that?

Ambassador Sondland. Do you have the email by any chance?

Mr. Goldman. We could try to pull it up in a second. But you don't remember, I showed it to you earlier this morning?

Ambassador Sondland. Yeah. Go ahead, though, with your question.

Mr. Goldman. And you confirmed that that likely meant, as you said it did, that you spoke with President Trump. Is that right?

Ambassador Sondland. Again, if my email said I spoke with President Trump, presumably I did.

Mr. Goldman. You are relying pretty heavily in your testimony on the texts and emails that you were able to review. Is that right?

Ambassador Sondland. That's right.

Mr. Goldman. So certainly, if someone else had contemporaneous texts, emails, or notes, you would presume that what they were saying was accurate. Is that correct?

Ambassador Sondland. Well, if they had texts or emails, I would. If they had notes, I don't know. Some people's notes are great. Some people's aren't. I don't know.

Mr. Goldman. But certainly, it would be a helpful refresher to anyone's memory?

Ambassador Sondland. Including my own.

Mr. Goldman. Now, you had a conversation on September 7th, according to both Ambassador Taylor and Tim Morrison, with Tim Morrison where you told Mr. Morrison that President Trump told you that he was not asking for a quid pro quo, but that he did insist that President Zelensky go to a microphone and say that he is opening investigations of Biden and 2016 election interference, and that President Zelensky should want to do this himself.

You don't have any reason to dispute both Ambassador Taylor's and Mr. Morrison's testimony about that conversation, do you?

Ambassador Sondland. No.

Mr. Goldman. On September 8th, you then had a conversation directly with Ambassador Taylor about this same phone call where Ambassador Taylor said that you confirmed that you spoke to President Trump, as he had suggested earlier to you, and that President Trump was adamant that President Zelensky himself, meaning not the prosecutor general, had to, quote, "clear things up and do it in public," unquote.

Do you recall -- you don't have any reason to think that Ambassador Taylor's testimony based on his contemporaneous notes was incorrect?

Ambassador Sondland. I don't know if I got that from President Trump or I got it from Giuliani. That's the part I'm not clear on.

Mr. Goldman. Well, Ambassador Taylor is quite clear that you said President Trump. Mr. Morrison is also quite clear that you said President Trump. You don't have any reason to dispute their very specific recollections, do you?

Ambassador Sondland. No. If they have notes and they recall that, I don't have any reason to dispute it. I just personally can't remember where I got it from.

Mr. Goldman. And then you also told Ambassador Taylor in that same conversation that if President Zelensky -- that rather you told President Zelensky and

Andriy Yermak that although this was not a quid pro quo, as the President had very clearly told you, it was, however, required for President Zelensky to clear things up in public or there would be a stalemate.

You don't have any reason to dispute Ambassador Taylor's recollection of that conversation you had with President Zelensky, do you?

Ambassador Sondland. No.

Mr. Goldman. And that you understood the stalemate referenced the aid. Is that correct?

Ambassador Sondland. At that point, yes.

Mr. Goldman. Ambassador Taylor also described a comment that you made where you were trying to explain what President Trump's view of this was. And you said that President Trump is a businessman, when a businessman is about to sign a check to someone who owes him something, the businessman asks the person to pay up before signing the check.

Do you recall saying that to Ambassador Taylor?

Ambassador Sondland. I don't recall it specifically, but I may have.

Mr. Goldman. And Ambassador Volker also said that you did.

Ambassador Sondland. Okay.

Mr. Goldman. So just to summarize here, by the end of the first week of September, before the aid had been released, you had expressed twice to the Ukrainians that you understood that the aid -- that the investigations needed to be publicly announced on CNN in order for the aid to be released. Do you recall that?

Ambassador Sondland. I didn't say that they had to be announced on CNN. The Ukrainians said to me or to Ambassador Volker or both of us that they had planned to do an interview anyway on CNN and they would use that occasion to mention these

items.

Mr. Goldman. And that even though at some point you had calculated two plus two to equal four and therefore you believed that the aid was conditioned on the investigations, that you had a phone call with President Trump that you relayed to both Tim Morrison and Ambassador Taylor, whose accounts of that conversation you do not dispute, where President Trump confirmed that President Zelensky needed to publicly announce the investigations or otherwise the obvious implication of the stalemate would be that the aid would not be released. Is that correct?

Ambassador Sondland. Again, the implication. I did not hear directly from President Trump that the aid would be held up until the statement was made. I did not hear those words.

Mr. Goldman. Well, you agree with whatever Mr. Morrison and Ambassador Taylor testified to about the conversation you had with President Trump. Is that right?

Ambassador Sondland. Remind me again. I don't want to misspeak.

Mr. Goldman. Well, you just said you have no reason to dispute their accounts based on their detailed notes.

Ambassador Sondland. Were they saying that I told them that President Trump said that the aid would not be released until the statements were made? Because I said repeatedly I don't recall President Trump ever saying that to me.

Mr. Goldman. Okay.

The Chairman. I think what they said, if I could just finish this line of questioning --

Mr. Goldman. Yeah.

The Chairman. -- was that President Trump was adamant that President Zelensky himself had to clear things up, quote, "clear things up and do it in public,"

unquote.

So what they related was although President Trump claimed to you there was no quid pro quo, he also made it clear to you in that call that President Zelensky had to, quote, "clear things up and do it in public."

You don't have a reason to dispute that's what you told --

Ambassador Sondland. I don't have any reason to dispute the clear things up and do it in public. What I'm trying to be very clear about was President Trump never told me directly that the aid was tied to that statement.

The Chairman. But in that same conversation you had with him about the aid, about the quid pro quo, he told you that President Zelensky had to, quote, "clear things up and do it in public," correct?

Ambassador Sondland. I did not have a conversation with him about the aid. I had a conversation with him, as referenced in my text, about quid pro quo.

The Chairman. Well, the quid pro quo you were discussing was over the aid, correct?

Ambassador Sondland. No. President Trump, when I asked him the open-ended question, as I testified previously, what do you want from Ukraine? -- his answer was, I want nothing. I want no quid pro quo. Tell Zelensky to do the right thing. That's all I got from President Trump.

The Chairman. Did you also get from President Trump, as reflected by Ambassador Taylor, that he said he was adamant that President Zelensky had to, quote, "clear things up and do it in public"?

Ambassador Sondland. That part I can agree to, yes.

The Chairman. Time is now with the minority for 20 minutes -- I'm sorry, 33 minutes.

Mr. Nunes. Thirty-three minutes. Thank you, Mr. Chair.

Ambassador, you've been in business for a long time.

Ambassador Sondland. I have.

Mr. Nunes. So if you want to get to the bottom of something, somebody that's running a department or one of your buildings or something, who do you go to?

Ambassador Sondland. The boss.

Mr. Nunes. The manager of whatever company it is?

Ambassador Sondland. Exactly.

Mr. Nunes. Right?

Ambassador Sondland. Correct.

Mr. Nunes. So if you want to get to the bottom of foreign aid, you'd probably go to the people that are in charge of foreign aid here in this town, wouldn't you? Because you're not in charge of foreign aid.

Ambassador Sondland. I'm not in charge of foreign aid.

Mr. Nunes. And you've had to testify that you've presumed foreign aid was this or that, and you're guessing that this was tied to foreign aid.

But there are people in this town who are in charge of the foreign aid. And, in fact, I don't think it's very fair to you at all, or to us or to the American people, you might be surprised that we had that person here in the Capitol in a secret deposition in the basement last Saturday.

Now, that testimony might be pretty important to you before you're here to testify, if you could've read that, your lawyers could've went through that, because it may have clarified some more things for you about the -- about your recollection about the foreign aid.

So, you know, we've heard -- earlier we heard about the -- we had the chair

looking at the cameras telling the American people, talking about Watergate, with their Watergate fantasies that they continue to -- I guess they fantasize about this at night. And then they come here and talk about obstruction of justice because they're not giving you documents that you think you should have.

So now they've laid out their clear Watergate argument for Articles of Impeachment. So I just have to remind the gentleman, I know we're not in a court of law because you wrote the rules, the chair here did, but I would think it's obstruction of justice to not give the American people and give the ambassador the right to look at the transcript of the man who's in charge of the foreign aid in this town.

Now, I could get into what he said but -- and the chair could release what he said. And we're not even allowed to call that witness here today.

So let's talk about things that we do know are facts, okay, as best as I think you and I and most people know them.

President Trump does not like foreign aid to start with. Is that correct, Ambassador?

Ambassador Sondland. I've heard that, yes.

Mr. Nunes. And you've testified that watching over the EU, you have 28 countries, you have neighboring countries that you work with. One of his biggest complaints is the lack of participation that those countries participate in programs around the world. Isn't that correct?

Ambassador Sondland. That's correct.

Mr. Nunes. Especially NATO?

Ambassador Sondland. Yes.

Mr. Nunes. Right? That's one of your -- when you start -- when you go down the list of the jobs that -- when you get directions from the White House, when you first

became ambassador, probably one of the number one things -- I don't want to put words in your mouth -- but on the top of the list was making sure countries pay their fair share, especially with NATO?

Ambassador Sondland. Yeah. And we have a very capable ambassador to NATO, so I'm not going to take her lane.

Mr. Nunes. But it's one of the -- but you work with those countries. It's one of the issues that you bring up in your meetings, correct?

Ambassador Sondland. It is.

Mr. Nunes. So now, I know you weren't on the July 25th phone call, but one of the first things that the President of the United States brings up is Germany's lack of participation -- I think he names the President of Germany directly -- that they're not participating in helping out Ukraine, who's one of their neighbors. Is that what you read in the transcript?

Ambassador Sondland. I've heard that, yes.

Mr. Nunes. So the whole idea that the President, starting out with he doesn't like foreign aid, he doesn't think countries pay their fair share, that's looking out for the taxpayer, but there's more. And we talked about this in your deposition. We talked about it, about how we have requirements.

The Congress writes requirements into the law that require you and all the diplomats to carry out the foreign policy of this country for the President of the United States. Before the President can certify foreign aid and send foreign aid, there has to be certification that there's no corruption. You're aware of that now?

Ambassador Sondland. I am now, yes.

Mr. Nunes. So being that you learned about that in your deposition, now looking back at clearly the challenges and concerns the President had with the involvement of

high-level Ukrainian Government officials, including the ambassador here in the United States that attacked him during his Presidential campaign, the concerns of leaks that were leaks or just made up stories and conspiracy theories that were spun in the Steele dossier that the Democrats on this committee own, they paid for it, other DNC operatives that were working with the Ukrainian ambassador here in Washington, D.C., to dirty up your boss, the President of the United States, we're not going to hear from those witnesses.

Just like we're not going to hear from the person we deposed on Saturday. We're not going to hear about what the real reason, the person who's in charge of making sure that foreign aid is delivered, we're not going to hear about what actually happened with the foreign aid.

Wouldn't that have made it a lot easier for you to testify instead of guessing and doing little funny math problems up here, two plus two equals four? It's great for all the viewers to hear that. Wouldn't it be easier if you just knew exactly why the foreign aid wasn't given?

Ambassador Sondland. It would have been easier to testify if I had a totality of the record.

Mr. Nunes. And would you trust the person who's in charge of cutting the checks for foreign aid, a top career diplomat, or the top career official?

Ambassador Sondland. I'd have no reason not to.

Mr. Nunes. Well, Ambassador, I don't know if we'll get to speak again, if we have some more magical minutes, but I'm done with questions with you. I know the rest of our members have more questions.

And let me turn to -- I know Mr. Castor has some more questions.

Mr. Castor. Hello again, Ambassador.

Ambassador Sondland. Hi.

Mr. Castor. I will try not to use all of this time as a courtesy to you. I just want to go through some distinctions between your opener and your deposition and some other witnesses.

In your opening statement today you said President Trump directed us to talk with Rudy, correct?

Ambassador Sondland. Correct.

Mr. Castor. But then you and I had a little bit of a back and forth about the President just said, talk to Rudy. And I believe, and correct me if I'm wrong, you took that to mean if we wanted to move forward with these types of things, Rudy was the place to go?

Ambassador Sondland. Rudy was the guy.

Mr. Castor. Okay. But President Trump didn't direct you to talk to Rudy, correct?

Ambassador Sondland. It wasn't an order. It was, if you want to work on this, this is the guy you've got to talk to.

Mr. Castor. Ambassador Volker in his deposition said, I didn't take it as an instruction but just as a comment. Talk to Rudy. You know, he knows these things. And you've got some bad people around him, I mean, referring to the Ukrainians. So, I mean, Ambassador Volker hasn't testified that there's any sort of order or direction to talk to Rudy?

Ambassador Sondland. I don't know what he testified. It became very clear to all three of us that if we wanted to move the relationship forward, President Trump was not really interested in engaging. He wanted Rudy to handle it. And as I said in my opening statement, Secretary Perry took the lead and made the initial contact with Rudy, and that's when we began working with him.

Mr. Castor. And as to the question of whether Mr. Giuliani was expressing the desire specifically to the President of the United States, in your deposition you said, I don't know, I don't know if this was coming out of Rudy Giuliani irrespective of the President. Correct?

Ambassador Sondland. Yeah. I'm not going to dispute what I said in my deposition. That's true, yeah.

Mr. Castor. Okay. And we walked through all your communications with Rudy Giuliani, and there are not a lot, right?

Ambassador Sondland. Correct.

Mr. Castor. Ambassador Volker in his deposition on the same question said, I did not have that impression, I believe Mr. Giuliani was doing his own communications.

And, you know, granted, Mr. Giuliani had business interests in Ukraine, correct?

Ambassador Sondland. Now I understand he did. I didn't know that at the time.

Mr. Castor. Okay. With Messrs. Parnas and Fruman, correct?

Ambassador Sondland. A lot of new names I've learned.

Mr. Castor. Okay. And you had never met with those folks?

Ambassador Sondland. No.

Mr. Castor. And then in your September 9th communication with the President -- during your deposition that was a striking moment when you walked us through your telephone call with President Trump on September 9th.

Ambassador Sondland. By the way, I still cannot find a record of that call because the State Department and the White House cannot locate it, but I'm pretty sure I had the call on that day.

Mr. Castor. But whether it was the 9th or the 8th, you had this call. It was

extremely memorable, right?

Ambassador Sondland. It was.

Mr. Castor. And you've been very honest, and we're not trying to give you a hard time on all the times you don't recall. We're just trying to say that there's a lot of important events that have happened that the committee has asked you about, and you've honestly said, I don't recall.

But the call with President Trump, on September 9th or the 8th, you recall it vividly, right?

Ambassador Sondland. I recall it vividly because it was keyed by the sort of frantic emails from Ambassador Taylor. I had, again, prior to that call had all kinds of theories as to why things weren't moving, why there was no White House meeting, why there was no aid, why there was no this, why there was no that. And I was getting tired of going around in circles, frankly.

So I made the call, and I asked, as I said, the open-ended question, what do you want from Ukraine? And that's when I got the answer.

Mr. Castor. And he was unequivocal: Nothing.

Ambassador Sondland. What I said in the text is what I heard.

Mr. Castor. I'm curious, was that vignette in your opener today?

Ambassador Sondland. I don't think so.

Mr. Castor. How come? It's so memorable, so striking.

Ambassador Sondland. I don't know. It was in my previous testimony, and I assumed if people had questions, they would bring it up.

Mr. Castor. Okay. I mean, this is an example, you know, a lot of witnesses during the course of this investigation have dealt with ambiguities in different ways, and some have resolved them in the light least favorable to the President over and over again.

This is an exculpatory fact shedding some light on the President's state of mind about the situation about the --

Ambassador Sondland. And I'm happy to discuss it.

Mr. Castor. So I'm just wondering why you didn't mention it in your opener.

Ambassador Sondland. There were so many things I wanted to include in my opening, and my opening was already, I think, 45 minutes or something. It would have been an hour and a half. There were a lot of things I'd liked to have mentioned in my --

Mr. Castor. Okay. But you only had a couple conversations with the President, and we're trying to evaluate whether the --

Ambassador Sondland. It was not -- it was not -- it was not purposeful. Trust me.

Mr. Castor. Okay. Talking about striking conversations, Mr. Holmes, when he came here last Friday in the basement, he, I'll tell you, he thought your conversation that you had with the President was like the most memorable thing he's ever experienced.

Ambassador Sondland. How many conversations has he had with the President?

Mr. Castor. He probably hasn't had any. But he was energized, enthusiastic about telling us about this conversation. And he --

Ambassador Sondland. So not only did I buy him lunch, but I also provided entertainment?

Mr. Castor. And he -- I mean, he conferred with us that he regaled anyone that he came across with this story. And that's, I guess, a discussion for Thursday.

But other than the colorful language, and he was definitely moved by the color, but he was unequivocal that you brought up the Bidens in the post-call discussion.

And he said something to the effect of the President's only interested in big things, and Mr. Holmes said that, oh, there's a lot of big things going on in Ukraine, like

there are, there's a war. Ukraine's under attack from the east by Russia. And he puts words in your mouth to the effect of, no, the President only cares about investigations like Rudy is pitching about the Bidens.

And what's important about this, this is the day after the 7/25 call. And what's reported by Mr. Holmes and you, to the extent you've confirmed it, isn't anything different than happened on the 7/25 call, agreed? From the President's standpoint?

Ambassador Sondland. No. With 20/20 hindsight, now that we've had the transcript of the call, the Bidens were clearly mentioned on the call. But I don't -- I wasn't making the connection with the Bidens.

Mr. Castor. Right. But with regard to the President, it was just mentioning investigations.

Ambassador Sondland. That's all he said on the phone was investigations, I think.

Mr. Castor. Right. But you told us time and again that you never realized the Bidens were part of any of this, that the Burisma, and you talked about a continuum, and you never came to understand that until maybe as late as September 25th, correct?

Ambassador Sondland. I don't know the exact date, but it was pretty late.

Mr. Castor. Okay. And Ambassador Volker said the Bidens never came up after his one breakfast meeting with Mayor Giuliani where he testified that he tried to disabuse the mayor of anything relating to the Bidens.

Ambassador Sondland. And I think Secretary Perry publicly stated that he never heard Biden either until the end, so --

Mr. Castor. Okay. So when you testify here today that you have no recollection of mentioning the Bidens to Mr. Holmes, that's not just a recollection. That's based on your state of mind at that point in time and your state of mind up to, you

know, September 25th, correct?

Ambassador Sondland. I wasn't into investigating the Bidens.

Mr. Castor. So it's very surprising to you that he would mention that, right?

Ambassador Sondland. It was very surprising to me.

Mr. Castor. I want to go back to a couple things in your statement. This July 26th meeting with President Zelensky, earlier in the day, from this lunchtime event we've been talking about.

During the course of the meeting with President Zelensky did any of the parties discuss what came up on the telephone call?

Ambassador Sondland. I don't believe so.

Mr. Castor. Okay. So President Zelensky didn't express any concerns about the content of the call, right?

Ambassador Sondland. I mean, all I heard about that call was that it was a good call. It was friendly. Everyone was happy, you know. I was delighted to hear that so that we could now move to the next phase, which was the meeting.

Mr. Castor. Okay. So you can tell us with certainty that nobody talked about demands in that meeting or fulfilling the President's demands?

Ambassador Sondland. I don't remember exactly. Again, this is a great example, Mr. Castor, of where I would have loved to have seen the notes from the meeting. I didn't take any notes, but I know there were notes taken.

But I don't remember any heated conversation in the meeting. I remember it being a really, really friendly, good meeting. And that's why I said what I did to the President the next day, which was, you know, Zelensky will do whatever you want, he's very happy.

Mr. Castor. And you don't remember any discussion of -- by President Zelensky

of lamenting how he had to navigate this difficult situation, right?

Ambassador Sondland. I don't -- I don't know. I know that that was in the whistleblower complaint, something about navigating something. I didn't --

Mr. Castor. It was.

Ambassador Sondland. I didn't remember anything like that.

Mr. Castor. Okay. And I want to get back to your --

Mr. Nunes. Will the gentleman yield a second?

Mr. Castor. Of course.

Mr. Nunes. Which would be another helpful thing also, Ambassador, is if we actually had heard from the whistleblower and we had testimony of the whistleblower. Then you wouldn't have to be up here speculating as much and guessing because you would have a source that would have been interviewed. We have his complaint. We could've matched it up with your testimony along with the people from OMB.

That would have made it very easy for you to testify, so you wouldn't have to just try to remember all this stuff and chase conspiracy theories around that the Democrats have continued to lay out for the last 6 weeks, moving from quid pro quo to extortion to bribery to -- where are we at today? -- obstruction of justice, and now back to quid pro quo.

We wouldn't have had to do all that if the whistleblower would have testified. You wouldn't have to speculate about what the whistleblower only had in his or her complaint, that nobody seems to know.

Yield back to Mr. Castor.

Mr. Castor. Thank you, Mr. Nunes.

I want to turn to your -- a couple of times in your opener you said everyone was in the loop. And I just want to -- you know, these televised proceedings, sometimes you

lose track of things. And, you know, everyone was not in the loop with your speculation or your guess that: In the absence of any credible explanation for the suspension of aid I later came to believe that the presumption of security aid would not occur without public statement from the Ukraine. Everyone wasn't in the loop with that, right?

Ambassador Sondland. Well, the Secretary was, because that's why I sent my email.

Mr. Castor. But your emails -- let's look at your emails. There's two emails that you sent to the Secretary, right, that are here?

Ambassador Sondland. August 22nd?

Mr. Castor. And August 11th?

Ambassador Sondland. August 11th.

Mr. Castor. So the August 11th email -- we went through this before, I'm sorry to go through it again -- you said to the Secretary, "Kurt and I negotiated a statement from Z to be delivered for our review in a day or two. The contents will hopefully make the boss happy enough to authorize an invitation. Z plans to have a big presser on the openness subject next week."

A couple things here. This is only relating to the White House meeting, correct?

Ambassador Sondland. Yes, I believe so.

Mr. Castor. Okay. And this is only -- this is just investigations generally making a public statement of openness generally, right?

Ambassador Sondland. Well, I think by August 11th, Mr. Castor, I think we were talking about 2016 and Burisma. The investigations generally was really early in the --

Mr. Castor. Okay. But do we know that Secretary Pompeo knows that?

Ambassador Sondland. I think so. I think --

Mr. Castor. Why?

Ambassador Sondland. Well, only because I think Ambassador -- or, I'm sorry, Counselor Brechbuhl was briefed on all of these things and --

Mr. Castor. By who? By you?

Ambassador Sondland. By, I believe, Ambassador Volker, by myself, various --

Mr. Castor. That's not what he testified to. I mean, did you -- did you --

Ambassador Sondland. Ambassador -- or Counselor Brechbuhl testified? I didn't know he had testified.

Mr. Castor. No. No. Ambassador Volker.

Ambassador Sondland. Oh, okay.

Mr. Castor. He didn't testify that he briefed Mr. Brechbuhl. I mean, this email to the Secretary is talking about this statement -- which, by the way, I mean, you said: Kurt and I negotiated a statement and the statement never went --

Ambassador Sondland. It didn't go anywhere.

Mr. Castor. Ambassador Volker said it wasn't a good idea. Mr. Yermak said it wasn't a good idea.

But what you're writing to the Secretary here is just, you know, it relates to a generic openness subject, right?

Ambassador Sondland. Yeah. I think the Secretary, though, was on the July 25 call, which, obviously, I wasn't on, and I didn't know about.

Mr. Castor. Okay. But you used this email to suggest that everyone was in the loop, that like security sector assistance was tied to some sort of act by the Ukrainians.

Ambassador Sondland. No. No. I don't think I said that -- I don't think I said that the assistance was involved here. I think I was --

Mr. Castor. Okay. So what was everyone in the loop about then?

Ambassador Sondland. Well, the Secretary was in the loop that we had

negotiated a statement. I am fairly comfortable that the Secretary knows where the statement was at that point -- in other words the 2016 and Burisma -- and that Lisa passed that along to him and kept him informed.

Mr. Castor. Okay. So we can agree that at this point in time the Secretary wasn't in the loop that there was a conditionality on the security sector assistance?

Ambassador Sondland. Hold on a second. Are you asking about July 19th, exhibit 4?

Mr. Castor. I was asking about your email to the Secretary on August 11th.

Ambassador Sondland. Oh, okay. Well, on July 19th, which the Secretary was on, I talked about fully transparent investigation and turn over every stone. And the Secretary was on that. So --

Mr. Castor. Okay. But you testified at your deposition that on July 19th in this continuum you talked about --

Ambassador Sondland. Yeah.

Mr. Castor. -- at that point in the continuum it was just a generic investigation. It wasn't anything involving --

Ambassador Sondland. I think it went -- again, I'm not trying to put words in anyone -- I think it went from the original generic from, you know, May 23rd, when we left the Oval Office, we're talking about corruption and oligarchs, until Mr. Giuliani started to become involved, and then it transitioned into the Burisma and --

Mr. Castor. You hadn't even talked to Giuliani by that time. This is July 19th.

Mr. Luskin. Mr. Castor, with all due respect, will you allow him to finish his answer, please?

Mr. Castor. Sorry. Use the mike.

Mr. Luskin. Will you allow him to finish his answer, please?

Mr. Castor. Of course. I apologize.

Ambassador Sondland. We were communicating with Mr. Giuliani through Secretary Perry and through Ambassador Volker. I wasn't talking to Mr. Giuliani directly until after August 1st.

Mr. Castor. Good. But as of July 19th, weren't we still on the generic part of the continuum?

Ambassador Sondland. I don't know. I believe we were -- I believe by then we were talking about Burisma and 2016, to be candid.

Mr. Castor. But not Biden?

Ambassador Sondland. No. No. Not Biden, no.

Mr. Castor. Okay. And then turning to your email of August 11th.

Ambassador Sondland. Yeah, got it.

Mr. Castor. I'm sorry. We just dealt with that. August the 22nd.

Ambassador Sondland. 22nd?

Mr. Castor. Yeah. It's page 23 of your opener.

Ambassador Sondland. Yeah, I got it.

Mr. Castor. And this is where you were requesting a pull-aside for the President, and this is when the President was --

Ambassador Sondland. He was still going to go, yes.

Mr. Castor. He was going to go. It was before the hurricane bumped that off his schedule.

Ambassador Sondland. Right.

Mr. Castor. I would ask Zelensky to look him in the eye and tell him that once Ukraine's new Justice folks are in place Zelensky should be able to move forward publicly and with confidence on those issues of importance to the President and the United

States. Hopefully, that will break the logjam.

And at this point in time, the issues of importance to the President of the United States were what?

Ambassador Sondland. The two investigations.

Mr. Castor. Okay. But nothing to do with Vice President Biden, right?

Ambassador Sondland. Again, I didn't make the connection.

Mr. Castor. I'm going to just pivot briefly to the President's concerns about foreign assistance.

Under Secretary Hale, who will be with us later today, testified that during this relevant timeframe there was a real focus to re-examine all Federal aid programs. Are you aware of that interest of the President?

Ambassador Sondland. I'm generally aware of the President's skepticism toward foreign aid and, you know, conditioning foreign aid on certain things. I'm generally aware of that, yes.

Mr. Castor. And Ambassador Hale testified, and his testimony has been public, almost a zero-based concept, that each assistance program and each country that receives the program be evaluated. The program made sense that we avoid nation building and that we not provide assistance to countries that are lost to us in terms of policy, whether it's because corruption or, you know, another reason.

Is that something you were aware of at the time?

Ambassador Sondland. Generally, yes.

Mr. Castor. Okay. And you're certainly aware that the President was concerned about the European allies, the contributions to the region?

Ambassador Sondland. Exactly why I was involved.

Mr. Castor. Okay. So, you know, as we get down to September 11th, right

before the aid, you know, you're advocating that the pause be lifted, correct? I mean, you can't --

Ambassador Sondland. I didn't think -- I personally didn't think the pause should have ever been put in place.

Mr. Castor. Okay. But as we get down to September 11th and you're talking with Senator Johnson and so forth, you don't know with certainty that the genuine reason the President was implementing the pause wasn't because of his concerns about the allies or his concerns about foreign assistance generally or that he wasn't just trying to hold the aid as long as he could to see what he could, you know, what type of information he could get about those two subjects?

Ambassador Sondland. Fair enough.

Mr. Castor. Okay. I am really trying to finish up before my -- so I can yield some time back. Do we have anything else?

Mr. Nunes. I have nothing else.

Mr. Castor. Thank you. I yield back.

The Chairman. The gentleman yields back.

Mr. Nunes. We yield back the balance of our time.

The Chairman. Let's take a 30-minute recess to allow Mr. Sondland, Ambassador Sondland, to get a bite to eat. I think the members of the committee might like to get a bite to eat. And then we will resume with the member rounds of questioning of 5 minutes.

If we could allow the witnesses to have the opportunity to leave the room first.

Mr. Luskin. Mr. Chairman, Ambassador Sondland had intended to fly back to Brussels to resume his duties at the end of the day. And so it would be a great convenience to us if we could have a shorter break now and resume with the members'

questions and try and wrap up in time that he might be able to make his flight.

The Chairman. I appreciate that, counsel. We all have a busy schedule these days.

The member round of questions should take, I think, slightly less than 2 hours. So I think you should be good depending on the time of your flight. But we will endeavor to make the break as short as possible.

Mr. Luskin. Thank you, sir.

The Chairman. If you would like to excuse yourself from the room before the rest of the crowd.

Mr. Luskin. Thank you, Mr. Chairman.

The Chairman. We stand in recess.

[Recess.]

RPTR ZAMORA

EDTR SECKMAN

[1:38 p.m.]

The Chairman. The committee will come to order.

We will now proceed to the 5-minute member questioning. First, I wanted to recognize myself for 5 minutes. First of all, I wanted to clarify something for the record. With respect to the witness who testified on Saturday -- that is Mr. Sandy; he is a career official with the Office of Management and Budget. He is today reviewing his transcript, an opportunity we give all the witnesses before their transcript is released to make sure that it's accurate and correct. As his deposition was only taken on Saturday, this was the soonest we could arrange that.

We did inform the minority yesterday that if they wish to use any of the questioning from Mr. Sandy's deposition, they could do so, and we would happily take whatever excerpts they needed even prior to the witness having the chance to go through it. They chose not to take advantage of that opportunity.

But I would make this far more significant point, which is he is not the top official at the Office of Management and Budget responsible for releasing foreign assistance. Those individuals are named Vought and Duffey. And both of those political appointees have been subpoenaed to testify, and both of those political appointees have refused.

In fact, as the deposition will make clear when the transcript is released, at a certain point, Mr. Sandy was taken out of at least one significant part of the process. But that transcript will be made available as soon as he finishes the review, and we can redact any personal information from it.

I want to ask you just a few questions, and our staff because of the expanded round, had time to get through much of what I wanted to ask you, Ambassador. But

with respect to the statement, you are going back, and I mean by you and others Ambassador Volker and others were going back and forth with the Ukrainians to figure out what statement they would have to make to get the meeting, correct?

Ambassador Sondland. Correct.

The Chairman. And they understood they were going to have to make this statement publicly in order to get the meeting?

Ambassador Sondland. Correct.

The Chairman. Similarly, you testified that pretty much everyone could put two and two together and make four and understood that the military assistance was also conditioned on the public announcement of these two investigations, correct?

Ambassador Sondland. That was my presumption, yeah.

The Chairman. You put two and two together and you got four. Is that right?

Ambassador Sondland. Yes.

The Chairman. Now, you're capable of putting two and two together, and so are the Ukrainians. They can put two and two together. As well, they understood there was a hold on security assistance. There is testimony that they understood that in July or August, but it was without a doubt understood when it was made public in the newspaper. They understood that the security assistance was being held up, right?

Ambassador Sondland. I don't know when they understood it, but presumably they did.

The Chairman. Well, certainly once it was public, they understood the security assistance was withheld, right?

Ambassador Sondland. Once it was public, I assume so, yes.

The Chairman. And indeed that was one of the issues that was brought up in that meeting between Zelensky and Pence in Warsaw?

Ambassador Sondland. I think, as I testified previously, Chairman, I think Zelensky, if I recall, asked the question more open ended, like when do we get our money?

The Chairman. Well, okay. So they understood they didn't have the money yet. It had been approved by Congress, there was a hold on it. You couldn't give them any explanation.

Ambassador Sondland. I couldn't.

The Chairman. Is that right?

Ambassador Sondland. That's right.

The Chairman. They asked. You couldn't tell them why it was being withheld, right?

Ambassador Sondland. I could not.

The Chairman. And if they couldn't put two and two together, you put two and two together for them because you told them in Warsaw they were going to need to make that public statement likely to get that aid released. Is that right?

Ambassador Sondland. I said I presume that might have to be done in order to get the aid released.

The Chairman. Because we've had a lot of argumentation here, "Well, the Ukrainians didn't know the aid was withheld," but the Ukrainians found out and then it was made abundantly clear, if they hadn't put two and two together themselves, that if they wanted that aid, they were going to have to make these statements, correct?

Ambassador Sondland. Correct.

The Chairman. Mr. Nunes.

Mr. Nunes. I yield to Mr. Ratcliffe.

Mr. Ratcliffe. Ambassador Sondland, I'm going to try and quickly move to

summarize all of your direct communications with President Trump as it relates to this inquiry, and, of course, you can correct me if I get it wrong.

On May 23rd, you had a group meeting that included what you called a vanilla request about ending corruption involving Ukrainian oligarchs, correct?

Ambassador Sondland. Correct.

Mr. Ratcliffe. On July 25th, you called President Trump to say you were on your way to Ukraine but nothing of substance occurred on that call, correct?

Ambassador Sondland. Correct.

Mr. Ratcliffe. On July 26th, you had a 5-minute call at a restaurant that you didn't originally remember because it, according to your statement this morning, quote, did not strike me as significant at the time, end quote, but once refreshed recalled that the primary purpose was a rapper named A\$AP Rocky, correct?

Ambassador Sondland. Correct.

Mr. Ratcliffe. And on September 9th and, most importantly, reading from your deposition, you called President Trump to ask him: What do you want from Ukraine?

He responded: I want nothing. I want no quid pro quo. I want Zelensky to do the right thing. I want him to do what he ran on.

And what he ran on was fighting corruption, correct?

Ambassador Sondland. Correct.

Mr. Ratcliffe. And then, lastly, on October 2nd, in a random in-person meeting that you had, an event for the Finnish President, you ran into President Trump and advised him that you'd been called to testify before Congress, and he said to you, good. Go tell the truth.

Ambassador Sondland. That's correct.

Mr. Ratcliffe. All right. And that is the entirety of your recollection of your

direct communications with President Trump about these matters?

Ambassador Sondland. I may have had another call or meeting or two. Again, I wish, Mr. Ratcliffe, I had the record.

Mr. Ratcliffe. I understand. But this is what you recall?

Ambassador Sondland. This is what I recall.

Mr. Ratcliffe. Okay. So stop me if there's anything sinister or nefarious in any of this: A vanilla request about corruption; a call to say "I'm on my way to Ukraine"; a 5-minute call you didn't remember as significant, but its primary purpose was to discuss a rapper; a call that you made where the President said "I want nothing, I want no quid pro quo, I want Zelensky to do the right thing, I want him to do what he ran on"; and him telling you to go tell Congress the truth. Anything sinister or nefarious about any of that?

Ambassador Sondland. Not the way you present it.

Mr. Ratcliffe. Okay. And that is the truth, as you've presented it, correct?

Ambassador Sondland. Correct.

Mr. Ratcliffe. All right. Why that's important, Ambassador Sondland, is because none of that is hearsay. None of that is speculation. None of that is opinion. That is direct evidence, and ultimately that is what, if this proceeds to the Senate, they're going to care about.

Unlike this proceeding, which has been based on largely speculation and presumption and opinion, this is direct testimony and direct evidence. And to that point, none of that included evidence about the Bidens and none of that included evidence about military assistance because President Trump never mentioned either of those to you, correct?

Ambassador Sondland. That's correct.

Mr. Ratcliffe. All right. So, going back to the July 26th call, because it's going to be a spectacle tomorrow, you didn't remember it because it didn't strike you as significant at the time. Is it fair to say that, if the President of the United States was asking you to do or say something improper or unlawful, that would have been significant to you?

Ambassador Sondland. Yes.

Mr. Ratcliffe. All right. And if that call was part of a bribery or extortion scheme that you were part of as Democrats have alleged, you'd remember that as significant, wouldn't you?

Ambassador Sondland. I was not a part, and I would have remembered.

Mr. Ratcliffe. I understand that, and I agree with you.

Let's turn to the quid pro quo because it's been reported in the papers that this was Blockbuster testimony today about quid pro quo and new evidence. To be fair to you, Ambassador Sondland, according to your statement today, as you say on page 14, as you testified previously, this was your opinion that there was a quid pro quo, correct?

Ambassador Sondland. The 2016 Burisma and the -- excuse me, the 2016 election and Burisma in return for the White House meeting. That's correct.

Mr. Ratcliffe. Right. So you've shared that before. To that point, to be clear again, on the part of it that relates to military assistance, though, you don't have any direct evidence from President Trump about that part of it. That's your two-plus-two part of the equation, right, the presumption, correct?

Ambassador Sondland. That's correct.

Mr. Ratcliffe. All right. And you understand also that others disagree. Yesterday we heard from Mr. Morrison, Ambassador Volker. They testified that they didn't see a quid pro quo. Do you understand that?

RPTR BRYANT

EDTR HUMKE

[1:50 p.m.]

Ambassador Sondland. I understand that that's what they said.

Mr. Ratcliffe. Okay. That reasonable people could look at all of this and come to different conclusions, correct?

Ambassador Sondland. Correct.

Mr. Ratcliffe. I yield back.

The Chairman. Mr. Himes.

Mr. Himes. Thank you, Mr. Chairman.

Ambassador, thank you for testifying.

Ambassador, a couple things jumped out at me in your testimony. In your opening statement, you say: Mr. Giuliani demanded that Ukraine make a public statement announcing investigations of the 2016 election, DNC server, and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew that these investigations were important to the President.

That last sentence is interesting. No conditionality, no modifiers. Mr. Giuliani was expressing the desires of the President of the United States.

Mr. Giuliani communicates in colorful and memorable terms. What did Mr. Giuliani say to you that caused you to say that he is expressing the desires of the President of the United States?

Ambassador Sondland. Mr. Himes, when that was originally communicated, that was before I was in touch with Mr. Giuliani directly. So this all came through Mr. Volker and others.

Mr. Himes. So Mr. Volker told you that he was expressing the desires of the

President of the United States?

Ambassador Sondland. Correct.

Mr. Himes. And subsequently, when you saw the July -- the transcript of the July 25th conversation with President Zelensky, you put it all together and, yeah, this is the desire of the President of the United States?

Ambassador Sondland. After I saw the July 25th readout.

Mr. Himes. Right. Okay. The other thing that is interesting here, you were -- the theme of your testimony today is that everybody knew and signed off, which is a little different from what we've heard, right? We've heard this from others saying that your effort out there was irregular, it was shadow foreign policy, characterized as a drug deal. And by the way, that was not a Democratic characterization, despite what Mr. Nunes says. That, of course, was the National Security Advisor of the United States characterizing it as a drug deal.

What confuses me is that you have said and testified -- and it's in here -- that the Secretary of State was not only aware, but that he applauded you, good work, keep banging away. The Secretary of State, if this had been irregular or a drug deal or a shadow foreign policy, he would have been the one to put an end to it and yet he did not, right?

Ambassador Sondland. Well, the Secretary of State I think was taking into account the totality of what I had been working on, you know, globally and saying, you're doing a great job, including this.

Mr. Himes. Right, okay. So he was aware of what you were doing, and you're doing a great job includes this?

Ambassador Sondland. Yes.

Mr. Himes. So, in some sense, he was validating it rather than saying this was

irregular or shadow or a drug deal.

Ambassador Sondland. We never thought it was irregular. We thought it was in the center lane.

Mr. Himes. And why do you think the Secretary of State thought that?

Ambassador Sondland. Why did he think what?

Mr. Himes. Why did he think that this was a worthy thing to do when so many senior people, including the National Security Advisor, thought it was a drug deal?

Ambassador Sondland. I don't know. You'd have to ask him.

Mr. Himes. Okay. To your knowledge, did he have communications with the President about this?

Ambassador Sondland. I have no knowledge of his communications with the President.

Mr. Himes. Okay. Let me take you to the July 26 call that we've talked a little bit about. You basically haven't disputed Mr. Holmes' characterization of that report, although perhaps the mention of Biden, you don't recall that.

I'm actually pretty confident we'll get a transcript of that call. A conversation in public between a high-profile ambassador and the President of the United States will be the top target not for one but for many foreign intelligence services.

And because it's pretty sensitive stuff to this inquiry and pretty sensitive stuff, because this information could be used to embarrass the President or leverage public officials, my guess is we're going to see the transcript. Our people are pretty good, and if other people have it, we're going to see this transcript. Until then, all we've got is your recollection and the testimony of the other people there.

So I'm curious about your frame of mind. This statement: Ambassador Sondland agreed that the President did not give a fig -- not the word used -- about

Ukraine. Is that a statement you might make? Do you believe that the President doesn't give a fig about Ukraine?

Ambassador Sondland. Congressman, are you referring to the call or are you referring to my conversation --

Mr. Himes. So Mr. Holmes recounts, and I'll read it to you: Ambassador Sondland agreed that the President did not give a fig about Ukraine. Fig was not the word used there. And I'm asking you whether it's plausible that he might have heard that, because I'm asking you whether you believe that the President does not give a fig about Ukraine.

Ambassador Sondland. I don't -- I think that's too strong. I think that, based on the May 23rd meeting, the President was down on Ukraine for the reasons mentioned and would need a lot of convincing, and that's why we were pushing so hard for the meeting between the President and President Zelensky, because we thought once the two of them would meet his impression of Ukraine, his stock about Ukraine would go up.

Mr. Himes. And what about this line: And Ambassador Sondland replied that he meant, quote/unquote, big stuff that benefits the President. That's what you meant by big stuff.

So, again, we don't have the transcript. I suspect we will. But is that something you might say? Do you believe that the President really considers big stuff to be that which benefits him?

Ambassador Sondland. I don't recall saying "benefits him."

Mr. Himes. No, I understand that. I'm not asking what you recall. I'm asking whether it's plausible that you might have said that because you believe -- I'm asking you what you believe right now -- that the President doesn't give a fig about Ukraine and, in fact, cares about the big stuff that benefits the President. Do you believe that now?

Ambassador Sondland. I really can't -- I really can't opine.

Mr. Himes. Wait. I'm not asking for your opinion. I'm asking for your beliefs.

Ambassador Sondland. I don't understand your question. I want to answer your question. I just don't understand.

Mr. Himes. Let me try one more time.

Ambassador Sondland. Okay.

Mr. Himes. Do you believe what is alleged that you said on this phone call, that the President cares primarily about stuff, the big stuff that benefits the President. Is that a belief of yours?

Ambassador Sondland. I don't think President said that on his -- on the phone call. I don't think the President said that to me on the phone call. I was talking about --

The Chairman. The time of the gentleman --

Ambassador Sondland. -- ASAP Rocky, and he mentioned investigations. I don't know -- I don't -- I don't know why you're --

The Chairman. The time of the gentleman has expired.

Mr. Conaway.

Mr. Conaway. Thank you, Mr. Chairman. I yield 6 minutes to Mr. Jordan.

Mr. Jordan. I thank the gentleman for yielding.

Ambassador, when did it happen?

Ambassador Sondland. When did what happen?

Mr. Jordan. The announcement. When did President Zelensky announce that the investigation was going to happen? On page 14, you said this: Was there a quid pro quo? Today in your opening statement: As I testified previously, with regard to a requested White House call, White House meeting, the answer is yes, that there needed

to be a public statement from President Zelensky.

When the chairman asked you about the security assistance dollars, you said there needed to be a public announcement from Zelensky. So I'm asking you a simple question: When did that happen?

Ambassador Sondland. It never did.

Mr. Jordan. It never did. They got the call July 25th. They got the meeting, not in the White House but in New York, on September 25th. They got the money on September 11th. When did the meeting happen, again?

Ambassador Sondland. It never did.

Mr. Jordan. You don't know who was in the meeting?

Ambassador Sondland. Which meeting are you referring to?

Mr. Jordan. The meeting that never happened, who was in it?

Ambassador Sondland. The people that weren't there.

Mr. Jordan. Do you know how Zelensky announced it? Did he tweet it? Did he do a press statement? Did he do a press conference? Do you know how that happened?

Ambassador Sondland. No.

Mr. Jordan. I mean, you got all three of them wrong. They get the call, they get the meeting, they get the money. It's not two plus two, it's O for three. I've never seen anything like this.

And you told Mr. Castor that the President never told you that the announcement had to happen to get anything. In fact, he didn't just not tell you that, he explicitly said the opposite. The gentleman from Texas just read it. You said to the President of the United States: What do you want from Ukraine? The President: I want nothing. I want no quid pro quo. I want Zelensky to do the right thing. I want him to do what he

ran on.

What did he run on, Ambassador Sondland?

Ambassador Sondland. Transparency.

Mr. Jordan. And dealing with corruption, right?

Ambassador Sondland. That's right.

Mr. Jordan. Mr. Castor raised another important point. Why didn't you put that statement in your opening statement? I think you said you couldn't fit it in. Is that right? You said we might be here for 46 minutes instead of 45 minutes.

Ambassador Sondland. It wasn't purposeful, trust me.

Mr. Jordan. It wasn't purposeful?

Ambassador Sondland. No.

Mr. Jordan. Couldn't fit it in a 23-page opener. The most important statement about the subject matter at hand, the President of the United -- in a direct conversation with you about the issue at hand, and the President says -- let me read it one more time. What do you want from Ukraine, Mr. President? I want nothing. I want no quid pro quo. I want this new guy, brand new guy in politics, his party just took over, I want Zelensky to do the right thing. I want him to run on and do what he ran on, which is deal with corruption. And you can't find the time to fit that in a 23-page opening statement.

Do you know what a quid pro quo is?

Ambassador Sondland. I do.

Mr. Jordan. This for that, right? It looks to me like Ukraine got that three times and there was no this. There was -- we didn't do anything -- or, excuse me, they didn't have to do anything. I've never seen anything like this.

And this is -- this is -- when the call came out, you all remember this? When the

call came out, everyone said, we're going to -- quid pro quo, there's going to be a -- that was what was in the call. And, of course -- of course, that didn't happen. That didn't happen.

Remember what the complaint said? Remember what the memo said of the whistleblower? This call was frightening, this call was scary, all those things. None of that materialized. None of that materialized.

I yield back.

The Chairman. Ms. Sewell.

Ms. Sewell. Thank you, Mr. Chairman.

I'd like to dig a little deeper in this quid pro quo. Did you not say in your opening statement and in previous testimony in closed door hearing that you thought there was a quid pro quo?

Ambassador Sondland. I thought the quid pro quo was the White House visit in return for the 2016, DNC server, and Burisma investigation announcement.

Ms. Sewell. So when you heard Burisma, you did not see that as code for Biden, the Bidens?

Ambassador Sondland. I did not.

Ms. Sewell. When did you even know that? Is your testimony that you only realized that Burisma included the Bidens when the readout came out on September 25th?

Ambassador Sondland. No. My testimony wasn't specific as to the date, because I really don't recall the date. It was very late in the game, though.

Ms. Sewell. September?

Ambassador Sondland. I don't recall the date.

Ms. Sewell. So if I told you that the legal definition of bribery was an event of

offering, giving, soliciting or receiving of any item of value as a means of influencing an action of an individual holding a public or legal duty, do you believe that not only was it quid pro quo, but it was bribery?

Ambassador Sondland. I'm not a lawyer and I'm not going to characterize what something was or wasn't, legally.

Ms. Sewell. You also said in your opening statement that Secretary Perry and yourself as well as Ambassador Volker worked with Giuliani on the Ukraine matter at the express direction of the President. Is that right?

Ambassador Sondland. That is correct.

Ms. Sewell. You also go on to say that, we did not want to work with Giuliani. Simply put, we played the hand that we were dealt. What did you mean by that and, more importantly, what did you think would happen if you did not play that hand?

Ambassador Sondland. I think what you're asking me is -- well, you asked it.

Ms. Sewell. I did ask.

Ambassador Sondland. What would happen if we didn't? It was very fragile with Ukraine at the time. There was no new ambassador. The old ambassador had left. There was a new President. And we thought it was very, very important to shore up the relationship.

Ms. Sewell. In fact, you actually said, you go on to say: We all understood that if we refused to work with Mr. Giuliani, we would lose an important opportunity to cement relationships with the United States and Ukraine. So, quote, "we followed the President's orders." Did you see it as a directive?

Ambassador Sondland. I saw it as the only pathway to moving forward on Ukraine.

Ms. Sewell. So you would say that the efforts that Mr. Giuliani was undertaking

became a part of the formal Ukraine U.S. policy?

Ambassador Sondland. I can't opine on that. All I can tell you is the President wanted us to communicate with Mr. Giuliani --

Ms. Sewell. But you went on to say that -- in your opening testimony that the suggestion that you engaged in some, quote, "irregular or rogue diplomacy is absolutely false." So if, in fact, what Giuliani was doing was okay and proper, which is actually what you said, initially you all thought that what he was doing was not improper, right?

Ambassador Sondland. We did not think it was improper. And when I referred to the fact that I was not engaging in rogue diplomacy, by definition, rogue diplomacy would have meant I would not have involved the leadership of the State Department and the White House.

Ms. Sewell. So you're saying that everyone in the chain of command knew about Giuliani's efforts to try to get the investigations into Burisma and to -- you know, and -- I'm just trying to figure out what you thought you were actually opining to.

Ambassador Sondland. Look, the President directed us to work with Mr. Giuliani, and the leadership of the State Department were knowledgeable, as was the NSC, that we were working with Mr. Giuliani.

Ms. Sewell. What's interesting is that Ambassador Taylor testified that he knew nothing about it, and clearly he would be in the chain of information if he was the Ambassador to Ukraine. At the end of the day, sir, with all due respect, you're the Ambassador to the European Union. Why would he not know about it?

Ambassador Sondland. I don't know.

Ms. Sewell. He was the one who said that there was both a regular and irregular channel.

Ambassador Sondland. He should have known about it.

Ms. Sewell. So although we don't want -- although you said that you did not want to work with Mr. Giuliani, you, in fact, did work with him.

Ambassador Sondland. That is correct.

Ms. Sewell. And do you think that the essence of what he was trying to achieve was accomplished?

Ambassador Sondland. I don't know what he was trying to achieve.

Ms. Sewell. You clearly had to have known, sir. If you think that this was actually going down the center lane is what you said, it was clearly important that we work with Mr. Giuliani to get what the President asked for, because it was a directive and an order, surely you must know whether or not mission was accomplished.

Ambassador Sondland. Well, I know what Mr. Giuliani communicated to us.

Ms. Sewell. And you thought that that was totally fine? Did you really think that it was okay --

Ambassador Sondland. Can I answer your question?

Ms. Sewell. Sure.

Ambassador Sondland. You asked what Mr. Giuliani was trying to achieve.

Ms. Sewell. No. I asked whether you thought that it was right for Mr. Giuliani to want to accomplish the efforts that he was involved in, which was to get them to investigate Burisma and the 2016 election, as you said.

Ambassador Sondland. All I can testify to is what I know that Mr. Giuliani either told me directly or told Ambassador Volker and others that was relayed to me.

Ms. Sewell. Thank you. I yield back.

The Chairman. Mr. Turner.

Mr. Turner. Ambassador Sondland, I want to walk through some of the portions of your testimony, because sometimes you seem to make direct connections and

sometimes they seem to be dead ends. And I kind of want to clear up one of the dead ends and one of the direct connections.

Yesterday, Ambassador Volker, who I consider to be very talented and a man of integrity, and I believe you think he's a man of integrity, correct?

Ambassador Sondland. I do.

Mr. Turner. He testified that the President of the United States did not tie either a meeting with the President, a phone call, or any aid to investigations of Burisma, 2016, or the Bidens, that the President did not do that. And you've testified that the President did not tell you that he tied them either, correct?

Ambassador Sondland. I did testify to that, although when Ambassador Volker and I were working on the statement and negotiating with the Ukrainians, it was clear to Ambassador Volker that a meeting would not happen without the Burisma and 2016. That was very clear to Ambassador Volker.

Mr. Turner. And how do you know that? What did he say to you? Because he said that was not clear to him. In fact, he said that's not the case. He was working on that. He knows that that's what the President wanted, but he didn't have it as this was a requirement.

Ambassador Sondland. Oh, I strongly disagree with that portion of his testimony. It was absolutely a requirement or we would have just had the meeting and been done with it.

Mr. Turner. What about the aid? He says that they weren't tied, that the aid was not tied --

Ambassador Sondland. And I didn't say they were conclusively tied either. I said I was presuming it.

Mr. Turner. Okay. And so the President never told you they were tied.

Ambassador Sondland. That is correct.

Mr. Turner. So your testimony and his testimony is consistent, and the President did not tie aid to investigations.

Ambassador Sondland. That is correct.

Mr. Turner. Okay. He also testified that he spoke to Giuliani and that Giuliani did not relate that he was tying on behalf of the President or on the President's behalf aid, and that, in fact, Giuliani never said to him that aid was tied to investigations.

Now, the question I have for you is, did you ever have a conversation with Giuliani that did not involve Volker, because your testimony is a lot of we's and us's. So did you -- do you and Giuliani have a separate conference, a separate phone call where Giuliani told you that the aid was tied? Because Volker says -- and if he was on all your phone calls -- Volker says that never happened.

Ambassador Sondland. No, I did have a few conversations -- I don't recall how many because I don't have the records -- with Mr. Giuliani directly when Mr. Volker wasn't available. And I don't believe --

Mr. Turner. Did Giuliani say to you -- go ahead. What were you going to say?

Ambassador Sondland. I don't believe I testified that Mr. Giuliani told me that aid was tied.

Mr. Turner. Oh, I think -- see, this is part of the problem, Ambassador Sondland -- and I just want to walk you through this -- is you've said to us everyone was in the loop and everyone knew. Now, hold a second, hold on a second.

I've listened to you today, as have a lot of people, and not only are your answers somewhat circular, frequently you've contradicted yourself in your own answer.

Now, the text messages and emails that you put up there Kurt Volker walked us through, and he has a completely different understanding of what you were saying than

you are saying you were saying. So I'm a little confused as to how everyone is in the loop, because they're -- if Giuliani didn't give you any express statement, then it can't be that you believe this from Giuliani. Now, let me tell you right now, because -- is Donald Trump your friend?

Ambassador Sondland. No, we're not friends. We have --

Mr. Turner. Do you like the President?

Ambassador Sondland. Yes.

Mr. Turner. Okay. You know, after you testified, Chairman Schiff ran out and gave a press conference and said he gets to impeach the President of the United States because of your testimony. And if you pull up CNN today, right now their banner says "Sondland ties Trump to withholding aid."

Is that your testimony today, Ambassador Sondland, that you have evidence that Donald Trump tied the investigations to the aid? Because I don't think you're saying that.

Ambassador Sondland. I've said repeatedly, Congressman, I was presuming. I also said that President Trump --

Mr. Turner. So no one told you, not just the President. Giuliani didn't tell you. Mulvaney didn't tell you. Nobody -- Pompeo didn't tell you. Nobody else on this planet told you that Donald Trump was tying aid to these investigations. Is that correct?

Ambassador Sondland. I think I already testified to that.

Mr. Turner. No. Answer the question. Is it correct? No one on this planet told you that Donald Trump was tying this aid to the investigations? Because if your answer is yes, then the chairman is wrong and the headline on CNN is wrong. No one on this planet told you that President Trump was tying aid to investigations, yes or no?

Ambassador Sondland. Yes.

Mr. Turner. So you really have no testimony today that ties President Trump to a scheme to withhold aid from Ukraine in exchange for these investigations?

Ambassador Sondland. Other than my own presumption.

Mr. Turner. Which is nothing. I mean, that's what I don't understand. So do you know what hearsay evidence is, Ambassador? Hearsay is when I testify what someone else told me. Do you know what made-up testimony is? Made-up testimony is when I just presume it.

I mean, you're just assuming all of these things. And then you're giving them the evidence that they're running out and doing press conferences and CNN's headline is saying that you're saying the President of the United States should be impeached because he tied aid to investigations, and you don't know that, correct?

Ambassador Sondland. I never said the President of the United States should be impeached.

Mr. Turner. No, but you did -- you have left people with the confusing impression that you were giving testimony that you did not. You do not have any evidence that the President of the United States was tied to withholding aid from Ukraine in exchange for investigations.

I yield back.

The Chairman. Mr. Carson.

Mr. Carson. Thank you, Chairman.

Ambassador Sondland, I really want to better understand Mr. Giuliani's role in carrying out the President's demand for investigations. So on May 23rd, sir, during a meeting in the Oval Office to discuss the future of the U.S.-Ukraine relations, President Trump told you and others to, quote, "talk to Rudy." Do I have that right, sir?

Ambassador Sondland. Correct.

Mr. Carson. Mr. Ambassador, did you listen to the President and talk to Rudy, sir?

Ambassador Sondland. Did I talk to Rudy?

Mr. Carson. Yes, sir.

Ambassador Sondland. Yes.

Mr. Carson. What did you understand to be Mr. Giuliani's relationship with President Trump?

Ambassador Sondland. I understood he was the President's personal lawyer.

Mr. Carson. What did you believe to be Mr. Giuliani -- what did you believe Mr. Giuliani was doing in Ukraine for President Trump, sir?

Ambassador Sondland. I don't know.

Mr. Carson. Ambassador Sondland, in August of this year, you and Ambassador Volker spoke with Mr. Giuliani about a draft statement to be issued by President Zelensky. During those discussions, it was Mr. Giuliani who suggested, in fact, insisted that the statement include specific language about Burisma, correct, sir?

Ambassador Sondland. Correct.

Mr. Carson. And he insisted that the statement include the mention of the 2016 elections. And Mr. Volker transmitted this message to a top Ukrainian official, right, sir?

Ambassador Sondland. Correct.

Mr. Carson. Mr. Ambassador, and this statement was part of the deliverable that President Trump wanted, correct, sir?

Ambassador Sondland. Correct.

Mr. Carson. To your knowledge, sir, was pushing the Ukrainians to investigate Burisma, 2016, or the Bidens part of some official State Department policy, sir?

Ambassador Sondland. I never testified that we were pushing anyone to

investigate the Bidens. I said Burisma.

Mr. Carson. You were involved in Ukrainian policy, right, sir?

Ambassador Sondland. I told you what my role was, which was quite limited and focused.

Mr. Carson. Was it your understanding, Mr. Ambassador, that Ukraine policy should involve investigations into Americans or debunked conspiracy theories about the 2016 election, sir?

Ambassador Sondland. What I testified was that in order to get President Zelensky a White House visit, Mr. Giuliani conveyed the notion that President Trump wanted these announcements to happen.

Mr. Carson. Of course, it was not. It was a part of the President's political agenda, and it was done to benefit the President personally and politically.

Were you following the President's orders, Mr. Ambassador?

Ambassador Sondland. I was following the President's direction to speak with Mr. Giuliani.

Mr. Carson. Thank you, sir.

Mr. Chairman, I yield back.

The Chairman. I thank the gentleman for yielding.

I just want to point out a couple things, Ambassador, in response to my colleagues. My colleagues seem to be under the impression that unless the President spoke the words "Ambassador Sondland, I am bribing the Ukrainian President" that there is no evidence of bribery; if he didn't say, "Ambassador Sondland, I am telling you I am not going to give the aid unless they do this" that there's no evidence of a quid pro quo on military aid.

But nonetheless, Ambassador, you've given us a lot of evidence of precisely that

conditionality of both the White House meeting and the military assistance. You've told us, Ambassador, have you not, that you emailed the Secretary of State and said that if these investigations were announced, a new justice person was put in place, that the Ukrainians were prepared to give the President what he wants and that would break the logjam. You've testified and showed us documents about this, have you not, Ambassador?

Ambassador Sondland. I have.

The Chairman. And in your written statement, you say that the logjam you're referring to includes the logjam on security assistance, correct?

Ambassador Sondland. Correct, as my presumption.

The Chairman. Yes. And we also have seen and you testified that you have also seen Ambassador -- or, rather, Acting Chief of Staff Mulvaney himself acknowledge that the military aid was withheld, in part, over the investigation into 2016 that you've talked about. You referenced that as well, correct?

Ambassador Sondland. Correct.

The Chairman. Now, they also seem to say that, well, they got the money. The money may have been conditioned, but they got the money. Yes, they got caught. They got caught. Now, they still don't have the White House meeting. They made no statement; they got no meeting. The statement on the investigations was the condition to get the meeting. They didn't make the statement; they got no meeting. But they got caught.

You're aware, aren't you, Ambassador, that 2 days before the aid was lifted, this inexplicable aid was lifted, Congress announced it was investigating this scheme. You're aware of that, aren't you, Ambassador?

Ambassador Sondland. I am now, yes.

The Chairman. Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

Mr. Chairman, I'd like to address something, a claim that you made this morning, claiming that Republicans deny Russian attempts to influence our elections. That is false and you know it. In this committee, the Intel Committee, not the impeachment committee, but in this committee, time and time again we all agreed that Russia has tried to influence American elections as far back as the Soviet Union. So I wish you would quit making that comment.

Yesterday we established with Mr. Volker something quite obvious. More than one country can try to influence our elections. You see, Mr. Schiff, we didn't agree with your Russian collusion narrative, your DNC Clinton campaign coup attempt that occurred in conjunction with members of the FBI, and DOJ, and foreign sources, something that you have conveniently ignored as chairman of the Intelligence Committee as you became the chairman of the impeachment committee. But in this process today, I'm interested in facts. I'm not a prosecutor or a defense attorney. I'm not an attorney, like Mr. Turner.

Ambassador Sondland, you honestly have used the words "presumed," "presumption," "presuming," some form of the verb to presume repeatedly today. And today you said that was the problem, Mr. Goldman. No one ever told me the aid was tied to anything. I was presuming it was.

You see, in mathematic fact, two plus two does equal four; but in reality, two presumptions plus two presumptions does not equal even one fact. And the fact is the President did tell you, Ambassador Sondland, no quid pro quo. That's a fact. And another fact, no quid pro quo occurred.

At this time, I'd like to yield to Mr. Conaway.

Mr. Conaway. I thank the gentleman.

Mr. Chairman, I'd like unanimous consent to enter into the record a Washington Post article from today that's headlined "Schiff's claim that the whistleblower has a statutory right to anonymity received three Pinocchios," Pinocchios meaning that -- well, we all know what Pinocchios mean.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Conaway. The interpretation of that would be that -- two interpretations: One that my colleagues on the other side would argue as they were trying to protect the whistleblower.

An equally valid and credible interpretation is that there's something to hide, and that this unlevel playing field that's been created by the chairman's insistence that there is a statutory right to anonymity maintains that unlevel playing field and the advantages that gives them.

Now, the chairman also announces at every hearing that he will not tolerate -- and I agree with him -- any witness intimidation, any threats or any issues of trying to bully a witness.

Ambassador Sondland, have you, your family or your businesses received any threats, or reprisals, or attempts to harm you in any way?

Ambassador Sondland. Many.

Mr. Conaway. Could you give us an example or two?

Ambassador Sondland. We have countless emails apparently to my wife. Our properties are being picketed and boycotted.

Mr. Conaway. Let's explore that one. Our own colleague Congressman Earl Blumenauer from Oregon has, in fact, called for a boycott of your hotel chain or your hotels in Oregon. I'm assuming he believes that that will harm you to the point that you will then be bullied into doing whatever he wants done. Now, my colleagues and I know that using the word "bully" and "Earl Blumenauer" in the same sentence is a bit over the top. But, nevertheless, he intended to harm you and your businesses. Is that what you surmise?

Ambassador Sondland. That's my understanding.

Mr. Conaway. And that the boycotts, his call for boycott gave rise to demonstrations in front of your hotels that made your customers have to weave in and out of the demonstrators to try to actually get into the hotels?

Ambassador Sondland. As I understand, they're going on as we speak.

Mr. Conaway. Well, the words are better put by a couple of other Oregonians. It says: Congressman Blumenauer's irresponsible attempt to hurt a homegrown business that supports hundreds of jobs in our local economy is just shameful and ought to be an outrage to all Oregonians, some fellow named McDermott.

Then a lady named Ellen Carmichael, who I believe works for you, said: We are saddened to have our Congressman Earl Blumenauer call for a boycott that would put the livelihoods of thousands of his constituents in peril. The attack on our employees is unwarranted.

And I couldn't agree more, Mr. Ambassador. Mr. Blumenauer should not be using the vast influences that we as Members of Congress have to bully you and your businesses and to harm the hundreds or thousands of employees there, that operate in your business, by trying to take business away from you to force you into doing something that they wanted you to do, which is make you testify, and you actually have done that. But that's a shame for that.

And I'm hopeful that my colleagues on the other side of the aisle will join me in saying, Mr. Blumenauer, you really shouldn't be using your congressional influence to try to bully and threaten a witness before these proceedings, that is just wrong. I look forward to my colleagues' response.

And I yield back.

RPTR BRYANT

EDTR SECKMAN

Ambassador Sondland. Thank you, Congressman.

The Chairman. Ms. Speier.

Ms. Speier. I was somewhat humored by your request that Mr. Blumenauer not bully to get something done when all we're talking about is the President bullying to get something he wants done.

But, having said that, I'd like to clarify one point about the whistleblower protection from the article that Mr. Conaway just provided. The law reads: Expressly restricts the Inspector General's Office from disclosing whistleblowers' identities.

It says, quote: The Inspector General shall not disclose the identity of the employee without the consent of the employee unless the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken, unquote.

That appears to be the lone statutory restriction on disclosing a whistleblower's identity, applicable only to the Inspector General's Office. We found no court rulings on whether whistleblowers have a right to anonymity under the ICWPA or related statutes. Vladeck said: It is nonetheless a best practice to avoid disclosure of the Ukraine whistleblower's identity, given the concerns about retaliation.

McCullough said: We've stepped into bizarro-land when senior policymakers are trying to yank a CIA employee into the public spotlight in retaliation for making a whistleblowing complaint, especially when there are credible threats to that employee's personal safety.

And I don't know why our colleagues on the other side of the aisle --

Mr. Conaway. Would the gentlelady yield?

Ms. Speier. No, I'm afraid I only have 3 minutes, and I have some other issues, but thank you.

Mr. Conaway. Well, the end of the article does go through that and also says three Pinocchios, in spite of that conversation.

Ms. Speier. Well, the President of the United States has five Pinocchios on a daily basis, so let's not go there.

Ambassador Sondland, in your deposition, you lamented, quote: I was truly disappointed that the State Department prevented me at the last minute from testifying earlier on October 8, 2019, but your issuance of a subpoena has supported my appearance here today, and I am pleased to provide the following testimony.

So it is clear that the White House, the State Department did not want you to testify at that deposition. Is that correct?

Ambassador Sondland. That is correct.

Ms. Speier. And since then, you have on numerous occasions during your opening statement today indicated that you have not been able to access documents in the State Department. Is that correct?

Ambassador Sondland. Correct.

Ms. Speier. So you have been hampered in your ability to provide testimony to this committee. Is that correct?

Ambassador Sondland. I have been hampered to provide completely accurate testimony without the benefit of those documents.

Ms. Speier. In terms of your conversations with the President of the United States, what percentage of your conversations were about Ukraine as compared to your other duties?

Ambassador Sondland. I don't recall.

Ms. Speier. Well, you've only had six conversations or seven conversations with the President, you said. So --

Ambassador Sondland. About Ukraine, I think.

Ms. Speier. So you've had many other conversations?

Ambassador Sondland. Oh, yeah, about unrelated -- completely unrelated matters.

Ms. Speier. So how many conversations with the President of the United States have you had?

Ambassador Sondland. Again, I don't want to give you a number because it's going to be wrong if I don't have the records.

Ms. Speier. Is it less than 20?

Ambassador Sondland. It's probably in that range.

Ms. Speier. Would you say that delay in military aid and the lack of a meeting in the White House works to the benefit of Russia?

Ambassador Sondland. Repeat the question again, please.

Ms. Speier. Would you say that the delay in military aid to Ukraine and the reluctance to have a White House meeting has a benefit to Russia?

Ambassador Sondland. I think it could be looked that way, yes, looked at that way, yes.

Ms. Speier. All right. I'm going to just speak very briefly about code. When Michael Cohen was before the Oversight Committee, he was asked: You suggest the President sometimes communicates his wishes indirectly. For example, you say, quote: Mr. Trump did not directly tell me to lie to Congress, that's not how he operates. It would be different, he said. The nice -- he doesn't give you questions. He doesn't give

you orders. He speaks in code. And I understand the code because I've been around him for a decade.

So do you think that the President was speaking in code when he would talk about wanting investigations?

Ambassador Sondland. I don't -- I can't characterize how the President was speaking. Every conversation I've had with the President has been fairly direct and straightforward.

Ms. Speier. All right. With that, I yield back.

The Chairman. Mr. Stewart.

Mr. Stewart. Mr. Chairman, I have a unanimous consent request.

The Chairman. You may state your request.

Mr. Stewart. DOE responds to Ambassador Sondland's comments before the House Intelligence Committee attributable to the DOE Secretary of -- the press secretary: Ambassador Sondland's testimony today misrepresented both Secretary Perry's interaction with Rudy Giuliani and direction the Secretary received from President Trump. As previously stated, Secretary Perry spoke to Rudy Giuliani only once at the President's request. No one else was on that call. At no point before, during, or after the phone call did the words "Biden" or "Burisma" ever come up in the presence of Secretary Perry.

Again, I ask that that be entered into the record.

The Chairman. Without objection, although I would note that they have also refused to come and testify under oath.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Stewart. The American people expect a lot of things out of politics. Arguments, protests, we certainly see that, clash of principles and ideas. I think sometimes eventually they actually would like to see some compromise. But I think something they expect above everything else, fundamental, they expect there is a sense of fairness about it.

And I want to read part of a text I received from someone that I have tremendous respect for. Just a few hours ago, she wrote: Crafting a story to hurt another human being can never be right. The means of destroying and hurting another individual just does not justify the end, and politics does not give anyone a free pass to destroy other people.

Now, you can say a lot about the treatment of President Trump over the last few years, but I think one thing you cannot argue is that it has been fair. There were those calling for his impeachment literally before he was inaugurated. For 2 and a half years, we were told every single day he has betrayed our country. He is a Russian asset. He has committed treason. Accusations that we know now are not true and for which we never had any evidence to support that. He was accused of obstruction, and now here we are actually impeaching the President over, well, first quid pro quo, until we found out that didn't poll very well with focus groups. Then it was bribery, until virtually every witness before us who was asked a question said they had no evidence of bribery. And now it's extortion.

And, again, the American people expect some sense of fairness. So, when Nancy Pelosi goes, before she has seen a shred of evidence and she announces, the President has betrayed his oath of office, he has betrayed the American people, he betrayed national security, without seeing any evidence, again, the American people say, well,

what is fair about that?

So the question before us now is, again, extortion. That's the latest version of the charges against the President. And I'm not an attorney. Extortion sounds pretty scary. It's kind of serious. I had to look it up what it means. It means obtaining money or property by threat to a victim's property or loved ones.

Mr. Ambassador, I'm going to read you a couple quotes from President Zelensky and then ask you a question. First from a Ukrainian press release: Donald Trump is convinced that the new Ukrainian Government will be able to quickly improve the image of Ukraine, complete investigation of corruption, which inhibited the interaction with Ukraine and the USA. Does that sound like President Zelensky is being bribed or extorted in that comment?

Ambassador Sondland. As I testified previously, I'm not a lawyer either, and I don't want to characterize --

Mr. Stewart. Well, okay.

Ambassador Sondland. -- any legal terms. I really don't.

Mr. Stewart. That's fine. I think most people would read that and say, that doesn't sound like he's under severe pressure. He makes it very clear in his own words then. Ukrainian President Zelensky told reporters during a joint press conference with Donald Trump that he was not pressured by the U.S. President. Again, "I was not pressured." Here's another time. There was no blackmail.

I would ask you, do you think he felt like he was being extorted by the President, based on these comments?

Ambassador Sondland. I really think that's for the committee and the Congress to --

Mr. Stewart. Well, you know what, Mr. Ambassador? It's really for the

American people.

Ambassador Sondland. I agree.

Mr. Stewart. And the American people aren't stupid, and the American people can hear that, and they can say: I don't think he was under duress. I don't think he was being extorted. I don't think there was an exchange of a bribe.

And I would conclude with this last observation. It is common for our national policy to withhold aid for various reasons. You know that's true as an Ambassador. Is that not true?

Ambassador Sondland. It's true.

Mr. Stewart. It's frequent, isn't it, that we will withhold aid for various reasons?

Ambassador Sondland. That is correct.

Mr. Stewart. It is a policy. I mean, for example, President Bush did it. He suspended military aid to 35 countries over their lack of support for the International Criminal Court. I'll bet that helped his political standing back home, but I don't remember anyone suggesting we should impeach him for it.

President Trump did it last year with Afghanistan over corruption. We did it with Pakistan over much the same thing. And no one suggested that we impeach them for it. This is a common occurrence in international relations. It is hardly an impeachable offense.

The Chairman. The time of the gentleman has expired.

Mr. Quigley.

Mr. Quigley. Thank you, Mr. Chairman.

Thank you, sir, for being here today. You know, there are things we can agree with our colleagues on, things we can disagree. I can agree that -- with my colleague -- that we should turn over all -- the documents should be turned over.

Mr. Ambassador, I think you agree that it would have helped your testimony, helped you understand, that the State Department, the White House hasn't turned over a single document. The White House one -- the President's April phone conversation, but millions more are out there. So, on that, we can agree.

On others, we can disagree as to -- particularly as it relates to the whistleblower. It distresses me because I begin to wonder about the motivations. In the final analysis, the way I look at this is, if we are investigating an arson, you all would indict the person who pulled the fire alarm. That person's job is done, and we have seen the smoke, and we have seen the fire.

Whatever the whistleblower did doesn't change the President's actions, doesn't change the President's own words, which are in our testimony, are in our body of evidence. It doesn't change Mr. Mulvaney's own words. It doesn't change the body of evidence here. All it does is put this person at risk.

Back to the documents and what you know. And, clearly, Mr. Ambassador, you seem to have your memory jogged by documents. Let's talk about May 23rd and see if this one helps you. Senator Johnson, in referencing the May 23rd meeting in his letter, sir, says: I have no recollection of the President saying that during the meeting. It is entirely possible he did. Because I do not work for the President, if made, the comment simply did not register with me. He also says: I also remember Sondland staying behind to talk to the President as the rest of the delegation left the Oval Office.

Sir, do you recall this later conversation and what you and the President discussed?

Ambassador Sondland. I do.

Mr. Quigley. And what was that?

Ambassador Sondland. Just, again, recapping what -- it was sort of a free-for-all

conversation, and I wanted to tie down exactly what we agreed to do and what we didn't.

Mr. Quigley. And in that subsequent, he reinforced talk to Rudy. And did he --

Ambassador Sondland. Talk to Rudy. You guys should work on this.

Mr. Quigley. Did he go into any more detail about what that meant?

Ambassador Sondland. No.

Mr. Quigley. Just said talk to Rudy.

Ambassador Sondland. It was a very short conversation.

Mr. Quigley. And the second part? You said there was something besides just "talk to Rudy"?

Ambassador Sondland. Yeah, to, you know, reconfirm that the three of us would be working on the Ukraine file and so on.

Mr. Quigley. Back to Rudy and these seemingly contradictory messages here. You now recall the prerequisite mentioned in the July 10th meeting, right, that when you were having this discussion the first meeting in John Bolton's office, sir?

Ambassador Sondland. Yes.

Mr. Quigley. That you referenced that there was a condition, correct?

Ambassador Sondland. I believe someone else testified that I raised that. And I didn't dispute that testimony that I said it's my understanding that, in order to get this visit done, there needs to be an announcement about -- I don't know if I said investigations or said specifically Burisma and 2016.

Mr. Quigley. Sure. But in your opening, you mention that, at the very same time that apparently there was a meeting with Rudy Giuliani, and the message you got was underscored, very concerned about what Lutsenko told them, that according to RG, Rudy Giuliani, the Z-POTUS meeting will not happen, which is not a condition. It's just not going to happen. Your understanding of the difference here?

Ambassador Sondland. I think what you're saying is this meeting I was talking about in my opening statement was apparently a meeting that Rudy Giuliani was having.

Mr. Quigley. At the same time.

Ambassador Sondland. At the same time in Ukraine.

Mr. Quigley. Right.

Ambassador Sondland. Unbeknownst to us.

Mr. Quigley. Right. But he's saying something different. He's saying it's not going to happen. There's no notice in here that it's conditioned in any way.

Ambassador Sondland. Well, that was Ambassador Volker's point. This was really an exchange with Ambassador Taylor and Ambassador Volker.

Mr. Quigley. Correct.

Ambassador Sondland. Ambassador Volker is saying: Don't let other people speak for the U.S. Government.

That was his point.

Mr. Quigley. But if Rudy is following the directions and he's saying what he's saying here and you're also following directions, right, and you're saying it's conditioned, who's giving you the instructions to say what you're saying?

Ambassador Sondland. That's why we thought it was problematic to work with Mr. Giuliani.

Mr. Quigley. Exactly. But who did you work with to say the things that you said? Did you have conversations with the chief of staff, with Secretary Pompeo, to say what you were saying? You didn't just say this on your own.

Ambassador Sondland. Are you talking about in the July 10th meeting?

Mr. Quigley. That is correct.

Ambassador Sondland. Oh, yes, with Ambassador Volker, because at that point

Ambassador Volker was the one in touch with Mr. Giuliani, not me.

Mr. Quigley. But you had no direct conversations with Mr. Mulvaney about this, or Secretary Pompeo, to make this condition statement?

Ambassador Sondland. Only the texts and emails that I've already reviewed.

Mr. Quigley. Thank you. My time is up.

The Chairman. Ms. Stefanik.

Ms. Stefanik. Thank you, Ambassador Sondland, for your service.

And I also want to thank you for your recognition in your opening statement of your hardworking staff at the U.S. mission to the EU.

Mr. Sondland, you testified that you never received any direct confirmation or specific information as to why there was a hold on aid.

Ambassador Sondland. That is correct.

Ms. Stefanik. And, in fact, you testified, quote: President Trump never told me directly that the aid was conditioned on the investigations, end quote.

Ambassador Sondland. That is correct.

Ms. Stefanik. You said, quote, "never heard those words from the President," correct?

Ambassador Sondland. Correct.

Ms. Stefanik. Instead, you testified that, in your September 9th call with President Trump, the President said, quote: No quid pro quo. I want nothing. I want nothing. I want President Zelensky to do the right thing, do what he ran on, end quote. Is that correct?

Ambassador Sondland. That is correct.

Ms. Stefanik. And the fact is the aid was given to Ukraine without any announcement of new investigations?

Ambassador Sondland. That is correct.

Ms. Stefanik. And President Trump did, in fact, meet with President Zelensky in September at the United Nations, correct?

Ambassador Sondland. He did.

Ms. Stefanik. And there was no announcement of investigations before this meeting?

Ambassador Sondland. Correct.

Ms. Stefanik. And there was no announcement of investigations after this meeting?

Ambassador Sondland. That's right.

Ms. Stefanik. And you've been very clear when Chairman Schiff has asked you broadly about investigations, you've corrected that to say specifically your understanding of investigations are investigation into the 2016 elections and investigation into Burisma. Is that correct?

Ambassador Sondland. That is correct.

Ms. Stefanik. And are you aware that, during the Obama administration, the U.S. partnered with the U.K. and Ukraine on an investigation into the owner of Burisma, as part of Ukraine's anticorruption efforts?

Ambassador Sondland. I became aware of it today during the hearing.

Ms. Stefanik. Other witnesses have testified, but yes.

And, in fact, the Obama administration State Department was concerned about the potential appearance of conflict of interest with Hunter Biden serving on the board of Burisma because they raised this as they were preparing Ambassador Yovanovitch for her Senate confirmation.

Are you aware of that?

Ambassador Sondland. I'm not aware of it.

Ms. Stefanik. She testified when I asked her that question both in the open hearing and the closed deposition. And I've asked most of our witnesses this, and every witness I've asked has said yes, and I want to ask you this today.

Do you believe that Hunter Biden having a position on the board of Burisma has the potential appearance of a conflict of interest?

Ambassador Sondland. I don't want to characterize Hunter Biden's service on the board one way or another. I just don't know enough.

Ms. Stefanik. So you disagree with every other witness that has answered yes, there is a potential appearance of a conflict of interest?

Ambassador Sondland. Well, you asked if there was a conflict or an appearance of a conflict?

Ms. Stefanik. A potential. My quote was the potential appearance of a conflict of interest.

Ambassador Sondland. I didn't hear the word "appearance." Well, clearly it's an appearance of a conflict.

Ms. Stefanik. Correct, clearly, it is an appearance of conflict of interest. Again, this is something that every witness has answered yes to or agreed with; it could have a potential appearance. And yet we are not allowed to call Hunter Biden to answer questions in front of this committee.

Thank you again for your truthful testimony today, and I yield back.

Ambassador Sondland. Thank you.

The Chairman. Mr. Swalwell.

Mr. Swalwell. Ambassador Sondland, you were told by the President and others to not show up. You showed up. I think that says a lot about you, and I think history

will look kindly on you doing that. But there are consequences to that. And just a couple hours ago, President Trump was asked about you, and he said: "I don't know him well. I have not spoken to him much. This is not a man I know well."

Is that true?

Ambassador Sondland. It really depends on what you mean by "know well." We are not close friends, no. We have a professional, cordial working relationship.

Mr. Swalwell. And in that working relationship, he knows who you are?

Ambassador Sondland. Yes.

Mr. Swalwell. And he has spoken to you often?

Ambassador Sondland. What's often?

Mr. Swalwell. Well, you said at least 20 times.

Ambassador Sondland. Okay. If that's often, then it's often.

Mr. Swalwell. And you donated a million dollars to his inaugural committee. Is that right?

Ambassador Sondland. I bought a VVIP ticket to the inauguration.

Mr. Swalwell. That's a lot of money, isn't it?

Ambassador Sondland. It's a lot of money.

Mr. Swalwell. And after that, the President makes you Ambassador to the European Union. Eventually, the Ambassador to Ukraine is removed and, as you told us in your deposition, you become a central figure as it relates to Ukraine. That's a pretty big responsibility, right?

Ambassador Sondland. Well, I don't know that I said I was a central figure. I was one of several people who were tasked to work on the Ukraine file.

Mr. Swalwell. And would you ever in that big responsibility take any actions that were not authorized by President Trump?

Ambassador Sondland. Well, by President Trump or the leadership in the State Department.

Mr. Swalwell. Were you ever hauled into the leadership of the State Department for any actions you were taking -- you had taken around your work on Ukraine?

Ambassador Sondland. No.

Mr. Swalwell. As to Rudy Giuliani, on May 23rd, the President told you: Talk to Rudy.

You talked to him a couple times, as you told us; in September, talked to the President a couple times. Did the President ever say to you, "Stop talking to Rudy"?

Ambassador Sondland. No.

Mr. Swalwell. Did he ever say, "Don't any longer talk to Rudy"?

Ambassador Sondland. No.

Mr. Swalwell. On Ukraine, you said that you were playing the hand you were dealt. President Trump was the dealer, wasn't he?

Ambassador Sondland. President Trump was what?

Mr. Swalwell. The dealer. In your metaphor, you were playing the hand you were dealt. The dealer is President Trump, right?

Ambassador Sondland. I'll recharacterize your question by saying we followed the direction of the President because that was the only pathway to working with Ukraine.

Mr. Swalwell. On page 4 of your testimony, you said: Given what we know -- given what we knew at the time, what we were asked to do did not appear to be wrong.

And you would agree now, Ambassador, knowing what you know now, what you did not know at the time, there are some things around Ukraine that were wrong?

Ambassador Sondland. I agree.

Mr. Swalwell. So let's take out any leveraging of security assistance over the Ukrainians and a White House visit. Would you agree that it is wrong for the President of the United States to ask the leader of a foreign government to investigate the President of the United States' political opponent?

Ambassador Sondland. Yes.

Mr. Swalwell. Would you agree that, in addition to making that request for an investigation, leveraging a visit at the White House that a foreign government leader desperately needs is also wrong?

Ambassador Sondland. Leveraging in what respect?

Mr. Swalwell. A meeting at the White House. If someone really needs a meeting at the White House to show their legitimacy to their people, then leveraging that meeting and asking for an investigation would be wrong?

Ambassador Sondland. Well, to be candid, Congressman, every meeting at the White House has conditions placed on it. I've never worked on a meeting at the White House that doesn't have a host of conditions placed.

Mr. Swalwell. But if one of those conditions is to investigate a political opponent, you would agree that would be wrong?

Ambassador Sondland. The political opponent, yes. But making announcements or investigations per se, no.

Mr. Swalwell. And if you asked a foreign government leader to investigate your political opponent, leveraged a White House meeting, and leveraged security assistance, in this hypothetical, you would agree all three of those are wrong?

Ambassador Sondland. In the hypothetical, yes, I would agree.

Mr. Swalwell. Now, you, before becoming an ambassador, worked as a

businessman, and I presume you worked on a lot of deals. Is that right?

Ambassador Sondland. Correct.

Mr. Swalwell. Involving millions of dollars?

Ambassador Sondland. Correct.

Mr. Swalwell. You work for a guy now who wrote a book called "Art of the Deal."

Is that right?

Ambassador Sondland. I do.

Mr. Swalwell. And State Department employees have told us that they don't want to make legal definitions around what occurred with the White House meeting being leveraged against the investigations, but you plainly call it a quid pro quo. Is that right?

Ambassador Sondland. I did.

Mr. Swalwell. And, finally, one final hypothetical. If someone walks through those two doors wearing rain boots, a raincoat, and holding an umbrella with raindrops falling off of them, do you have to see outside that it's raining to presume or conclude that it might be raining outside?

Ambassador Sondland. I understand your hypothetical.

Mr. Swalwell. I yield back. Thank you.

The Chairman. Mr. Hurd.

Mr. Hurd. Thank you, Mr. Ambassador. Good to see you.

Ambassador Sondland. Good to see you.

Mr. Hurd. My colleague from California basically implied that you've been supportive of President Trump's campaign. Is that correct?

Ambassador Sondland. I'm having a very hard time hearing you, sir.

Mr. Hurd. My colleague from California indicated that you were supportive of

the President's campaign. Is that correct?

Ambassador Sondland. I actually donated to the inaugural committee in order to secure tickets.

Mr. Hurd. So let me ask this question: Did you participate in or overhear any conversations about the potential information collected by Ukraine on the Bidens, collected by Ukrainians on the Bidens would be used for political gain?

Ambassador Sondland. Did I personally hear that? No.

Mr. Hurd. Did you participate in any conversations when this was being discussed?

Ambassador Sondland. Not that I recall.

Mr. Hurd. In your statement on page 5, you said: Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. And you also recount in your conversation with President Trump where he says, I want nothing, no quid pro quo.

How do you reconcile these two statements?

Ambassador Sondland. They're hard to reconcile. We were working along Mr. Giuliani's direction for a period of time. We still didn't have a White House meeting. Aid was now held up. There were lots of reasons being given by various people as to why those weren't moving forward. And I finally got exasperated by receiving Ambassador Taylor's latest texts, and I just picked up the phone. I got through to the President, and I said, what do you want?

Mr. Hurd. Sure. Are you aware of any specific conversations Mayor Giuliani had with the President between your May 23rd conversation and September 11, 2019?

Ambassador Sondland. I don't recall if Mayor Giuliani, when I was directly talking to him, either through a conference call or on a direct call, whether he quoted

from the President or said: I just talked to the President.

Most of the communications, as I said, went through Ambassador Volker initially. So I don't want to opine on what may or may not have been said.

Mr. Hurd. On page 11 of your testimony, you said: Mr. Giuliani had been communicating with Ukrainians without our knowledge. I'm assuming you're believing you, Mr. Volker, and Ambassador Taylor. Which Ukrainians was Rudy Giuliani communicating with?

Ambassador Sondland. Well, I was specifically referring to this text that I received from Ambassador Volker, where Mr. Giuliani was apparently telling the Ukrainians something that frustrated Ambassador Volker.

Mr. Hurd. Sure. So who specifically? We know that --

Ambassador Sondland. Mr. Lutsenko, the old prosecutor.

Mr. Hurd. And do you think Mr. Lutsenko has any gravitas within the Zelensky regime?

Ambassador Sondland. I don't know. He was the old Attorney General and --

Mr. Hurd. And ultimately got fired in August, when the new --

Ambassador Sondland. I think so, yeah.

Mr. Hurd. -- group came in. Okay.

So we know Rudy Giuliani has met with Mr. Yermak on the fringes of meetings in I think it was Spain. Do you know any other Ukrainian official within the Zelensky regime that Mayor Giuliani was meeting with?

Ambassador Sondland. I don't know who Mr. Giuliani was meeting with.

Mr. Hurd. Had you had any conversations with Ukrainian officials within the Zelensky regime that came to you and said, "Hey, I just got off the phone with Giuliani; what the hell is he talking about"?

Ambassador Sondland. I don't recall.

Mr. Hurd. Would that be normal?

Ambassador Sondland. Would what be --

Mr. Hurd. In all your interactions with ambassadors and heads of states and governments, if there is some element of the U.S. Government that they have spoken to, isn't it usually a step that they come in, talk to the ambassador, try to clarify what that statement was? Is that a true characterization of how elements of diplomacy work?

Ambassador Sondland. I think that's a reasonable possibility. Things work all kinds of different ways these days.

RPTR ZAMORA

EDTR CRYSTAL

[2:49 p.m.]

Mr. Hurd. When you met with President Zelensky after the July 25th phone call, so you met him on July 26th, did the investigations or Joe Biden come up in that meeting?

Ambassador Sondland. I don't recall Joe Biden coming up.

Mr. Hurd. Was there any frustration expressed to you by the phone call that happened the day before?

Ambassador Sondland. No. As I testified, everyone said it was a good call.

Mr. Hurd. Is, in your opinion, your interactions with President Zelensky, is he a straight shooter, is he a liar -- or is he a liar?

Ambassador Sondland. He impressed me greatly, and that's why I wanted to get he and President Trump together as soon as possible.

Mr. Hurd. And so when he makes express statements you tend to believe him?

Ambassador Sondland. Yeah, with my limited interaction with him, he seems very honorable.

Mr. Hurd. Thank you, Mr. Ambassador. I hope you make your plane back.

Ambassador Sondland. Thank you, Mr. Hurd.

Mr. Hurd. I yield back.

The Chairman. Mr. Castro.

Mr. Castro. Thank you, Chairman.

Good afternoon, Ambassador. Welcome.

Others close to President Trump have made it clear that investigations were, in fact, part of the conditions for U.S. assistance to Ukraine, including Rudy Giuliani and Mick Mulvaney, the acting chief of staff.

So, Ambassador Sondland, at a press conference on October 17th, Acting White House Chief of Staff Mick Mulvaney discussed his belief that it's entirely appropriate to politicize U.S. foreign policy.

Ambassador, how often did you speak or meet with Mr. Mulvaney?

Ambassador Sondland. Again, based on my lack of records, I'm going by a bad memory --

Mr. Castro. Just based on your memory.

Ambassador Sondland. I only think I had one formal meeting with Mr. Mulvaney, and it had nothing to do with Ukraine. It had to do with a completely unrelated matter.

Mr. Castro. So did you have a chance to talk with Mr. Mulvaney about your efforts in the Ukraine?

Ambassador Sondland. I think most of our communication were through the stream of emails, which others were on generally, and I may have seen him at the White House casually and said hello and, you know, kept in touch. But we didn't have a back and forth.

Mr. Castro. Sure. Well, let me ask you this. Was it your sense that Mr. Mulvaney had a direct line to President Trump? He must have as acting chief of staff. Is that right?

Ambassador Sondland. Of course.

Mr. Castro. Let us look at what Mr. Mick Mulvaney said during his October 17th press conference.

[Video shown.]

Mr. Castro. He said that President Trump, in that clip, had an interest in the investigations, did he not?

Ambassador Sondland. Apparently, yes.

Mr. Castro. He's the chief of staff. He's somebody that sees the President and has a conversation with the President every single day. Wouldn't you expect that?

Ambassador Sondland. I would expect he has a direct line to the President.

Mr. Castro. Ambassador Sondland, when did you first learn from Mr. Mulvaney that the investigations were holding up the security assistance, if at any time?

Ambassador Sondland. I don't know that I heard it from Mr. Mulvaney.

Mr. Castro. Okay. And, Ambassador Sondland, I know that you're not a career Foreign Service officer. Is it your understanding that the U.S. Government conditions security assistance on an investigation into a political rival all the time?

Ambassador Sondland. I've already testified I didn't think that would be proper.

Mr. Castro. All right. Well, let us also see what Mr. Mulvaney had to say about that at the same press conference.

[Video shown.]

Mr. Castro. I'll just go ahead and read it for you, because this thing -- I'll read it. He says, "And I have news for everybody. Get over it. There's going to be political influence in foreign policy."

Knowing what you know now about what was intended with Ukraine, do you agree with Mr. Mulvaney that there's just going to be political influence in foreign policy or that we should all just get over it and allow a President now or later to investigate a political rival and ask a foreign government to do that? Do you agree with Mr. Mulvaney?

Ambassador Sondland. I think there's a big difference between political influence and investigating a rival, because politics enters into everything relating to foreign policy.

Mr. Castro. So but you disagree that the President -- you agree that the

President should not be allowed to ask for the investigation of a political rival?

Ambassador Sondland. In the context of what was going on in Ukraine, I believe that the President should not investigate a political rival in return for a quid pro quo.

Mr. Castro. And part of the way that you figured out that all of this stuff that was going on, that you were part of something that was basically wrong, is because in the July 25th phone call the President himself, he didn't tell you, we don't know if he told Rudy Giuliani or not because Rudy Giuliani won't come in here, he said directly to the President of Ukraine that he wanted the Bidens investigated. Wasn't that your reading of the call?

Ambassador Sondland. First of all, I don't believe that I was a part of something that was wrong, because based on what I knew, I thought we were operating well within the center lane of proper U.S. diplomacy.

Mr. Castro. I yield back.

The Chairman. Mr. Ratcliffe.

Mr. Ratcliffe. Chairman, thank you.

I ask unanimous consent to enter into the record a statement issued this morning from the Office of the Vice President by Chief of Staff Marc Short.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Ratcliffe. Ambassador Sondland, I'll be brief.

In anticipation of Mr. Holmes' testimony tomorrow about this July 26th phone call that he overheard at a cafe in Kyiv that you had with President Trump, he overheard that even though -- the call was not on speakerphone, correct?

Ambassador Sondland. I don't believe so.

Mr. Ratcliffe. All right. Was it an open air cafe?

Ambassador Sondland. It was outdoors.

Mr. Ratcliffe. One of the points that my Democratic colleagues keep making is that David Holmes' prior testimony, which he'll apparently confirm tomorrow, is that President Trump said that he doesn't give a blank about Ukraine. You heard that earlier?

Ambassador Sondland. That was not on the phone call. I don't think he testified that was on the phone call. I think he was testifying that I summarized the phone call, and I don't recall saying that.

Mr. Ratcliffe. And you have no recollection of that?

Ambassador Sondland. I don't.

Mr. Ratcliffe. Yeah. Even if it was true, there's nothing wrong with that, to have an opinion about --

Ambassador Sondland. He can have whatever opinion he wants about Ukraine.

Mr. Ratcliffe. It's all part of the narrative that President Trump is a bad guy, that he doesn't care about the Ukrainians. But it seems to me, Ambassador Sondland, that nothing says you care more about the Ukrainians than sending Javelin antitank missiles. Do you agree with me?

Ambassador Sondland. I agree that sending Javelin antitank missiles is

something that Ukraine wanted and needed.

Mr. Ratcliffe. Certainly those work a lot better at stopping Russian tanks than the blankets that were sent by the Obama administration?

Ambassador Sondland. Your point is taken.

Mr. Ratcliffe. I'll yield back.

Ambassador Sondland. Thank you.

The Chairman. Mr. Heck.

Mr. Heck. Thank you, Mr. Chairman.

And, Ambassador, thank you for your stamina, sir. I have a few quick, fairly easy questions.

You would agree, would you not, sir, that foreign interference in our elections is or can be a threat to our democracy?

Ambassador Sondland. Under certain conditions, yes.

Mr. Heck. There are conditions under which their interference is not a threat?

Ambassador Sondland. I'm sorry, did you say foreign interference?

Mr. Heck. Yes.

Ambassador Sondland. Oh, always. Sorry.

Mr. Heck. And do you also agree that identifying and preventing that interference should be a priority of the Federal Government?

Ambassador Sondland. It should be one of its priorities.

Mr. Heck. And when you were assisting President Trump in his effort to obtain those investigations, did you at all realize that those investigations could, in fact, impact the 2020 election?

Ambassador Sondland. No.

Mr. Heck. Do you believe, sir, that it is appropriate, ever appropriate, to invite,

press, bribe, or coerce foreign interference in our elections?

Ambassador Sondland. No.

Mr. Heck. Thank you.

I want to refer to something that you said in your opening statement.

"As I previously testified, had I known of all of Mr. Giuliani's dealings or of his associations with individuals now under criminal indictment, I would not have acquiesced to his participation."

It's hard to read that without believing that you thought that what he was doing was either wrong or that he was not reputable. Fair?

Ambassador Sondland. Well, with 20/20 hindsight, that's fair.

Mr. Heck. Yes. You have testified here today that you also came to believe that the request for investigations into Burisma was, in fact, a request to investigate the Bidens, both the former Vice President and Hunter. And indeed, the transcript of the July 25th call makes specific reference to that, including Hunter Biden, and today even the ranking member said we could clear all this up if we could have Hunter Biden.

And I have a simple question: What Ukrainian law did Hunter Biden violate?

Ambassador Sondland. I'm not aware.

Mr. Heck. What evidence is there that he may have violated any Ukrainian law?

Ambassador Sondland. I'm not aware.

Mr. Heck. That's because there is none, sir.

Finally, also from your opening statement you said, "As you know, I have already provided 10 hours of deposition testimony. I did so despite directives from the White House and the State Department that I refuse to appear as many others have done. I agreed to testify because I respect the gravity of the moment, and I believe I have an obligation to account fully for my role in these events."

Did by "obligation" you mean simply your legal obligation, or did you mean something bigger?

Ambassador Sondland. Well, both my legal obligation and my moral obligation.

Mr. Heck. Your moral obligation.

I actually want to present an alternative theory. Your family came here escaping the Holocaust via Uruguay. And your parents moved Lucy and later you here, where, frankly, you've been an American success story. Through dint of hard work and innovation, good idea, a knack to hire the right people, and some luck, you've built a considerable successful business, one that I know for a fact would make your parents proud.

They came here because they knew that it was here that they could have freedom that they had not enjoyed, security that they had not enjoyed, and opportunity that they had not enjoyed. And no doubt, on some level, you're grateful and it's created a sense of patriotism in you. Is that fair to say?

Ambassador Sondland. Very fair.

Mr. Heck. Why then, sir, with your courage to come before us, does that same standard not apply to Mr. Mulvaney, Mr. Duffey, Mr. Pompeo, Mr. Bolton, Mr. Vought, Mr. Giuliani? Why shouldn't those same sentiments beat within their hearts to do their patriotic duty and do what you have done, sir? Indeed, why doesn't that same standard apply to the President of the United States?

Ambassador Sondland. I wish I could answer.

Mr. Heck. I suspect you can't because there is no good answer. But I do appreciate your willingness to come here today.

With that, I yield back, Mr. Chairman.

Ambassador Sondland. Thank you, Congressman.

The Chairman. Mr. Jordan.

Mr. Jordan. Thank you, Mr. Chairman.

I ask unanimous consent to enter into the record a statement from Chief of Staff Mick Mulvaney.

The Chairman. Without objection. We haven't seen all these statements, but I presume they are accurate, and no objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Jordan. Thank you.

Ambassador, President Trump is not a big fan of foreign aid. Is that right?

Ambassador Sondland. I don't know if that's a fair characterization. I think he's careful.

Mr. Jordan. He's expressed concerns about --

Ambassador Sondland. Yeah.

Mr. Jordan. -- foreign aid going to certain countries?

Ambassador Sondland. Yeah.

Mr. Jordan. Okay. Fair enough. And he knew Ukraine was corrupt. Is that right?

Ambassador Sondland. He believed Ukraine was corrupt.

Mr. Jordan. Yeah. And he wanted Europe to do more?

Ambassador Sondland. Definitely.

Mr. Jordan. Definitely wanted Europe to do more.

And the President had a belief that Ukrainian Government officials, some senior Ukrainian Government officials supported his opponent in 2016. I won't go into all the details, but I think of the one member of parliament who said the majority of Ukrainian politicians want Hillary Clinton to win. So he had that belief as well.

And, obviously, he understood what was happening. We got a brand new guy in Ukraine, this Zelensky guy wins, right?

Ambassador Sondland. Right.

Mr. Jordan. And his party takes over and President Trump wants to see, with all these other things that are of concern to him, he wants to see if this new guy is actually, as I like to say, the real deal, a real reformer, and actually going to deal with the

corruption problem.

So aid gets held up for 55 days, gets held up on June 18th -- or, excuse me, July 18th -- and then is released on September 11th. But it seems to me more important than the 55-day pause is the 14 days when Ukraine realized aid was held up on the 29th. We've now had you testify to that. The two witnesses yesterday testified to that, the Politico article.

So aid gets held up on August -- excuse me -- Ukraine learns that aid is held on August 29th, and then, of course, released on September 11th.

In those 14 days, there are three important meetings with senior government officials and President Zelensky. There's the August 29 meeting between Ambassador Bolton and President Zelensky. There's the meeting September 1st that you're a part of, Vice President Pence meets with President Zelensky. And then there's the meeting on September 5th where U.S. Senators Murphy and Johnson meet with President Zelensky.

None of those meetings, none of those meetings did any linkage to security assistance dollars and an announcement or start of any investigation ever come up? None of them. But it seems to me the one that's the most important is probably the one we've talked least about, and that's the September 5th meeting, because that's actually a meeting where there is no one -- well, it's much more congressional focused than White House focused.

This is the meeting where Senators Murphy -- Senators Murphy and Johnson, bipartisan, meet with President Zelensky. And what's interesting is both Senators in the last 2 days have given us letters recounting what happened in that meeting.

Senator Murphy said: I broached the topic of pressure on Zelensky from Rudy Giuliani and the President's other emissaries to launch an investigation into Trump's political rival. Murphy brought it up. You got two Senators, who both strong

supporters of money going to Ukraine, these guys are all for it, and Senator Murphy, the Democrat, even brings up the issue everyone has been talking about.

It seems to me if ever there was going to be a time where the President of Ukraine says, "Guys, you don't know what I'm dealing with, I'm getting pressure from the President of the United States, he wants me to do this, I've got to make an" -- it seems if ever there was a time that the President of Ukraine, the new guy, who now knows the aid has been on hold, if ever there was a time to bring it up, that would have been the time.

But guess what? At no time, Senator Johnson tells us, at no time during this meeting or on any other meeting on this trip was there any mention by Zelensky or any other Ukrainian that they were feeling pressure to do anything in return for military aid, not even, Senator Johnson says, not even after Murphy warned them about getting involved in the election.

So Murphy gave this big deal on Giuliani and nothing. Nothing. And guess what Murphy also said: I do not dispute any of Senator Johnson's factual representations regarding the meeting.

If ever it was going to happen, September 5th was the day. No one from the White House there, not Ambassador Bolton, not the Vice President, no one there. But even then it didn't happen. And we've got all kinds of other meetings when it didn't happen.

And, of course, as you testified earlier, there was never an announcement. You said there were three quid pro quos, but there weren't, because there was never an announcement.

I mean, this is as clear as it gets, but these guys want to keep stirring it up based on no direct evidence whatsoever. And the best direct evidence we have is actually what the President told you: I want nothing. There is no quid pro quo. I want

Zelensky to do exactly what he campaigned on.

And when that became clear to us, guess what? They got the money. They got the money. God bless America. It all worked out, right?

This is crazy what we're going through, because the facts are so darn clear.

I yield back.

The Chairman. Mr. Welch.

Mr. Welch. Thank you, Mr. Chairman.

Mr. Ambassador, I'm impressed with your career. You've been very successful in business. I'm impressed with your commitment to public service. And I was very impressed with your forthright statement. So thank you for that.

You said it was the highest honor for you to have this opportunity to have this appointment to serve as ambassador to the EU, correct?

Ambassador Sondland. Correct.

Mr. Welch. And you quickly became very involved in Ukraine policy. And that policy, as been described by you and others, was really very clear: help Ukraine fight internal corruption and resist external aggression, correct?

Ambassador Sondland. Correct.

Mr. Welch. And this Congress, I think with the support of everybody up here, Republicans and Democrats, and in fact with a significant amount of Republican leadership, authorized the release of military aid, right?

Ambassador Sondland. Right.

Mr. Welch. And you and others who were working with you believed it was very important to the new government, President Zelensky, to have that White House meeting to show our support and send a signal to Russia, correct?

Ambassador Sondland. That's correct.

Mr. Welch. And from hearing you and from hearing our other witnesses, Ambassador Yovanovitch, Ambassador Volker, Ambassador Taylor, there was a concerted team effort on your part to get that meeting and release that aid, correct?

Ambassador Sondland. Well, there was always a concerted effort on my part to get the meeting. That was my singular narrow focus, was to get the meeting.

Mr. Welch. Right. And that was shared by all of the colleagues I just mentioned, correct?

Ambassador Sondland. Yes.

Mr. Welch. All right. And incredibly urgent. Ambassador Taylor described going to the front where Ukrainians were dying at the Donbas, 14,000 had died. And it was an existential issue for them that they get the aid. And you were well aware of that and shared, I'm sure, Ambassador Taylor's concern. Is that correct?

Ambassador Sondland. I did.

Mr. Welch. All right. And in your forthright testimony you've testified -- and it's really with the benefit of hindsight, because you couldn't piece it all together -- you know, Giuliani knew in realtime what you were trying to figure out as you went along. Is that a fair statement?

Ambassador Sondland. I think so.

Mr. Welch. One, you testified that you acted on the orders of the President. That was you acting on his orders, correct?

Ambassador Sondland. Correct.

Mr. Welch. And you said quite explicitly there was a quid pro quo.

Ambassador Sondland. Relating to the meeting and the Burisma, DNC.

Mr. Welch. That's exactly right. No meeting unless there's an investigation, right?

Ambassador Sondland. That's what we were told by Mr. Giuliani.

Mr. Welch. All right. And Mr. Giuliani, you --

Ambassador Sondland. Wait. No meeting unless there was an announcement of an investigation.

Mr. Welch. Okay. Thank you.

And I asked -- by the way, did the efforts of Mr. Giuliani authorized by the President impede the efforts that you and others were making to try to advance what you thought was the Ukraine policy?

Ambassador Sondland. Not initially. We were just working toward --

Mr. Welch. Ultimately?

Ambassador Sondland. Well, ultimately nothing happened.

Mr. Welch. Right. And Giuliani was the one who was absolutely insistent on the meeting, correct?

Ambassador Sondland. Giuliani was insistent on the --

Mr. Welch. On the investigation.

Ambassador Sondland. -- investigation, yeah.

Mr. Welch. All right.

Now, I asked this of Ambassador Taylor -- or Ambassador Volker. If the mayor of Portland said to the police chief, "I'm not going to authorize your budget unless you agree to do an investigation into my political opponent," would that be wrong?

Ambassador Sondland. Of course.

Mr. Welch. And likewise, if it were the governor of the State of Oregon doing the same thing, correct?

Ambassador Sondland. Correct.

Mr. Welch. And would that same rule apply to the President of the United

States?

Ambassador Sondland. To investigate a political opponent? Yes.

Mr. Welch. That's correct.

Ambassador Sondland. Yes.

Mr. Welch. All right. So that's the question here. The President in his phone call, he asked President Zelensky, who desperately needed the release of that aid, who desperately needed the White House meeting, to do an investigation, and it was focused on the Bidens and Hunter Biden and Burisma and CrowdStrike. I mean, you don't have to answer that. The President's words speak for themselves.

Do you feel, as a person who went into public service to serve, who had a team of people that shared your desire to help Ukraine, do you feel in any way betrayed by the double dealing of the President? This is a real question.

Ambassador Sondland. I don't want to characterize --

Mr. Welch. You don't have to characterize him. I'm just -- you know, we all, if we get a chance to do something useful, we'd like to do it. And there's no better joy than when you're doing it with other people.

Ambassador Sondland. Mr. Welch, let me answer your question this way. I would have preferred that -- and I'm sure everyone would have preferred that the President simply met with Mr. Zelensky right away.

Our assessment of Mr. Zelensky was that he and the President would get on famously. He was smart, he was funny, he was charming. He was the kind of person the President would like. And once the two of them got together, we thought the chemistry would take over and good things would happen between the U.S. and Ukraine relationship. That's why we were pushing for a quick, unconditional meeting.

Mr. Welch. So it's unfortunate that he was --

Ambassador Sondland. That it didn't happen.

Mr. Welch. -- unwilling to meet without the commitment on the investigation.

Thank you, Ambassador.

Ambassador Sondland. Thank you.

The Chairman. Mr. Maloney.

Mr. Maloney. Mr. Ambassador, let's pick up right there. You would have preferred if they just had the meeting with the President of Ukraine without these conditions. Is that what you're saying?

Ambassador Sondland. Yes.

Mr. Maloney. But there were these conditions, and it involved an investigation, right, and you've said that many times.

Ambassador Sondland. Well, remember, the initial invitation that the President sent to President Zelensky --

Mr. Maloney. I understand. I understand.

Ambassador Sondland. -- had no conditions.

Mr. Maloney. But that didn't last very long, did it? And then there were conditions -- this is not controversial at this point, I don't believe, sir -- there were conditions.

Ambassador Sondland. Yes.

Mr. Maloney. That the President wanted investigations, right?

Ambassador Sondland. Right.

Mr. Maloney. And you thought they were of Burisma and the 2016 election?

Ambassador Sondland. Correct.

Mr. Maloney. We now know, of course, that Burisma means Bidens, right?

Ambassador Sondland. Today we do.

Mr. Maloney. And we can probably from today until the end of time set aside any confusion that when somebody is asking for an investigation of Burisma over the summer what they really meant was Bidens, right?

Ambassador Sondland. With 20/20 hindsight, yes.

Mr. Maloney. Right, with hindsight.

And, of course, on the day after the President's famous call, you're having lunch with David Holmes, we've covered this, and he overhears your conversation. And I know you said you have no reason to dispute what Mr. Holmes said, and I think you said you wouldn't have any reason to think you didn't speak about investigations with the President.

The President raised investigations with you, right?

Ambassador Sondland. Correct.

Mr. Maloney. On the 26th?

Ambassador Sondland. Correct.

Mr. Maloney. And we now know, of course, that was about the Bidens and Burisma and 2016, right? I mean, I know you didn't know that at the time, that's your testimony, but we now know that, right?

Ambassador Sondland. I understood it meant to mean Burisma.

Mr. Maloney. Mr. Holmes says you said Bidens right after that, but I don't know you don't recall that, right?

Ambassador Sondland. That's correct.

Mr. Maloney. Do you dispute it?

Ambassador Sondland. I do.

Mr. Maloney. Okay. But you don't recall it. But we know that that's what the President meant, right? And you do confirm that he wanted to talk about investigations

with you.

Ambassador Sondland. Well, now with the complete picture --

Mr. Maloney. I understand.

Ambassador Sondland. -- what he said 24 hours before, yes --

Mr. Maloney. I understand.

Ambassador Sondland. -- it makes sense.

Mr. Maloney. And you've said it's wrong to investigate political opponents.

We've agreed on that today, haven't we, sir?

Ambassador Sondland. Yes.

Mr. Maloney. And yet, of course, that's what we know the President was asking for.

Let me ask you something. Who would have benefited from an investigation of the President's political opponents?

Ambassador Sondland. I don't want to characterize who would have and who would not have.

Mr. Maloney. I know you don't want to, sir. That's my question. Would you answer it for me?

Ambassador Sondland. Restate your question.

Mr. Maloney. Who would benefit from an investigation of the President's political opponent?

Ambassador Sondland. Well, presumably that -- the person who asked for the investigation.

Mr. Maloney. Who was that?

Ambassador Sondland. If the President asked for the investigation, it would be he.

Mr. Maloney. Well, it's not a hypothetical, is it, sir? We just went around this track, didn't we? The President asked you about investigations. He was talking about the Bidens. When he asked you about the Biden investigation, who was he seeking to benefit?

Ambassador Sondland. He did not ask me about the Biden investigation.

Mr. Maloney. When he asked you about investigations --

Ambassador Sondland. I've said that about 19 times, Mr. Maloney.

Mr. Maloney. Sir. Sir. We just went through this. When he asked you about investigations, which we all agree now means the Bidens -- we just did this about 30 seconds ago, right? It's a pretty simple question, isn't it? I guess I'm having trouble why you can't just say --

Ambassador Sondland. When he asked about investigations, I assumed he meant --

Mr. Maloney. I know what you assumed.

Ambassador Sondland. -- the company, Burisma.

Mr. Maloney. But who would benefit from an investigation of the Bidens?

Ambassador Sondland. They're two different questions. Are you --

Mr. Maloney. I'm just asking you one. Who would benefit from an investigation of the Bidens?

Ambassador Sondland. I assume President Trump would benefit.

Mr. Maloney. There we have it, see. Didn't hurt a bit, did it? Didn't hurt a bit.

But let me ask you something --

Ambassador Sondland. Mr. Maloney --

Mr. Maloney. Hold on, sir.

Ambassador Sondland. -- excuse me. I've been very forthright, and I really resent what you're trying to do.

Mr. Maloney. Fair enough. You've been very forthright. This is your third try to do so, sir. Didn't work so well the first time, did it? We had a little declaration come in after, you remember that? And now we're in here a third time, and we've got a doozy of a statement from you this morning. There's a whole bunch of stuff you don't recall.

So all due respect, sir, we appreciate your candor, but let's be really clear on what it took to get it out of you.

So my question is, when the President is putting pressure on the Ukrainians, withholding a meeting, to get this investigation that you and I agree would benefit him politically, what kind of position does that put the Ukrainians in, sir?

Ambassador Sondland. A terrible position.

Mr. Maloney. A terrible position. Why?

Ambassador Sondland. Why does it put them in a terrible position?

Mr. Maloney. Why?

Ambassador Sondland. Well, obviously, they're not receiving ultimately what they thought was coming to them, and they're put in a position that jeopardizes their security.

Mr. Maloney. A position that jeopardizes their security, and they're being asked to do an investigation to help their security, essentially, that would benefit the President politically.

In other words, you might say they're being asked to give him a personal benefit in exchange for an official act. Is that a fair summary?

Ambassador Sondland. In your hypothetical, that's correct.

Mr. Maloney. It's not a hypothetical, sir. This is real life. Were they asked to

give him a personal benefit --

Ambassador Sondland. By whom?

Mr. Maloney. -- in exchange for an official act?

Ambassador Sondland. Sir, I am not going to go around in circles with you.

Please be clear about what you're asking me.

Mr. Maloney. My time has expired, sir. Thanks for your appearance.

The Chairman. Mrs. Demings.

Mrs. Demings. Good afternoon, Ambassador. It's good to see you again.

Ambassador Sondland. Thank you.

Mrs. Demings. Do you have any knowledge of a possible meeting on or around May 7th involving then President-elect Zelensky and several of his aides to discuss how to handle pressure from President Trump and Mr. Giuliani about investigating the Bidens?

Ambassador Sondland. I don't recall such a meeting.

Mrs. Demings. You don't recall such a meeting? You don't recall hearing anything about such a meeting --

Ambassador Sondland. Again --

Mrs. Demings. -- if you don't have firsthand knowledge?

Ambassador Sondland. Well, if I don't have -- if I don't have records, schedules. I don't -- right now I don't recall anything about such a meeting.

Mrs. Demings. Ambassador, in the May --

Ambassador Sondland. Was this a meeting among the Ukrainians?

Mrs. Demings. This was a meeting among the Ukrainians involving then President-elect Zelensky, so this would have been early on in his Presidency, with several aides to discuss how to handle pressure from President Trump and Mr. Giuliani about investigating the Bidens.

Ambassador Sondland. Yeah, I don't recall such a meeting.

Mrs. Demings. You don't remember that.

Ambassador, in the May -- I believe it was the May 23rd meeting, you talked about how the President categorized Ukraine, what he thought about Ukraine. I believe that meeting was on May 23rd. Did you ever hear President Zelensky relay any concerns about you about how he felt about how the United States viewed him, whether he was being taken seriously, or any concerns about being used as a tool for political reasons?

Ambassador Sondland. Well, I saw that in an email from Ambassador Taylor. We obviously tried to relay to President Zelensky the glass-half-full version of how the United States felt about Ukraine, not the glass-half-empty version, which is: We're here for you, we support you, and we're trying very hard to get you the meeting with President Trump.

Mrs. Demings. So after hearing that from Ambassador Taylor, you relayed -- you tried to reassure President Zelensky that America was truly on their side. Is that what you just said?

Ambassador Sondland. I think we've been trying to assure President Zelensky throughout his entire -- his entire term as the President.

Mrs. Demings. Ambassador, I know you said you don't quite remember exactly when you came to the realization that Burisma actually meant Bidens. But back on May 6th, when asked about a news report about the role of former Vice President's son on Burisma, President Trump told FOX News that it was, and I quote, "a major scandal, major problem."

On May 9th, The New York Times reported that Rudy Giuliani planned to travel to Ukraine and, quote, "shortly to meet with President Zelensky to urge him to pursue the 2016 election and the involvement of Hunter Biden in Burisma," unquote.

Are you saying that you did not realize at that time -- we're talking about on May 9th of this year -- that Mr. Giuliani wanted to urge President Zelensky to pursue the 2016 election and the involvement of Hunter Biden of Burisma?

Ambassador Sondland. I do now, but I did not then.

Mrs. Demings. You did not know that. And I believe you said earlier that you did not pay any attention or much attention at all to any of the numerous news reports of the person you were directed by the President to work with when he was on television over and over and over again talking about Hunter Biden and Burisma.

Ambassador Sondland. No, I did not.

Mrs. Demings. On September 9th, in a text from Ambassador Taylor, he said something to the effect: Are we now saying that aid is tied to investigations? And I believe you text back: Call me. Then you had a conversation with President Trump, and President Trump said something to the effect that there is no quid pro quo.

Do you know what prompted him to say that? You asked him what do you want, and he goes directly to there is no quid pro quo, as opposed to going directly to the list of things that he wanted. What prompted him to use that term?

Ambassador Sondland. I have no clue.

Mrs. Demings. Did you discuss your conversation or your text from Ambassador Taylor with President Trump before he made that statement?

Ambassador Sondland. I did not. I asked a very open-ended question: What do you want from Ukraine?

Mrs. Demings. And you remember that directly, although there are several other conversations that you cannot recall because you don't have your notes or your documents or your emails or other information. But you remember that call specifically, exactly what the President said to you in response to your question about, what do you

want? Why is that?

Ambassador Sondland. I remember the first girl I kissed. I mean, I remember --

Mrs. Demings. You kissed -- well, I won't say that, but anyway.

Ambassador Sondland. I remembered that conversation because, as I said, it was a pretty intense, short conversation.

Mrs. Demings. And tell me again about the conversation you had at the restaurant that was overheard by Mr. Holmes, because that was a conversation with the President. Tell me about that conversation with the President. What was said on the phone?

Ambassador Sondland. Again, I don't remember the specifics. I'm being guided by what Mr. Holmes testified to. I said I didn't dispute the basic, you know, subject of the conversation. As I said, we were talking primarily about A\$AP Rocky. That was a completely unrelated matter.

And I think the President may have brought up, you know, how'd it go with Zelensky or is he going to do the investigations, which we'd been talking about for weeks.

And then, as I said, I dispute the -- Mr. -- is it Mr. Holmes' characterization of what I said afterwards.

Mrs. Demings. Thank you, Ambassador.

Mr. Chair, I yield back.

The Chairman. Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good afternoon, Ambassador.

I'm just going to pick up on that September 9th conversation, in which the President allegedly said: I want nothing, I don't want a quid pro quo.

I presume that on this September 9th conversation the President did not mention that that was the same day that we launched a congressional investigation into whether

there was a quid pro quo. Did he say that to you?

Ambassador Sondland. Again, I know all of that today, but he did not -- we didn't have time to talk about things like that.

Mr. Krishnamoorthi. And I presume he also didn't mention the whistleblower complaint that also alleged that there was a quid pro quo that day.

Ambassador Sondland. He did not.

Mr. Krishnamoorthi. Okay. So you can't rule out the possibility that the reason why he started talking that way on that day is because of the congressional investigation?

Ambassador Sondland. I can't rule that out.

Mr. Krishnamoorthi. You know, the inauguration of President Zelensky was on May 20th, correct?

Ambassador Sondland. Correct.

Mr. Krishnamoorthi. As you stated, you attended this inauguration with Senator Johnson, Secretary Perry, Lieutenant Colonel Vindman, and others, right?

Ambassador Sondland. Correct.

Mr. Krishnamoorthi. But Vice President Pence was supposed to originally attend that, correct?

Ambassador Sondland. I believe so.

Mr. Krishnamoorthi. We learned from Jennifer Williams, a witness who testified, that it was at the President's direction on May 13th that the Vice President not attend. She said, quote, that according to the Vice President's chief of staff, the President determined that the Vice President would not go.

Do you know why the Vice President did not attend the inauguration?

Ambassador Sondland. No clue.

Mr. Krishnamoorthi. I want to point to a New York Times article from last week

that says that Lev Parnas' attorney -- you've heard of this gentlemen, Lev Parnas, an associate of Rudy Giuliani?

Ambassador Sondland. Only what I've read very recently.

Mr. Krishnamoorthi. He was recently indicted?

Ambassador Sondland. Yeah.

Mr. Krishnamoorthi. Mr. Parnas told a representative of the incoming government, the Zelensky government, that it had to announce an investigation into Trump's political rival, Joseph R. Biden, and his son, or else Vice President Mike Pence would not attend the swearing in of the new President and the United States would freeze aid.

Did the Vice President not attend possibly because this investigation had not yet been initiated by the Zelensky government?

Ambassador Sondland. I have no idea.

Mr. Krishnamoorthi. You can't rule it out, right?

Ambassador Sondland. Again, I have no idea.

Mr. Krishnamoorthi. You have no basis for ruling it out, however, correct?

Ambassador Sondland. All I know is that the leader of the delegation was Secretary Perry who invited me along.

Mr. Krishnamoorthi. Interestingly, Ambassador Sondland, since you came forward in these proceedings, others in the administration have tried to distance themselves from you. You know, on October 14th, Rudy Giuliani told The Washington Post that Sondland, quote, "seemed to be in charge," close quote, of the effort to get Ukrainian officials to publish -- to publicly announce investigations.

Of course that's false, correct?

Ambassador Sondland. If I had been in charge, I would have asked

President Trump to have the meeting without preconditions, and the meeting would have occurred a long time ago.

Mr. Krishnamoorthi. That's exactly right. The President is the one that wanted these investigations, as we learned later on in reading the July 25th call transcript. Isn't that right?

Ambassador Sondland. The President, through Mr. Giuliani, as conveyed through Mr. Giuliani, wanted the investigation.

Mr. Krishnamoorthi. Mr. Tim Morrison came in yesterday, and his deposition testimony as well as yesterday disparaged you too. He called you, quote/unquote, "the Gordon problem."

Ambassador Sondland. That's what my wife calls me. Maybe they're talking. Should I be worried?

Mr. Krishnamoorthi. Maybe.

You know, on October 8th of this year, the President tweeted that you are a really good man and a great American. And, of course, on November 8th, one month later, he said, "Let me just tell you, I hardly know the gentleman."

Ambassador Sondland. Easy come, easy go.

Mr. Krishnamoorthi. You know, what I'm concerned about -- you were part of the Three Amigos. But what I'm really concerned about, Ambassador Sondland, is that the President and the good folks over here, my Republican colleagues, are now casting you as the one Amigo, the one lonely Amigo they're going to throw under the bus.

But the truth is that, as you said in your opening statement, the suggestion that you were engaged in some rogue diplomacy or irregular channel of diplomacy is, quote/unquote, absolutely false. Isn't that right?

Ambassador Sondland. That's correct.

Mr. Krishnamoorthi. The presumption that military aid was conditioned on investigations was based on Mulvaney's statement that we saw on the video. Isn't that right?

Ambassador Sondland. Well, I didn't have the benefit at that time of Mulvaney's statement.

Mr. Krishnamoorthi. But you would stand by the presumption that you had based on what you know now, right?

Ambassador Sondland. Correct.

Mr. Krishnamoorthi. And on September 1, when you told Andriy Yermak your presumption, which you've told us about military aid being conditioned on the investigations, you then told Mr. Morrison what you told Yermak, and Morrison did not try to dispute your presumption, correct?

Ambassador Sondland. I don't recall him disputing it. I think I went right over to him and just repeated the conversation.

Mr. Krishnamoorthi. And when you told Vice President Pence your concerns he did not dispute that as well?

Ambassador Sondland. He didn't respond. He just listened.

The Chairman. The time of the gentleman has expired.

Mr. Krishnamoorthi. And when you told Secretary Pompeo, that wasn't disputed as well?

Ambassador Sondland. I don't recall.

The Chairman. That concludes the member questioning.

Mr. Nunes, do you have any closing remarks?

Mr. Nunes. Just briefly.

Ambassador, I know you want to get on a plane, so I want to thank you for your

indulgence today.

Once again, the American people have seen another failure of their preposterous conspiracy theory, which -- that's if their conspiracy theory doesn't change between now and our next hearing, which is in a few hours from now or another hour or so, and it keeps changing every day.

The claim, Ambassador, that you had an irregular -- you were accused of having an irregular channel, drug deals, now supposedly you're one Amigo. Nobody on this side of the aisle claimed that you were one Amigo.

Ambassador Sondland. I lost my Amigos?

Mr. Nunes. Yeah. Not from us. Not from us.

No bribes given to -- that you made any bribes to the Ukrainian people or to the Ukrainian President.

Your co-conspirator, Kurt Volker, I find it remarkable and troubling how the Democrats and their collaborators and the press have been able to vilify Ambassador Volker, who was supposed to work on these matters in Ukraine like you, Ambassador.

It was a very regular channel, and no amount of storytelling by the left and the Democrats on this dais will change that. It was the regular channel.

The testimony received today was far from compelling, conclusive, and provides zero evidence of any of the crimes that have been alleged. In fact, Ambassador Sondland testified that he presumed the temporary pause in military aid was conditioned on Ukraine carrying out the investigations the Democrats are desperate to portray as nefarious. The Democrats have, as their custom, seized on this presumption as proof they can use it against the President.

However, Ambassador Sondland testified in his deposition that when he asked President Trump what do you want from Ukraine, President Trump replied: I want

nothing. There is no quid pro quo. Let me repeat, President Trump said: I want nothing. There is no quid pro quo.

This comes on the heels of the testimony by Ambassador Volker that he saw no evidence of bribery, extortion, quid pro quo, or treasonous actions. We didn't get to ask him about obstruction of justice because we didn't know that was on the table until today.

Like the President's call with President Zelensky, Democrats want the American people to believe, as one Democrat on this committee put it, that hearsay is much better than direct evidence. And I think Mr. Ratcliffe from Texas laid out the direct evidence that we have from your testimony today. Nothing we have heard establishes a claim that the President acted improperly in his dealings with Ukraine, and certainly nothing has been presented to support anything near impeachment.

In the meantime, Mr. Chair, we continue to have no answers to the questions that only you know, starting with who is the whistleblower who gave birth to this hoax, and what was the nature of his coordination with the Democrats on this committee; second, what is the full extent of Ukraine's election meddling against the Trump campaign in 2016; and finally, why did Burisma hire Hunter Biden? What did he do for them? And did his position impact any U.S. Government actions under the Obama administration? Another hearing in the books and no answers to basic three material, factual questions that we need answers to.

Yield back.

And thank you, Ambassador, for being here.

Ambassador Sondland. Thank you.

The Chairman. I thank the ranking member for his remarks.

Ambassador Sondland, thank you for your testimony today. This is a seminal

moment in our investigation, and the evidence you have brought forward is deeply significant and troubling.

It's been a long hearing, and I know Americans watching throughout the country may not have had the opportunity to watch all of it, so I'm going to go through a few of the highlights. And I'm not going to try to paraphrase what you've said, I'm going to refer to your opening statement.

"We all understood that if we refused to work with Mr. Giuliani we would lose an important opportunity to cement relations between the United States and Ukraine. So we followed the President's orders."

"Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. Mr. Giuliani demanded that Ukraine make a public statement announcing investigations of the 2016 election, DNC server, and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew that these investigations were important to the President."

Later you testified: "I tried diligently to ask why the aid was suspended, but I never received a clear answer. In the absence of any credible explanation for the suspension of aid, I later came to believe that the resumption of security aid would not occur until there was a public statement from Ukraine committing to the investigations of the 2016 election and Burisma as Mr. Giuliani had demanded. I shared concerns of the potential quid pro quo regarding the security aid with Senator Ron Johnson, and I also shared my concern with the Ukrainians."

So much for the Ukrainians didn't know. You can't have a quid pro quo unless the Ukrainians know, and you have testified today, Ambassador, the Ukrainians knew.

You further testified: "Mr. Giuliani emphasized that the President wanted a public statement from President Zelensky committing Ukraine to look into corruption

issues. Mr. Giuliani specifically mentioned the 2016 election, including the DNC server and Burisma as two topics of importance to the President."

In reference to the July 10th meeting at the White House, which you attended with Ambassador Bolton and others and the Ukrainian delegation, you said: "I recall mentioning the prerequisite of investigations before any White House call or meeting."

You further testified: "Again, Mr. Giuliani's demand that President Zelensky make a public statement about investigations, I knew that the topic of investigations was important to President Trump."

You testified later: "I know that members of this committee have frequently framed these complicated issues in the form of a simple question: Was there a quid pro quo? As I testified previously, with regard to the requested White House call and White House meeting, the answer is yes. We all understood that these prerequisites for the White House call and White House meeting reflected President Trump's desires and requirements."

Later, on the subject of security aid, you testified: "In the absence of any credible explanation for the hold, I came to the conclusion that the aid, like the White House visit, was jeopardized in preparation for the September 1 meeting in Warsaw. I asked Secretary Pompeo whether a face-to-face conversation between Trump with Zelensky could help break the logjam."

And this is from an email that the State Department refuses to provide to us but you have provided to us, Ambassador. It reads: "Should we block time in Warsaw for a short pull-aside for POTUS to meet Zelensky? I would ask Zelensky to look him in the eye" -- that is the President -- "and tell him that once Ukraine's new Justice folks are in place in mid-September that Z should be able to move forward publicly with confidence on those issues of importance to POTUS and to the United States. Hopefully that will

break the logjam."

And Secretary Pompeo's reply: "Yes." Not, "What issues of importance to the POTUS?" Not, "What are you talking about, Ambassador Sondland?" Because Secretary Pompeo was on the July 25th phone call, he knew what issues were important to POTUS, and there were two of them, the investigation into 2016 and the DNC server and the investigation into the Bidens.

By the end of August you testified: "My belief was that if Ukraine did something to demonstrate a serious intention to fight corruption specifically addressing Burisma and the 2016 server, then the hold on military aid would be lifted. I mentioned to Vice President Pence before the meetings with Ukrainians that I had concerns that the delay in aid had become tied to the issue of investigations."

And as you testified, he gave you no response. No, "What are you talking about, Ambassador? How could that be, Ambassador? How do we clear this up, Ambassador?" He merely nodded his head or took it in.

And, of course, the record of that 25th call between President Trump and Zelensky was in the Vice President's reading book earlier.

Then you testified: "My goal at the time was to do what was necessary to get the aid released, to break the logjam. I believe that the public statement we have been discussing for weeks was essential to advancing that goal."

Now, my colleagues seem to believe -- and let me add, too, about this call you had with the President. You have confirmed today, in addition to claiming there was no quid pro quo, the President was adamant that President Zelensky had to, quote, "clear things up and do it in public." That's what you have confirmed. That is what you also told Ambassador Taylor. So he would deny there was a quid pro quo, but he was adamant that Zelensky had to, quote, "clear things up and do it in public."

Now, I have said a lot of things about President Trump over the years. I have very strong feelings about President Trump, which are neither here nor there. But I will say this on the President's behalf: I do not believe that the President would allow himself to be led by the nose, by Rudy Giuliani or Ambassador Sondland or anybody else. I think the President was the one who decided whether a meeting would happen, whether aid would be lifted, not anyone who worked for him.

And so the answer to the question, who was refusing the meeting with Zelensky that you believe should take place, that Ambassador Volker believes should take place, and everybody believes should take place, the only question was when, who was the one standing in the way of that meeting? Who was the one refusing to take that meeting? There's only one answer to that question, and it's Donald J. Trump, 45th President of the United States.

So who was holding up the military assistance? Was it you, Ambassador Sondland? No, it wasn't. Was it Ambassador Volker? No. Was it Ambassador Taylor? No. Was it Deputy Secretary Kent? No. Was it Secretary of State Pompeo? No. Who had the decision to release the aid? It was one person, Donald J. Trump, President of the United States.

Now, my colleagues seem to think unless the President says the magic words "I hereby bribed the Ukrainians" that there's no evidence of bribery or other high crimes or misdemeanors. But let's look to the best evidence of what's in the President's head, what's his intent, what's the reason behind the hold on the meeting, and on the aid. Let's look at what the President has to say. Let's look at what's undisputed about what the President has to say.

And you know how we know what the President has to say? Not because what you have represented or others have represented, but because we have a record of his

conversation. And with who? The one who really matters, with the other President, Zelensky.

And this is what he says. He says: "Rudy very much knows what's happening and he is a very capable guy." This is after he says he wants a favor, and he goes into CrowdStrike and 2016. He says: "Rudy very much knows what's happening and he's a very capable guy. If you could speak to him, that would be great."

The former ambassador from the United States, the woman was bad news. And the people she was dealing with in Ukraine were bad news. So I just want to let you know that. The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of people want to find out about that, so whatever you can do with the Attorney General, that would be great. Biden went around bragging that he stopped the prosecution, so if you could look into it...it sounds horrible to me.

So what's in the President's mind when he has placed this otherwise inexplicable hold on the aid when he refuses to take the meeting? What's on his mind? Biden. He makes that abundantly clear.

I understand, Ambassador, you've said you didn't make the connection between Burisma and Biden. I will let the American people judge the credibility of that answer. But there's no mistaking what Donald Trump's interest was. There's no mistaking about what Donald Trump meant when he had that call with you on an unsecure phone as you're sitting there in an outdoor terrace in Ukraine, when the President said investigation, he meant Biden. He made that abundantly clear to the President of Ukraine the day before.

The question is not what the President meant. The question is not whether he was responsible for holding up the aid. He was. The question is not whether everybody knew, and apparently they did.

The question is, what are we prepared to do about it? Is there any accountability? Or are we forced to conclude that this is just now the world that we live in, when a President of the United States can withhold vital military aid from an ally at war with the Russians, an ally fighting our fight, too, to defend our country against Russian aggression? Are we prepared to say, in the words of Mick Mulvaney, get over it or get used to it?

We're not prepared to say that. We're not prepared to say of that.

And I appreciate, Ambassador Volker -- Ambassador Sondland -- I appreciate the fact that you have not opined on whether the President should be impeached or not be impeached or whether the crime of bribery or the impeachable offense of bribery or other high crimes and misdemeanors has been committed. That is for us to decide in consultation with our constituents and our conscience. That is for us to decide.

And much as my colleagues have said otherwise, this is not an easy decision for any of us. And much as my colleagues may say otherwise, this is not something we relish. For over a year, I resisted this whole idea of going down the road to impeachment, but it was made necessary, and not by the whistleblower, but by the actions of the President.

I'm continually struck how my colleagues would suggest that because the President got caught we should ignore the fact that he was conditioning official acts in order to get political favors, in order to get an investigation against his rival. Getting caught is no defense, not to a violation of the Constitution or to a violation of his Oath of Office, and it certainly doesn't give us a reason to ignore our own Oath of Office.

We are adjourned.

[Whereupon, at 3:47 p.m., the committee was adjourned.]

**Opening Statement before the United States House of Representatives  
Permanent Select Committee on Intelligence**

The Honorable Gordon D. Sondland  
U.S. Ambassador to the European Union

November 20, 2019

**INTRODUCTION**

Thank you Mr. Chairman for the opportunity to speak again to the Members of this Committee.

First, let me offer my thanks to the men and women of the U.S. Department of State, who have committed their professional lives to support the foreign policy work of the United States. In particular, I want to thank my staff at the U.S. Mission to the European Union. Your integrity, dedication, and hardwork -- often performed without public acclaim or recognition -- serve as a shining example of true public service, and I am personally grateful to work beside you each and every day.

It is my honor to serve as the U.S. Ambassador to the European Union. The U.S. Mission to the EU is the direct link between the United States and the European Union and its members, America's longest-standing allies and one of the largest economic blocks in the world. Every day, I work to support a strong, united, and peaceful Europe. Strengthening our ties with Europe serves both American and European goals, as we together promote political stability and economic prosperity around the world.

**Personal Background**

I expect that few Americans have heard my name before these events. So before I begin my substantive testimony, please let me share some of my personal background.

My parents fled Europe during the Holocaust. Escaping the atrocities of that time, my parents left Germany for Uruguay, and then in 1953 emigrated to Seattle, Washington, where I was born and raised. Like so many immigrants, my family was eager for freedom and hungry for opportunity. They raised my sister and me to be humble, hardworking, and patriotic, and I am forever grateful for the sacrifices they made on our behalf.

Public service has always been important to me. As a lifelong Republican, I have contributed to initiatives of both Republican and Democratic administrations. In 2003, I served as a member of the transition team for Oregon Democratic Governor Ted Kulongoski. Governor Kulongoski also appointed me to serve on various statewide boards. In 2007, President George W. Bush appointed me as a member of the Commission on White House Fellows. I worked with President Bush on charitable events for his foundation's Military Service Initiative. And I also worked briefly with former Vice President Joe Biden's office in connection with the Vice President's nationwide anti-cancer initiative at a Northwest hospital.

And, of course, the highest honor in my public life came when President Trump asked me to serve as the U.S. Ambassador to the European Union. The U.S. Senate confirmed me as Ambassador on a bipartisan voice vote, and I assumed the role in Brussels on July 9, 2018.

**Prior Testimony**

Although today is my first public testimony on the Ukraine matters, this is **not** my first time cooperating with this Committee. As you know, I have already provided ten hours of deposition testimony. I did so despite directives from the White House and the State Department that I refuse to appear, as many others have done. I agreed to testify because I respect the gravity of the moment and believe I have an obligation to account fully for my role in these events.

**Lack of Documents**

But, I also must acknowledge that this process has been challenging and, in many respects, less than fair. I have not had access to all of my phone records, State Department emails, and other State Department documents. And I was told I could not work with my EU Staff to pull together the relevant files. Having access to the State Department materials would have been very helpful to me in trying to reconstruct with whom I spoke and met, when, and what was said.

As Ambassador, I have had hundreds of meetings and calls with individuals. But I am not a note taker, nor am I a memo writer. Never have been. My job requires speaking with heads of state and senior government officials every day. Talking with foreign leaders might be memorable to some people. But this is my job. I do it all the time.

My lawyers and I have made multiple requests to the State Department and the White House for these materials. Yet, these materials were not provided to me. They have also refused to share these materials with this Committee. These documents are not classified and, in

fairness, should have been made available. In the absence of these materials, my memory has not been perfect. And I have no doubt that a more fair, open, and orderly process of allowing me to read the State Department records would have made this process more transparent.

I don't intend to repeat my prior opening statement or attempt to summarize ten hours of previous deposition testimony. However, a few critical points have been obscured by noise over the last few days, and I'm worried that the "bigger picture" is being ignored. So, let me make a few key points.

**First**, Secretary Perry, Ambassador Volker and I worked with Mr. Rudy Giuliani on Ukraine matters at the express direction of the President of the United States. We did not want to work with Mr. Giuliani. Simply put, we played the hand we were dealt. We all understood that if we refused to work with Mr. Giuliani, we would lose an important opportunity to cement relations between the United States and Ukraine. So we followed the President's orders.

**Second**, although we disagreed with the need to involve Mr. Giuliani, we did not believe that his role was improper at the time. As I previously testified, if I had known of all of Mr. Giuliani's dealings or of his associations with individuals now under criminal indictment, I would not have acquiesced to his participation. Still, given what we knew at the time, what we were asked to do did not appear to be wrong.

**Third**, let me say: precisely because we did not think that we were engaging in improper behavior, we made every effort to ensure that the relevant decisionmakers at the National

Security Council and State Department knew the important details of our efforts. The suggestion that we were engaged in some irregular or rogue diplomacy is absolutely false. I have now identified certain State Department emails and messages that provide contemporaneous support for my view. These emails show that the leadership of State, NSC, and the White House were all informed about the Ukraine efforts from May 23, 2019, until the security aid was released on September 11, 2019. I will quote from some of those messages with you shortly.

**Fourth**, as I testified previously, Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. Mr. Giuliani demanded that Ukraine make a public statement announcing investigations of the 2016 election/DNC server and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew that these investigations were important to the President.

**Fifth**, in July and August 2019, we learned that the White House had also suspended security aid to Ukraine. I was adamantly opposed to any suspension of aid, as the Ukrainians needed those funds to fight against Russian aggression. I tried diligently to ask why the aid was suspended, but I never received a clear answer. In the absence of any credible explanation for the suspension of aid, I later came to believe that the resumption of security aid would not occur until there was a public statement from Ukraine committing to the investigations of the 2016 election and Burisma, as Mr. Giuliani had demanded. I shared concerns of the potential quid pro quo regarding the security aid with Senator Ron Johnson. And I also shared my concerns with the Ukrainians.

**Finally**, at all times, I was acting in good faith. As a presidential appointee, I followed the directions of the President. We worked with Mr. Giuliani because the President directed us to do so. We had no desire to set any conditions on the Ukrainians. Indeed, my personal view -- which I shared repeatedly with others -- was that the White House meeting and security assistance should have proceeded without pre-conditions of any kind. We were working to overcome the problems, given the facts as they existed. Our only interest was to advance long-standing U.S. policy and to support Ukraine's fragile democracy.

### **Ukraine**

Now, let me provide additional detail specifically about Ukraine and my involvement.

From my very first days as Ambassador to the EU, starting in July 2018, Ukraine has featured prominently in my broader portfolio. Ukraine's political and economic development are critical to the long-lasting stability of Europe. Moreover, the conflict in Eastern Ukraine and Crimea remains one of the most significant security crises for Europe and the United States. Our efforts to counterbalance an aggressive Russia depend in substantial part on a strong Ukraine.

On April 21, 2019, Volodymr Zelensky was elected President of Ukraine in an historic election. With the express support of Secretary Pompeo, I attended President Zelensky's inauguration on May 20, as part of the U.S. delegation led by Energy Secretary Rick Perry. The U.S. delegation also included Senator Johnson, Ukraine Special Envoy Kurt Volker, and Lt. Col. Alex Vindman of the National Security Council.

My attendance at President Zelensky's inauguration was not my first involvement with Ukraine. As I testified previously, just four days after assuming my post as Ambassador in July 2018, I received an official delegation from the government of then-Ukraine President Petro Poroshenko. This meeting took place at the U.S. Mission in Brussels and was pre-arranged by my career EU Mission staff. Later, in February 2019, I worked well with U.S. Ambassador Marie Yovanovitch in making my first official visit to Ukraine, for a U.S. Navy visit to the strategic Black Sea port of Odessa.

I raise these prior Ukraine activities -- the meeting in Brussels and my visit to Odessa -- to emphasize that Ukraine has been a part of my portfolio from my first days as U.S. Ambassador. Any claim that I somehow "muscle" my way into the Ukraine relationship is simply false.

### **President Zelensky**

During the Zelensky Inauguration on May 20, 2019, the U.S. delegation developed a very positive view of the new Ukrainian government. We were impressed by President Zelensky's desire to promote a stronger relationship with the United States. We admired his commitment to reform. We were excited about the possibility of Ukraine making the changes necessary to support greater Western economic investment. And we were excited that Ukraine might, after years of lip service, finally get serious about addressing its well-known corruption problems.

With that enthusiasm, we returned to the White House on May 23 to brief President Trump. We advised the President of the strategic importance of Ukraine and the value of

strengthening the relationship with President Zelensky. To support this reformer, we asked the White House for two things: first, a working phone call between Presidents Trump and Zelensky; and, second, a working Oval Office visit. In our view, both were vital to cementing the U.S.-Ukraine relationship, demonstrating support for Ukraine in the face of Russian aggression, and advancing broader U.S. foreign policy interests.

Unfortunately, President Trump was skeptical. He expressed concerns that the Ukrainian government was not serious about reform. He even mentioned that Ukraine tried to take him down in the last election.

In response to our persistent efforts to change his views, President Trump directed us to “talk with Rudy.” We understood that “talk with Rudy” meant talk with Mr. Rudy Giuliani, the President’s personal lawyer.

Let me say again: We weren’t happy with the President’s directive to talk with Rudy. We did not want to involve Mr. Giuliani. I believed then, as I do now, that the men and women of the State Department, not the President’s personal lawyer, should take responsibility for Ukraine matters.

Nonetheless, based on the President’s direction, we were faced with a choice: We could abandon the efforts to schedule the White House phone call and White House visit between Presidents Trump and Zelensky, which was unquestionably in our foreign policy interest -- or

we could do as President Trump had directed and “talk with Rudy.” We chose the latter course, not because we liked it, but because it was the only constructive path open to us.

### **Rudy Giuliani**

Over the course of the next several months, Secretary Perry, Ambassador Volker, and I were in communication with Mr. Giuliani. Secretary Perry volunteered to make the initial calls with Mr. Giuliani, given his prior relationship. Ambassador Volker made several of the early calls and generally informed us of what was discussed. I first communicated with Mr. Giuliani in early August. Mr. Giuliani emphasized that the President wanted a public statement from President Zelensky committing Ukraine to look into corruption issues. Mr. Giuliani specifically mentioned the 2016 election (including the DNC server) and Burisma as two topics of importance to the President.

We kept the leadership of the State Department and the NSC informed of our activities. That included communications with Secretary of State Pompeo, his Counselor Ulrich Brechbuehl, and Executive Secretary Lisa Kenna within the State Department; and communications with Ambassador John Bolton, Dr. Fiona Hill, Mr. Timothy Morrison, and their staff at the NSC. They knew what we were doing and why.

### **July 10 – White House Meeting**

On July 10, 2019, senior Ukrainian national security officials met with Ambassador Bolton, Ambassador Volker, Dr. Hill, Secretary Perry, myself, and many others in Washington, D.C. During that meeting, we all discussed the importance of the two action items I identified earlier:

(1) a working phone call and (2) a White House meeting between Presidents Trump and Zelensky. From my perspective, the July 10 meeting was a positive step toward accomplishing our shared goals.

While I am now aware of accounts of the meeting from Dr. Hill and Lt. Col. Vindman, their recollections of those events simply don't square with my own or with those of Ambassador Volker or Secretary Perry. I recall mentioning the pre-requisite of investigations before any White House call or meeting. But I do not recall any yelling or screaming as others have said. Instead, after the meeting, Ambassador Bolton walked outside with the group, and we all took pictures together on the White House lawn.

Most important, those recollections of protest do not square with the documentary record of our interactions with the NSC in the days and weeks that followed. We kept the NSC apprised of our efforts, including, specifically, our efforts to secure a public statement from the Ukrainians that would satisfy President Trump's concerns.

For example, on July 13, just three days after the July 10 meeting, I emailed Tim Morrison. He had just assumed Dr. Hill's post as NSC Eurasia Director, and I met him that day for the first time. I wrote to Mr. Morrison (with these exact words):

"The call between Zelensky and Potus should happen before 7/21. (Parliamentary Elections) Sole purpose is for Zelensky to give Potus assurances of 'new sheriff' in town. Corruption ending, unbundling moving forward and any hampered investigations will be allowed to move forward transparently. Goal is for Potus to invite him to Oval. Volker, Perry, Bolton and I strongly recommend."

Morrison acknowledged, said "Thank you," and specifically noted he was "tracking" these issues.

Again, there was no secret regarding moving forward and the discussion of investigations.

Moreover, I have reviewed other State Department documents -- some of which are not currently in the public domain -- detailing Mr. Giuliani's efforts. For example, on July 10, 2019 -- the very same day that Ambassador Volker, Secretary Perry, and I were meeting with Ukraine officials in Washington -- Ambassador Taylor received a communication that Mr. Giuliani was still talking with Ukrainian prosecutor Yuriy Lutsenko. In WhatsApp messages with Ambassador Volker and I, Ambassador Taylor wrote to us as follows:

"Just had a meeting with Andriy and Vadym," referring to Ukraine Foreign Minister Vadym Pristaiko. Taylor said the Ukrainians were, quote: "Very concerned about what Lutsenko told them -- that, according to RG" -- meaning Rudy Giuliani -- "the ZE-POTUS meeting will not happen."

Volker responded, "Good grief. Please tell Vadym to let the official USG representatives speak for the U.S. [L]utsenko has his own self-interest here."

Taylor confirmed that he had communicated that message to the Ukrainians. He added, "I briefed Ulrich this afternoon on this," referring to State Department Counselor Ulrich Brechbuhl.

Three things are critical about this WhatsApp exchange. First, while the Ukrainians were in Washington at the White House, Mr. Giuliani had been communicating with Ukrainians without our knowledge. Ambassador Taylor, Ambassador Volker, and I were all surprised by this. Second, Mr. Giuliani was communicating with the reportedly corrupt Ukrainian prosecutor Lutsenko and discussing whether a Zelensky-Trump meeting was going to happen, again without our knowledge. And third, with this alarming news, Ambassador Taylor briefed Ulrich Brechbuehl, who is the Counselor to Secretary of State Pompeo. Even as late as September 24, Secretary Pompeo was directing Kurt Volker to speak with Rudy Giuliani. In a WhatsApp

message, Kurt Volker told me in part: “Spoke w Rudy per guidance from S.” S means the Secretary of State.

We tried our best to fix the problem, while keeping the State Department and the NSC closely apprised of the challenges we faced.

### **July 25 - Trump/Zelensky Call**

On July 25, 2019, Presidents Trump and Zelensky had their official call. I was not on the call. In fact, I first read the transcript on September 25, the same day it was publicly released. All I had heard at the time was that the call had gone well.

Looking back, I find it very odd that neither I, nor Ambassador Taylor, nor Ambassador Volker ever received a detailed read-out of that call with the Biden references. Now, there are people who say they had concerns about that call. No one shared any concerns about the call with me at the time, when it would have been very helpful to know.

### **July 26 – Meeting with President Zelensky**

On July 26, 2019, Ambassador Taylor, Ambassador Volker, and I were all in Kiev to meet with President Zelensky. The timing, immediately after the call between Presidents Trump and Zelensky, was entirely coincidental. The Kiev meetings had been scheduled well before the date of the White House call was eventually fixed. During our Kiev meeting, I do not recall President Zelensky discussing the substance of his July 25 call with President Trump. Nor did he discuss any request to investigate Vice President Biden (which we all later learned was

discussed on the July 25 call). This is consistent with the reported comments from Ambassadors Volker and Taylor.

After the Zelensky meeting, I also met with Mr. Zelenksy's senior aide, Andriy Yermak. While I do not recall the specifics of our conversation, I believe the issue of investigations was probably a part of the agenda.

### **July 26 – Call with President Trump**

Also on July 26, shortly after our Kiev meetings, I spoke by phone with President Trump. The White House, which has finally shared certain call dates and times with my attorneys, confirms this. The call lasted five minutes. I remember I was at a restaurant in Kiev, and I have no reason to doubt that this conversation included the subject of investigations. Again, given Mr. Giuliani's demand that President Zelensky make a public statement about investigations, I knew that the topic of investigations was important to President Trump. We did not discuss any classified information.

Other witnesses have recently shared their recollection of overhearing this call. For the most part, I have no reason to doubt their accounts. It is true that the President speaks loudly at times. It is also true that we discussed ASAP Rocky. It is true that the President likes to use colorful language. While I cannot remember the precise details -- again, the White House has not allowed me to see any readouts of that call -- the July 26 call did not strike me as significant at the time. Actually, I would have been more surprised if President Trump had not mentioned investigations, particularly given what we were hearing from Mr. Giuliani about the President's

concerns. However, I have no recollection of discussing Vice President Biden or his son on that call or after the call ended.

### **Quid Pro Quo**

I know that members of this Committee have frequently framed these complicated issues in the form of a simple question: Was there a “quid pro quo?” As I testified previously, with regard to the requested White House call and White House meeting, the answer is yes.

Mr. Giuliani conveyed to Secretary Perry, Ambassador Volker, and others that President Trump wanted a public statement from President Zelensky committing to investigations of Burisma and the 2016 election. Mr. Giuliani expressed those requests directly to the Ukrainians. Mr. Giuliani also expressed those requests directly to us. We all understood that these prerequisites for the White House call and White House meeting reflected President Trump’s desires and requirements.

Within my State Department emails, there is a **July 19** email that I sent to Secretary Pompeo, Secretary Perry, Brian McCormack (Perry’s Chief of Staff), Ms. Kenna, Acting Chief of Staff and OMB Director Mick Mulvaney (White House), and Mr. Mulvaney’s Senior Advisor Robert Blair. A lot of senior officials. Here is my exact quote from that email:

“I Talked to Zelensky just now... He is prepared to receive Potus’ call. Will assure him that **he intends to run a fully transparent investigation and will ‘turn over every stone’**. He would greatly appreciate a call prior to Sunday so that he can put out some media about a ‘friendly and productive call’ (no details) prior to Ukraine election on Sunday.” Chief of Staff Mick Mulvaney responded: “I asked NSC to set it up for tomorrow.”

Everyone was in the loop. It was no secret. Everyone was informed via email on July 19, days before the Presidential call. As I communicated to the team, I told President Zelensky in advance that assurances to **“run a fully transparent investigation”** and **“turn over every stone”** were necessary in his call with President Trump.

Also on July 19, 2019, in a WhatsApp message between Ambassador Taylor, Ambassador Volker, and me, Ambassador Volker stated:

**“Had breakfast with Rudy this morning – teeing up call w Yermak Monday. Must have helped. Most imp't is for Zelensky to say that he will help investigation – and address any specific personnel issues – if there are any.”**

On August 10, 2019, Mr. Yermak (Zelensky’s Presidential Advisor) texted me as follows:

**“Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of US-UKRAINE relationship, including among other things Burisma and election meddling in investigations.”**

The following day, August 11, I sent an email to Counselor Brechbuhl and Lisa Kenna, addressing Secretary Pompeo with the subject “Ukraine.” I wrote:

**“Mike – Kurt and I negotiated a statement from Ze[lensky] to be delivered for our review in a day or two. The contents will hopefully make the boss happy enough to authorize an invitation. Ze plans to have a big presser on the openness subject (including specifics) next week.”**

Lisa Kenna replied: **“Gordon, I’ll pass to S,”** meaning Secretary Pompeo. **“Thank you.”**

Again, everyone was in the loop.

On August 26, shortly before his visit to Kiev, Ambassador Bolton's office requested Mr. Giuliani's contact information. I sent Ambassador Bolton the information directly.

### Security Aid

I was first informed that the White House was withholding security aid to Ukraine during conversations with Ambassador Taylor on July 18, 2019. However, as I testified before, I was never able to obtain a clear answer regarding the specific reason for the hold, whether it was bureaucratic in nature -- which often happens -- or reflected some other concern in the interagency process. I never participated in any of the subsequent DOD or DOS review meetings that others have described, so I cannot speak to what was discussed in those settings.

Nonetheless, before the September 1 Warsaw meeting, the Ukrainians had become aware that the security funds had yet to be disbursed. In the absence of any credible explanation for the hold, I came to the conclusion that the aid, like the White House visit, was jeopardized. In preparation for the September 1 Warsaw meeting, I asked Secretary Pompeo whether a face-to-face conversation between Trump with Zelensky could help break the logjam. Specifically, on Thursday, August 22, I emailed Secretary Pompeo directly, copying Secretariat Kenna. I wrote:

"Should we block time in Warsaw for a short pull-aside for Potus to meet Zelensky? I would ask Zelensky to look him in the eye and tell him that once Ukraine's new justice folks are in place ([in] mid-Sept[ember]), that Ze should be able to move forward publicly and with confidence on those issues of importance to Potus and to the US. Hopefully, that will break the logjam."

Secretary Pompeo replied, "Yes."

I followed up the next day asking to "get 10-15 min on the Warsaw sched[ule] for this." I said, "I'd like to know when it is locked so that I can call Zelensky and brief him."

Executive Secretary Kenna replied, "I'll try for sure."

Moreover, given my concerns about the security aid, I have no reason to dispute that portion of Senator Johnson's recent letter, in which he recalls conversations he and I had on August 30. By the end of the August, my belief was that if Ukraine did something to demonstrate a serious intention to fight corruption, specifically addressing Burisma and 2016 server, then the hold on military aid would be lifted.

### **September 1 – Warsaw Meeting**

There was a September 1 meeting with President Zelensky in Warsaw. Unfortunately President Trump's attendance at the Warsaw meeting was cancelled due to Hurricane Dorian. Vice President Pence attended instead. I mentioned to Vice President Pence before the meetings with the Ukrainians that I had concerns that the delay in aid had become tied to the issue of investigations. I recall mentioning that before the Zelensky meeting.

During the actual meeting, President Zelensky raised the issue of security assistance directly with Vice President Pence. The Vice President said he would speak to President Trump about it. Based on my communications with Secretary Pompeo, I felt comfortable sharing my concerns with Mr. Yermak. In a very brief pull-aside conversation, that happened within a few seconds, I told Mr. Yermak that I believed that the resumption of U.S. aid would likely not occur until Ukraine took some kind of action on the public statement that we had been discussing for many weeks.

As my other State Department colleagues have testified, this security aid was critical to Ukraine's defense and should not have been delayed. I expressed this view to many during this period. But my goal, at the time, was to do what was necessary to get the aid released, to break the logjam. I believed that the public statement we had been discussing for weeks was essential to advancing that goal. I really regret that the Ukrainians were placed in that predicament, but I do not regret doing what I could to try to break the logjam and to solve the problem.

### **Leadership Support**

I mentioned at the outset that, throughout these events, we kept State Department leadership and others apprised of what we were doing. State Department was fully supportive of our engagement in Ukraine affairs, and was aware that a commitment to investigations was among the issues we were pursuing.

To provide just a couple of examples, on **June 5, 2019**, the day after the U.S. EU Mission hosted our Independence Day event, Acting Assistant Secretary Phillip Reeker sent an email to me, Secretary Perry, and others forwarding some positive media coverage of President Zelensky's presence at our event. Mr. Reeker wrote:

**“This headline underscores the importance and timeliness of Zelenskyy’s visit to Brussels, and the critical—perhaps historic—role of the dinner and engagement Gordon coordinated. Thank you for your participation and dedication to this effort.”**

Months later, on Tuesday, **September 3, 2019**, I sent Secretary Pompeo an email to express my appreciation for his joining a series of meetings in Brussels following the Warsaw trip. I wrote:

**“Mike, thanks for schlepping to Europe. I think it was really important and the chemistry seems promising. Really appreciate it.”**

**Secretary Pompeo replied on Wednesday, September 4: “All good. You’re doing great work; keep banging away.”**

State Department leadership expressed total support for our efforts to engage the new Ukrainian administration.

### **CONCLUSION**

I’ve never doubted the strategic value of strengthening our alliance with Ukraine. And at all times, our efforts were in good faith and fully transparent to those tasked with overseeing them. Our efforts were reported and approved. Not once do I recall encountering objection.

It remains an honor to serve the people of the United States as their U.S. Ambassador to the European Union. I look forward to answering the Committee’s questions.

## Exhibits

## Exhibit 1 – Wednesday, June 5, 2019

<b>Email</b>	Georgette Mosbacher, Rick Perry, Philip Reeker, and Gordon Sondland	<p><b>Subject: Fw: World News: Ukraine's president Volodymyr Zelensky reassures European backers...</b></p> <p><b>18:01 Financial Times Briefing:</b> Ukraine's president Volodymyr Zelensky reassures European backers</p> <p>Former comedian distances himself from controversial oligarch and attacks Russia's ambitions</p> <p><b>17:39 Philip Reeker:</b> Mr. Secretary, Ambassadors --</p> <p>This headline underscores the importance and timeliness of Zelensky's visit to Brussels, and the critical--perhaps historic--role of the dinner and engagement Gordon coordinated. Thank you for your participation and dedication to this effort.</p> <p>And many thanks for your engagement at 3SI in Ljubljana.</p> <p>We're on a roll! The EUR Bureau stands ready to support all these endeavors.</p> <p>And enormous gratitude to Georgette for the special Brussels-to-Ljubljana transportation!</p> <p>Best, Phil</p>
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## Exhibit 2 – Wednesday, July 10, 2019

<b>WhatsApp</b>	William Taylor, Kurt Volker, and Gordon Sondland	<p><b>7:56 Bill Taylor:</b> Just had a meeting with Andriy and Vadym. Very concerned about what Lutsenko told them -- that, according to RG, the ZE-POTUS meeting will not happen. Advice?</p> <p><b>7:57 Kurt Volker:</b> Good grief. Please tell Vadym to let the official USG representatives speak for the U.S. lutsenko has his own self-Interest here</p> <p><b>7:58 Bill Taylor:</b> Exactly what I told them.</p> <p><b>7:59 Bill Taylor:</b> And I said that RG is a private citizen.</p> <p><b>11:43 Bill Taylor:</b> I briefed Ulrich this afternoon on this.</p>
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**Exhibit 3 – Saturday, July 13, 2019**

<b>Email</b>	Timothy Morrison and Gordon Sondland	<b>Subject: Re: Three Items</b> <b>5:11 Gordon Sondland:</b> Tim, Three items for you: 1. Need to get an Oval visit for President Iohannis (RO) asap. He was invited by Potus over a year ago and it would be good to finalize. I spoke with Iohannis a couple of days ago. He plans to be highly supportive of the ME peace plan and has done other good stuff for us. He invited Jared and me to come to Bucharest to brief him which we will likely take him up on. 2. The call between Zelensky and Potus should happen before 7/21. (Parliamentary Elections) Sole purpose is for Zelensky to give Potus assurances of “new sheriff” in town. Corruption ending, unbundling moving forward and any hampered investigations will be allowed to move forward transparently. Goal is for Potus to invite him to Oval. Volker, Perry, Bolton and I strongly recommend. 3. Have a matter that is TS/SCI. Can we have a 5 min call this week? I think I will see you Friday with John S when you come to Brussels. Congrats on the new gig! <b>19:47 Timothy Morrison:</b> Thank you. Tracking 1 and 2. Do you want to try Monday for secure call? I ought to be able to call from D’s plane on Tuesday or from the Geneva Mission on Wednesday.
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**Exhibit 4 – Friday, July 19, 2019**

<b>Email</b>	Robert Blair, Lisa Kenna, Brian McCormack, Mick Mulvaney, Rick Perry, Mike Pompeo, and Gordon Sondland	<b>Subject: Re: I Talked to Zelensky just now</b> <b>15:28 Gordon Sondland:</b> He is prepared to receive Potus' call. Will assure him that he intends to run a fully transparent investigation and will “turn over every stone”. He would greatly appreciate a call prior to Sunday so that he can put out some media about a “friendly and productive call” (no details) prior to Ukraine election on Sunday. <b>21:30 Rick Perry (replying to McCormack and Sondland only):</b> Mick just confirmed the call being set up for tomorrow by NSC. RP <b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow. MM
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**Exhibit 5 – Friday, July 19, 2019**

<b>WhatsApp</b>	William Taylor, Kurt Volker, and Gordon Sondland	<p><b>16:49 Kurt Volker:</b> Can we three do a call tomorrow — say noon WASHINGTON?</p> <p><b>18:50 Gordon Sondland:</b> Looks like POTUS call tomorrow. I spike directly to Zelensky and gave him a full briefing. He's got it.</p> <p><b>18:52 Gordon Sondland:</b> Sure!</p> <p><b>19:01 Kurt Volker:</b> Good. Had breakfast with Rudy this morning — teeing up call w Yermak Monday. Must have helped. Most imp't is for Zelensky to say that he will help investigation — and address any specific personnel issues — if there are any</p>
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**Exhibit 6 – Saturday, August 10, 2019**

<b>WhatsApp</b>	Andriy Yermak and Gordon Sondland	<p><b>17:01 Gordon Sondland:</b> How was your conversation?</p> <p><b>17:31 Andriy Yermak:</b> Hello. Good. My proposal, we receive date and then make general statement with discussed things</p> <p><b>17:41 Andriy Yermak:</b> Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of US-UKRAINE relationship, including among other things Burisma and election meddling in investigations</p> <p><b>19:04 Gordon Sondland:</b> Got it</p>
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**Exhibit 7 – Sunday, August 11, 2019**

<b>Email</b>	Thomas Brechbuhl, Lisa Kenna, and Gordon Sondland	<p><b>Subject: Re: Ukraine</b></p> <p><b>10:31 Gordon Sondland:</b> Mike, Kurt &amp; I negotiated a statement from Ze to be delivered for our review in a day or two. The contents will hopefully make the boss happy enough to authorize an invitation. Ze plans to have a big presser on the openness subject (including specifics) next week.</p> <p><b>16:51 Lisa Kenna:</b> Gordon, I'll pass to S. Thank you. Lisa</p>
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**Exhibit 8 – Thursday, August 22, 2019**

<b>Email</b>	Lisa Kenna, Mike Pompeo, and Gordon Sondland	<b>Subject: Re: Zelensky</b>  <b>August 22, 19:00 Gordon Sondland to Mike Pompeo:</b>  Mike,  Should we block time in Warsaw for a short pull-aside for Potus to meet Zelensky?  I would ask Zelensky to look him in the eye and tell him that once Ukraine's new justice folks are in place (mid-Sept) Ze should be able to move forward publicly and with confidence on those issues of importance to Potus and to the US. Hopefully, that will break the logjam.  <b>August 22, 19:03: Mike Pompeo to Gordon Sondland:</b> Yes.  <b>August 22, 19:05 Gordon Sondland forwards above to Lisa Kenna, adds:</b> Can you get 10-15 min on the Warsaw sched for this? I'd like to know when it is locked so that I can call Zelensky and brief him.  <b>August 23, 1:23 Lisa Kenna to Gordon Sondland:</b> I'll try for sure.
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**Exhibit 9 – Monday, August 26, 2019**

<b>Email</b>	John Bolton and Gordon Sondland	<b>Subject: Rudy Giuliani</b>  <b>14:02 Gordon Sondland</b>  <u>Attachment:</u> Rudy Giuliani.vcf
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**Exhibit 10 – Tuesday, September 3, 2019**

<b>Email</b>	Mike Pompeo and Gordon Sondland	<b>Subject: Mike, thanks for</b>  <b>September 3, 23:21 Gordon Sondland:</b> schlepping to Europe. I think it was really important and the chemistry seems promising. Really appreciate it.  Gordon  <b>September 4, 8:38 Mike Pompeo:</b> All good. You're doing great work; keeping banging away.  MRP
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# Congress of the United States

House of Representatives

Washington, DC 20515

November 20, 2019

The Honorable Adam Schiff  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Schiff:

On September 24, 2019, Speaker Nancy Pelosi unilaterally announced that the House of Representatives would initiate an inquiry into impeaching President Donald J. Trump.<sup>1</sup> Although Speaker Pelosi promised that Democrats would “treat the President with fairness,”<sup>2</sup> you have repeatedly prevented Republicans from fully and fairly examining issues central to the Democrats’ “impeachment inquiry.” We therefore write to inform you that we intend to subpoena testimony and records in an attempt to inject some semblance of fairness and objectivity into your one-sided and partisan inquiry.

You have repeatedly rejected our request that the anonymous whistleblower testify during the “impeachment inquiry,” despite asserting in September that the whistleblower would provide “unfiltered testimony” “very soon.”<sup>3</sup> Speaker Pelosi even promised that the whistleblower would “speak directly to the House and Senate Intelligence Committees *as required by law*.”<sup>4</sup> However, following revelations that the whistleblower has a bias against President Donald Trump and the disclosure that you had received an early account of the whistleblower allegations,<sup>5</sup> you reversed course to deny the whistleblower an opportunity to testify.<sup>6</sup>

The whistleblower’s testimony is necessary for a full and fair understanding of all relevant facts. The Inspector General of the Intelligence Community reported that the

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<sup>1</sup> Speaker Nancy Pelosi, Pelosi Remarks Announcing Impeachment Inquiry (Sept. 24, 2019).

<sup>2</sup> Speaker Nancy Pelosi, Transcript of Pelosi Weekly Press Conference Today (Oct. 2, 2019).

<sup>3</sup> Josh Mitchell, *Whistleblower is expected to testify soon, House Intelligence Chairman Schiff says*, Wall St. J., Sept. 29, 2019.

<sup>4</sup> Press Release, Speaker Nancy Pelosi, Dear Colleague to All Members on Whistleblower Complaint (Sept. 22, 2019), <https://www.speaker.gov/newsroom/92219> (emphasis added).

<sup>5</sup> See, e.g., Arden Farhi & Kathryn Watson, *Whistleblower had “prior working relationship” with current 2020 Democrat, source says*, CBS News, Oct. 9, 2019; Julian E. Barnes et al., *Schiff got early account of accusations as whistleblower’s concerns grew*, N.Y. Times, Oct. 2, 2019.

<sup>6</sup> See, e.g., Justin Wise, *Schiff denies GOP calls for Trump whistleblower to testify: ‘Redundant and unnecessary,’* The Hill, Nov. 10, 2019.

The Honorable Adam Schiff  
 November 20, 2019  
 Page 2

whistleblower had a political bias against President Trump and public reports suggest that the whistleblower worked closely with former Vice President Joe Biden.<sup>7</sup> In addition, there are multiple discrepancies between the whistleblower's complaint—the piece of evidence central to the Democrats' inquiry—and the closed-door testimony of the witnesses. For these reasons, we must assess the whistleblower's credibility and the sources he or she utilized to develop the anonymous complaint.

You have repeatedly refused to allow Republicans to fully examine the actions of senior Ukrainian government officials in interfering in the 2016 election in opposition to then-candidate Trump. In August 2016, less than three months before the election, Valeriy Chaly, then-Ukrainian Ambassador to the United States, authored an op-ed in a U.S. newspaper criticizing candidate Trump.<sup>8</sup> In addition, in January 2017, *Politico* reported about Ukrainian government's effort to "sabotage" the Trump campaign in 2016 by working closely with the media and a Democratic National Committee consultant named Alexandra Chalupa.<sup>9</sup> The *Politico* article detailed how Chalupa "traded information and leads" with staff at the Ukrainian embassy and how the Ukrainian embassy "worked directly with reporters researching Trump, [Trump campaign manager Paul] Manafort, and Russia to point them in the right directions."<sup>10</sup> Because witnesses testified that President Trump believed that Ukraine "tried to take [him] down" in 2016,<sup>11</sup> this information is directly relevant to the Democrats' "impeachment inquiry."

You have repeatedly refused to allow Republicans to fully examine the role of Vice President Biden's son, Hunter Biden, on the board of directors of Burisma Holdings, a corrupt Ukrainian company, during Vice President Biden's term in office. According to the *New York Times*, Hunter Biden was "part of a broad effort by Burisma to bring in well-connected Democrats during a period when the company was facing investigations backed not just by domestic Ukrainian forces but by officials in the Obama administration."<sup>12</sup> Reports suggest that Burisma paid Hunter Biden \$50,000 per month through a company called Rosemont Seneca Bohai LLC.<sup>13</sup> Because witnesses explained that Hunter Biden's presence on Burisma's board raised concerns during the Obama Administration<sup>14</sup> and President Trump briefly raised this issue during his phone call with President Zelensky, this information is directly relevant to the Democrats' "impeachment inquiry."

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<sup>7</sup> Arden Farhi & Kathryn Watson, *Whistleblower had "prior working relationship" with current 2020 Democrat, source says*, CBS News, Oct. 9, 2019; Memorandum Opinion for the General Counsel Office of the Director of National Intelligence, 43 Op. Off. Legal Counsel at \*4 (2019) (slip opinion).

<sup>8</sup> See Valeriy Chaly, *Ukraine's ambassador: Trump's comments send wrong message to world*, The Hill, Aug. 4, 2016.

<sup>9</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, Politico, Jan. 11, 2017.

<sup>10</sup> *Id.*

<sup>11</sup> Deposition of Ambassador Gordon D. Sondland, in Wash., D.C. at 75 (Oct. 17, 2019).

<sup>12</sup> Kenneth P. Vogel & Iuliia Mendel, *Biden faces conflicts of interest questions that are being promoted by Trump and allies*, N.Y. Times, May 1, 2019.

<sup>13</sup> *Id.*; Polina Ivanova, *What Hunter Biden did on the board of Ukrainian energy company Burisma*, Reuters, Oct. 18, 2019.

<sup>14</sup> Deposition of George Kent, in Wash., D.C., at 227 (Oct. 15, 2019); Deposition of Ambassador Marie L. Yovanovitch, in Wash., D.C., at 150-53 (Oct. 11, 2019).

The Honorable Adam Schiff  
 November 20, 2019  
 Page 3

The American people see through your sham "impeachment inquiry." The American people understand how you have affirmatively prevented Republicans from examining serious issues directly relevant to the issues. Therefore, to provide some basic level of fairness and objectivity to your "impeachment inquiry," we intend to subpoena the anonymous whistleblower and Hunter Biden for sworn testimony in closed-door depositions. We also intend to subpoena the following entities for records relevant to the Democrats' "impeachment inquiry":

1. The whistleblower for documents and communications relating to the drafting and filing of the complaint dated August 12, 2019, and the personal memorandum drafted on or around July 26, 2019.
2. Rosemont Seneca Bohai LLC and any subsidiaries or affiliates for records relating to Hunter Biden's position on the Board of Directors of Burisma Holdings; and
3. The Democratic National Committee for communications with Ukrainian government officials and for records relating to Alexandra Chalupa.

We transmit this letter pursuant to section 2(4)(A) of H. Res. 660, and we look forward to your prompt concurrence.<sup>15</sup> Your failure to concur with all of these subpoenas shall constitute evidence of your denial of fundamental fairness and due process.

Sincerely,



Devin Nunes  
 Ranking Member  
 Permanent Select Committee  
 on Intelligence



Jim Jordan  
 Ranking Member  
 Committee on Oversight and Reform

cc: The Honorable Michael T. McCaul  
 Ranking Member  
 Committee on Foreign Affairs

The Honorable Carolyn B. Maloney  
 Acting Chairwoman  
 Committee on Oversight and Reform

The Honorable Eliot Engel  
 Chairman  
 Committee on Foreign Affairs

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<sup>15</sup> H. Res. 660, 116th Cong. (2019).



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**GORDON SONDLAND**

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EARLIER TODAY, AMBASSADOR GORDON SONDLAND TESTIFIED BEFORE THE HOUSE INTELLIGENCE COMMITTEE AS PART OF THE PANEL'S IMPEACHMENT INQUIRY INTO PRESIDENT TRUMP.

00:00:13

THE COMMITTEE WILL COME TO ORDER. GOOD MORNING, EVERYONE. THIS IS THE FIFTH IN A SERIES OF PUBLIC HEARINGS THE COMMITTEE WILL BE HOLDING ON THE...

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00:18:00

I THANK THE GENTLEMAN. AS WE LEARNED LAST NIGHT, STORY TIME LET'S GET STORY TIME FIRST THING THIS MORNING. AMBASSADOR SONDLAND WELCOME. GLAD...

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U.S. Representative  
[D] Indiana

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00:26:34 I THANK THE GENTLEMAN. WE ARE JOINED THIS AFTERNOON BY AMBA GORDON SONDLAND. I'M SORRY. THIS MORNING, IT WAS A LONG DAY GORDON SONDLAND...

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Steve Castor Deputy General Counsel House Oversight and Reform Committee

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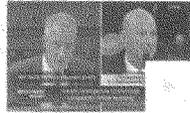
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IMPEACHMENT INQUIRY:

MS. LAURA COOPER AND MR. DAVID HALE

Wednesday, November 20, 2019

U.S. House of Representatives,

Permanent Select Committee on Intelligence,

Washington, D.C.

The committee met, pursuant to call, at 5:40 p.m., in Room 1100, Longworth House Office Building, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

The Chairman. The committee will come to order. Good afternoon, everyone. This is the sixth in a series of public hearings the committee will be holding as part of the House of Representatives impeachment inquiry. Without objection, the chair is authorized to declare a recess of the committee at any time. There is a quorum present. We will proceed today in the same fashion as our other hearings. I'll make an opening statement, and then the ranking member, Mr. Nunes, will have an opportunity to make a statement. And we will turn to our witnesses for their opening statements, if they should choose to make one. For audience members, we welcome you and respect your interest in being here. In turn, we ask for your respect as we proceed with this hearing.

As chairman, I'll make any necessary, or take any necessary appropriate steps to maintain order and ensure that the committee is run in accordance with House rules and House Resolution 660. With that, I now recognize myself to give an opening statement in the impeachment inquiry into Donald J. Trump, the 45th President of the United States.

This afternoon the American people will hear from two witnesses who are both veteran national security professionals, one at the Department of State, and the other at the Defense Department. David Hale is the Under Secretary of State for Political Affairs, the third most senior official in the Department, and most senior foreign service officer.

Laura Cooper serves as Deputy Assistant Secretary of Defense for Russia, Ukraine, Eurasia, and is responsible for a broad range of countries in the former Soviet Union and the Balkans. Between them, they have several decades of national security experience, serving both Republican and Democratic Presidents. And as we have heard from other dedicated public servants like former Ambassador to Ukraine, Marie Yovanovitch, former Deputy Secretary of State George Kent, Ambassador Bill Taylor, Lieutenant Colonel Alexander Vindman, and Jennifer Williams, their only priority has been the security of the

United States.

Under Secretary Hale was witness to the smear campaign against the Ambassador to Ukraine, Marie Yovanovitch, and the efforts by some in the State Department to help her. In late March, Marie Yovanovitch reached out to Hale for assistance, telling him in an email that the tempo of social media and other criticisms of her were such that she felt she could no longer function unless there was a strong statement of defense of her from the State Department.

Hale pushed to get the State Department to put out a robust full-page statement of defense and praise for Ambassador Yovanovitch, sadly, to no avail. That silence continues to today.

In late April, we heard in riveting testimony last Friday, from Ambassador Yovanovitch. She was recalled to Washington and informed that she had lost the confidence of the President. The Secretary of State did not meet with her, his subordinates dealt with her instead. With the departure of Yovanovitch, Hale watched as three new players moved in to assume a prominent role in Trump's Ukraine policy. The Three Amigos were nominally led by Energy Secretary Rick Perry, but it would be Ambassador Volker and Ambassador Sondland, presumably, working with Ambassador Taylor, who would be the ones really doing the continual work here.

In mid-summer, Trump ordered a suspension of military aid to Ukraine. Despite the fact that the aid had been authorized and appropriated by Congress, and that the Defense Department, in consultation with the State Department, had certified Ukraine met all the necessary requirements to receive the aid, including anti-corruption reform.

The aid was in the national interests of the United States, and critical to Ukraine's security, a country that had been invaded by Russia. From her office in the Pentagon, Ms. Cooper oversaw a significant amount of security assistance flowing to Ukraine, and

was involved in efforts to understand and reverse the suspension of nearly \$400 million in U.S. aid.

Cooper, along with others, learned about the freeze during a series of interagency meetings in the last 2 weeks of July. At the first meeting, on July 18th, an OMB representative relayed, quote, "The White House chief of staff has conveyed that the President has concerns about Ukraine and Ukraine's security assistance," unquote, and that a hold had been ordered by the President. No explanation was provided.

All of the agencies responsible for Ukraine policy supported security assistance and advocated for lifting of the hold. The only dissenting voice was the Office of Management and Budget, which was following the orders of President Trump, and still, no good explanation of the hold was provided. While the aid suspension had not been made public, word was getting out.

Catherine Croft, special advisor for Ukraine negotiations, worked closely with Ambassador Volker and who testified before this committee at a deposition, received two separate calls in July or August from officials at the Ukrainian Embassy who, quote, "approached me quietly and in confidence, to ask me about an OMB hold on Ukraine security assistance." Croft was, quote, "very surprised at the effectiveness of my Ukrainian counterparts diplomatic trade craft, as if to say, they found out very early on, much earlier than I expected them to."

Ukrainians wanted answers, but Croft did not have a good response. But then, in late August, Cooper met with Kurt Volker, with whom she had met many times in the past. During that meeting in which they were discussing the hold on security assistance, Volker revealed that he was engaged in an effort to have the Government of Ukraine issue a statement that would, quote, "commit to the prosecution of any individuals involved in election interference," unquote.

Cooper understood that if Volker's efforts were successful, the hold might be lifted. Unbeknownst to Cooper, no such statement was forthcoming, but the aid was abruptly restored on September 11th, days after the three committees launched an investigation into the Trump-Ukraine scheme. And with that, I now recognize the ranking member.

Mr. Nunes. Thank you. As we Republicans have argued at these hearings, the American people are getting a skewed impression of these events, that's because the Democrats assume full authority to call witnesses, and they promptly rejected any new witnesses the Republicans requested.

So I'd like to take a moment to discuss a few of the people whose testimony has been deemed unacceptable for the American people to hear:

The whistleblower. The whistleblower is the key figure who started this entire impeachment charade by submitting a complaint against President Trump that relied on secondhand and thirdhand information and media reports.

This began a bizarre series of events. Although the complaint had no intelligence component whatsoever, the Intelligence Community Inspector General accepted it, and even changed the guidance on the complaint forms to eliminate the requirements for firsthand information. Then his office backdated the forms to make them appear as if they were published a month before.

Democrats then took the extremely rare step of pushing a whistleblower complaint into the public, using it as the centerpiece of their impeachment crusade. We later learned that Democratic staff had prior coordination with the whistleblower, though the Democrats themselves had denied it on national television. Following that revelation, Democrats did a dramatic about face, they suddenly dropped their insistence that the whistleblower testify to us and rejected our request to hear from him.

Then, in a hearing yesterday, the Democrats cut off our questions, and accused us of trying to out the whistleblower, even though they claim they don't even know who he is.

Alexandra Chalupa. Chalupa is a former operative for the Democrat National Committee who worked with officials of the Ukrainian Embassy in Washington, D.C., in order to smear the Trump campaign in 2016. She met directly about these matters with then-Ukrainian Ambassador Chaly, who, himself, wrote an article criticizing Trump during the 2016 campaign. Chalupa's activities were one of several indicators of Ukrainian election meddling in 2016, all of which were aimed at the Trump campaign.

Once you understand that Ukrainian officials were cooperating directly with President Trump's political opponents to undermine his candidacy, it's easy to understand why the President would want to learn the full truth about these operations, and why he would be skeptical of Ukraine.

Hunter Biden. Biden is another witness who the Democrats are sparing from cross-examination. The securing of an extremely well-paying job on the board of a corrupt Ukrainian company, Burisma, highlights the precise corruption problem in Ukraine that concerned not only President Trump, but all of the witnesses we've interviewed so far. The Democrats have dismissed questions about Biden's role at Burisma as conspiracy theories. Yet, they are trying to impeach President Trump for having expressed concerns about the company. If we could hear from Biden, we could ask him how he got his position? What did he do to earn his lavish salary? And what light could he shed on corruption at this notorious company? But Biden would make an inconvenient witness for the Democrats, and so they have blocked his testimony.

At these hearings, we've heard a lot of secondhand, thirdhand information, and

speculation about President Trump's intentions, but in the end, the only direct order we've heard from the President is his order to our last witness, Ambassador Sondland, that he wanted nothing from Ukraine. That is consistent with the testimony provided by Senator Johnson, who said that President Trump angrily denied accounts that a quid pro quo existed.

Aside from rejecting our witnesses, the Democrats have tried other petty tricks to shape public opinion. Just this morning, they called a break in the hearing in order to press their absurd arguments to TV cameras. Then, for this hearing, they canceled the multiple rounds of initial questioning that they had earlier today with Ambassador Sondland, and as they have had with all of the previous witnesses, who they bizarrely consider as their star witnesses.

When you look through the presumption, assumptions and smoke and mirrors, you see the facts of this case are clear. President Trump was skeptical of foreign aid generally, and especially skeptical of aid to corrupt countries like Ukraine. He wanted to discover the facts about Ukrainian meddling in the 2016 election against his campaign. A brief hold on Ukrainian aid was lifted without Ukraine taking any steps they were supposedly being bribed to do.

President Zelensky repeatedly said there was nothing improper about President Trump's call with him, and he did not even know about the hold in aid at the time he was supposedly being extorted with it.

So what exactly are the Democrats impeaching the President for? None of us here really know, because the accusations change by the hour. Once again, this is impeachment in search of a crime.

So, Chairman, I would urge you to bring this to a close, adjourn this hearing and move on, and get back to the work of the Intelligence Committee. With that, I yield

back.

The Chairman. I thank the gentleman. Today, we are joined by Ambassador David Hale and Ms. Laura Cooper. David Hale serves as the Under Secretary of State for Political Affairs for the Department of State, a position he has held since August 30, 2018. Mr. Hale joined the Foreign Service in 1984 and holds the rank of Career Ambassador. He previously served as the Ambassador to Pakistan, Ambassador to Lebanon, Special Envoy for Middle East Peace, Deputy Special Envoy and Ambassador to Jordan. Ambassador Hale also served as Deputy Assistant Secretary of State and Executive Assistant to Secretary of State Albright.

Laura Cooper is the Deputy Assistant Secretary of Defense for Russia, Ukraine, and Eurasia at the Department of Defense. She's a career member of the senior executive service. Ms. Cooper previously served as a principal director in the Office of the Assistant Secretary of Defense for Homeland Defense and Global Security Affairs. Prior to joining the Department of Defense in 2001, Ms. Cooper was a policy planning officer at the State Department in the Office of Coordinator of Counterterrorism.

Two final points before our witnesses are sworn. First, witness depositions as part of this inquiry were unclassified in nature, and all open hearings will also be held at the unclassified level. Any information that may touch on classified information will be addressed separately. And, second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for testifying before Congress, including you or any of your colleagues.

If you would both please rise and raise your right hand, I'll begin by swearing you in. Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and the nothing but the truth, so help you God?

Mr. Hale. I do.

Ms. Cooper. I do.

The Chairman. Let the record show the witnesses has answered in the affirmative. Thank you, and please be seated. The microphone is sensitive, so please speak directly into it. Without objection, your written statements will be made part of the record. With that, Ambassador Hale, if you have an opening statement, you're free to give that, and immediately thereafter, Ms. Cooper, you are recognized for your opening statement.

Mr. Hale. Mr. Chairman, I don't have a prepared opening statement, but I would like to just comment, of course, as you said, I have been Under Secretary since August of 2018, a Foreign Service Officer for over 35 years, and Ambassador three times serving both Republican and Democratic administrations proudly. And I'm here in response to your subpoena to answer the questions of the committee.

The Chairman. Thank you, Under Secretary. Ms. Cooper.

Ms. Cooper. Mr. Chairman, ranking member, members of this committee, I appear today to provide facts and answer questions based on my experience as the Deputy Assistant Secretary of Defense for Russia, Ukraine, and Eurasia. I would first like to describe my background as well as my role and vantage point relevant to your inquiry.

I bring to my daily work, and to this proceeding, my sense of duty to U.S. national security, not to any political party. I have proudly served two Democratic and two Republican Presidents. I entered government service through the Presidential Management Internship Competition, joining to State Department in 1999 to work on counterterrorism in Europe and the former Soviet Union. Inspired by working with the U.S. military on a Department of Defense rotational assignment, I decided to accept a civil service position in the policy organization of the Office of the Secretary of Defense in January 2001, where I have remained for the past 18 years.

My strong sense of pride in serving my country and dedication to my Pentagon colleagues were cemented in the moments after I felt the Pentagon shake beneath me on September 11th, 2001. My office was scheduled to move into the section of the Pentagon that was destroyed in the attack, but a construction delay meant that we were still at our old desks in the adjacent section on that devastating day. After we had wiped the black dust from our desks, and tried to get back to work, I found meaning by volunteering to work on Afghanistan policy, and would give my next 4 years to this mission.

I later had the opportunity to move into the leadership ranks of my organization, and have had the privilege to manage issues ranging from defense strategic planning to homeland defense and mission assurance. I accepted the position of principal director for Russia, Ukraine, and Eurasia in 2016, and was honored to be appointed formally to the position of Deputy Assistant Secretary of Defense in 2018.

In my current role, I work to advance U.S. national security with a focus on deterring Russian aggression, and building strong partnerships with the frontline states of Ukraine and Georgia, as well as 10 other allies and partners from the Balkans to the Caucasus. Strengthening Ukraine's capacity to defend itself against Russian aggression is central to my team's mission. The United States and our allies provide Ukraine with security assistance because it is in our national security interest to deter Russian aggression around the world. We also provide security assistance so that Ukraine can negotiate a peace with Russia from a position of strength.

The human toll continues to climb in this ongoing war, with 14,000 Ukrainian lives lost since Russia's 2014 invasion. These sacrifices are continually in my mind, as I lead DOD efforts to provide vital training and equipment, including defensive lethal assistance to the Ukrainian armed forces. I have also supported a robust Ukrainian ministry of

defense program of defense reform to ensure the long-term sustainability of U.S. investments, and the transformation of the Ukrainian military from a Soviet model to a NATO interoperable force.

The National Defense Authorization Act requires the Department of Defense to certify defense reform progress to release half of the Ukraine Security Assistance Initiative, or USAI funds, a provision we find very helpful. Based on recommendations from me and other key DOD advisors, the Department of Defense, in coordination with the Department of State, certified in May 2019 that Ukraine had, quote, "taken substantial actions to make defense institutional reforms for the purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability," unquote, meriting obligation of the entire \$250 million in USAI funds.

This brings me to the topic of today's proceedings. I would like to recap my recollection of the timeline in which these events played out. I testified about all of this at length in my deposition. In July, I became aware of a hold being placed on obligation of the State Department's foreign military financing, or FMF, and DOD's USAI funds. In a series of interagency meetings, I heard that the President had directed the Office of Management and Budget to hold the funds because of his concerns about corruption in Ukraine.

Let me say at the outset that I have never discussed this or any other matter with the President, and never heard directly from him about this matter. At a senior level meeting I attended on July 26th, chaired by National Security Council leadership, as at all other interagency meetings on this topic of which I was aware, the National Security community expressed unanimous support for resuming the funding as in the U.S. national security interest.

At the July 26th meeting, there was also a discussion of how Ukrainian

anti-corruption efforts were making progress. DOD reiterated what we had said in our earlier certification to Congress, stating that sufficient progress in defense reform, including anti-corruption, had occurred to justify the USAI spending. I and others at the interagency meetings felt that the matter was particularly urgent, because it takes time to obligate that amount of money, and my understanding was that the money was legally required to be obligated by September 30th, the end of the fiscal year.

In the ensuing weeks until the hold was released on September 11th, I pursued three tracks: First, starting on July 31st at an interagency meeting, I made clear to the interagency leadership, my understanding that once DOD reaches the point at which it does not have sufficient time to obligate all the funding by the end of the fiscal year, there were only two ways to discontinue obligation of USAI, a President-directed rescission, or a DOD-directed reprogramming action, either of which would need to be notified to Congress. I never heard that either was being pursued.

Second, I was in communication with the DOD security assistance implementing community to try to understand exactly when they would reach the point at which they would be unable to obligate all the funds by the end of the fiscal year. I received a series of updates, and in a September 5th update, I and other senior Defense Department leaders were informed that over \$100 million could not be obligated by September 30th.

And, third, I was advocating for a meeting of the cabinet-level principals with the President to explain why the assistance should go forward. Although I heard of attempts to discuss the issue with the President, I never received details about any conversations, other than a status update that the hold had not been lifted.

After the decision to release the funds on September 11th of this year, my colleagues across the DOD security assistance enterprise, worked tirelessly to be able to

ultimately obligate about 86 percent of the funding by the end of the fiscal year, more than they had originally estimated they would be able to.

Due to a provision in September's continuing resolution appropriating an amount equal to the unobligated funds from fiscal year 2019, we ultimately will be able to obligate all of the USAI funds. Given how critical these funds are for bolstering Ukraine's security, and deterring Russia, I appreciate this congressional action.

That concludes my opening statement, but before answering your questions, there is one other matter I would like to address. I testified in a deposition before this committee and other committees on October 23rd, 2019. At that time I was asked questions about what I knew about when the Ukrainian Government may have learned about any hold on security assistance funds. I answered those questions based on my knowledge at that time.

Since my deposition, I have, again, reviewed my calendar and the only meeting where I recall a Ukrainian official raising the issue with me is on September 5th at the Ukrainian Independence Day celebration. I have, however, since learned some additional information about this subject from my staff. Prior to my deposition testimony, I avoided discussing my testimony with members of my staff or anyone other than my attorney, to ensure that my deposition testimony was based only on my personal knowledge.

My deposition testimony was publicly released on November 11th, 2019. Members of my staff read the testimony and have come to me since then and provided additional information. Specifically, on the issue of Ukraine's knowledge of the hold, or of Ukraine asking questions about possible issues with the flow of assistance, my staff showed me two unclassified emails that they received from the State Department.

One was received on July 25th at 2:31 p.m. That email said that the Ukrainian

Embassy and House Foreign Affairs Committee are asking about security assistance. The second email was received on July 25th at 4:25 p.m. That email said that The Hill knows about the FMF situation to an extent, and so does the Ukrainian Embassy.

I did not receive either of these emails, my staff does not recall informing me about them, and I do not recall being made aware of their content at the time.

I do not have any additional information about precisely what the Ukrainians may have said, what may have been their source of information about a hold, or any possible issues with the flow of assistance, or what the State Department officials may have told them. My staff also advised me in the last few days of the following additional fact that may be relevant to this inquiry. Again, my staff does not recall informing me about them, and I do not recall being made aware of this.

On July 3rd at 4:23 p.m., they received an email from the State Department stating that they had heard that the CN is currently being blocked by OMB. This apparently refers to the congressional notification State would send for Ukraine FMF. I have no further information on this. On July 25th, a member of my staff got a question from a Ukraine Embassy contact asking what was going on with Ukraine security assistance, because at that time, we did not know what the guidance was on USAI. The OMB notice of apportionment arrived that day, but this staff member did not find out about it until later.

I was informed that the staff member told the Ukrainian official that we were moving forward on USAI, but recommended that the Ukraine Embassy check in with State regarding the FMF. Sometime during the week of August 6th to 10, a Ukraine Embassy officer told a member of my staff that a Ukrainian official might raise concerns about security assistance in an upcoming meeting. My understanding is that the issue was not, in fact, raised. Again, I have no further information about what concerns about the

security assistance Ukraine may have had at that time.

My staff also recall thinking that Ukrainians were aware of the hold on security assistance during August, but they cannot pinpoint any specific conversations where it came up. My staff told me they are aware of additional meetings where they saw officials from the Ukrainian Embassy in August, and they believe that the question of the hold came up at some point, but they told me they did not find any corresponding email or other records of those meetings. Consequently, neither they nor I know precisely when or what additional discussions may have occurred with the Ukrainians in the month of August.

If I had more deals on these matters, I would offer them to the committee, but this is the extent of additional information I have received since my deposition.

Mr. Chairman, I welcome your questions. I will answer them to the best of my ability. Thank you.

[The statement of Ms. Cooper follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. Thank you for your testimony. For this hearing, we will forego to first round of questions by committee counsel, and immediately proceed to member questions under the 5-minute rule.

I do want to respond to the comments of my ranking member, however, that I think suggested that this was a surprise to the minority. We informed the minority last night after our hearing that we would, because of the nature of the testimony today, we did not believe that a staff member round was necessary. And the message we got back from the minority was, okay, got it, thanks for the heads up. So the minority was on notice. It raised no objection about going directly to member rounds.

I also want to point out that the minority has represented that we have not called any minority witnesses. That is not accurate. Mr. Hale appears tonight as a minority witness. I know that's not how you characterize yourself, Mr. Hale, but your testimony was requested by the minority. Likewise, two of the witnesses yesterday, Ambassador Volker, as well as Mr. Morrison, were both minority-requested witnesses.

Now, Mr. Volker, Ambassador Volker testified that he didn't believe any of the allegations against Joe Biden, and in retrospect, that he should have understand that an investigation into the Burisma was really an investigation into Biden, which he acknowledged would be inappropriate. And Mr. Morrison gave testimony as to conversations that he had with Ambassador Sondland about the conversations that he had relayed to the Ukrainians about the hold in security assistance being a result of the failure to secure the investigation. So I can understand why the minority does not want to now want to characterize them at minority-requested witnesses, but nonetheless, they are were minority-requested witnesses.

I now recognize myself for 5 minutes. And I want to begin by asking you, Ms.

Cooper, about what you just informed us of to make sure that I understand the import of what you're saying. As early as July 25th, this same day President Trump spoke with President Zelensky on the phone and asked for this favor, the same day that President Zelensky thanked the United States for its military support and signaled it was ready to purchase more Javelins, on that date you got inquiries -- your staff got inquiries from someone at the Ukrainian Embassy who was concerned about the status of the military assistance. Is that correct?

Ms. Cooper. Sir, that's correct. I would say that specifically, the Ukrainian Embassy staff asked what is going on with Ukrainian security assistance.

The Chairman. And did that connote to you that they were concerned that something was, in fact, going on with it?

Ms. Cooper. Yes, sir.

The Chairman. And you received -- I guess your staff received more than one inquiry on that date. What was the other -- the nature of the other inquiry on July 25th?

Ms. Cooper. Sir, that was the one inquiry to my staff, but the other points that I had raised were emails reflecting outreach to the State Department.

The Chairman. So the Ukrainian Embassy was also contacting the State Department to find out about its portion of military assistance?

Ms. Cooper. Yes, sir.

The Chairman. And was that similarly a concern about what's going on with our military aid?

Ms. Cooper. It was similarly a question about what's going on with security assistance.

The Chairman. And your staff, or one of the other Department staff also heard in August additional inquiries from the Ukraine Embassy about a potential holdup in the

military assistance?

Ms. Cooper. Sir, I want to be careful about how I phrase this. My staff recall having had meetings with Ukrainian Embassy representatives during the month of August, and they believe that the topic came up at some point during these meetings, but they don't recall the precise date, or specifically what the nature of the discussion was.

The Chairman. But your staff, at least, gleaned from those conversations that the Ukrainian Embassy was aware that there was some kind of a hold on the assistance?

Ms. Cooper. Sir, the way I would phrase it is there was some kind of an issue, yes.

The Chairman. You are now, Ms. Cooper, the third witness before our committee who has testified that the Ukrainians found out about the problem, or a hold on the security assistance prior to it becoming public, but you're the first to indicate that that may go back as early as the date of the President's call to President Zelensky.

Let me move to a related issue. In August, you testified at your deposition that you met with Kurt Volker, I believe it was on August 20th, the hold on security assistance was still in place. You testified that Ambassador Volker told you that if he could get Zelensky to make a public statement, quote, "that would somehow disavow any interference in U.S. elections and would commit to the prosecution of any individuals involved in election interference it might lift the hold on security assistance." Is that correct?

Ms. Cooper. Sir, I believe that I testified that it was my inference that that would lift the hold on Ukraine's security assistance.

The Chairman. And that was your inference because at the time you were talking about the hold on security assistance?

Ms. Cooper. That's correct. The first part of our conversation was about the

hold on security assistance.

The Chairman. And it was during that portion of the conversation that he brought up the effort to get this public statement?

Ms. Cooper. It was during that conversation, I'm not sure I would say it's during that part of the conversation.

The Chairman. What else did you discuss in the conversation?

Ms. Cooper. The only two topics that I recall are the urgency of lifting the hold on security assistance, and then him relaying this separate diplomatic effort that I had previously been unaware of.

The Chairman. So you didn't have any discussion about any White House meeting?

Ms. Cooper. Sir, I don't recall specifically talking about the White House meeting, but we -- I've had many conversations about the desire for the White House meeting. So it's likely that that was a part of the conversation.

The Chairman. But the two things you do recall are that you talked about the hold on security assistance and that he brought up this public statement that they wanted Zelensky to get that he thought might be useful?

Ms. Cooper. That is correct, sir.

The Chairman. Mr. Nunes.

Mr. Nunes. Yield to Mr. Ratcliffe.

Mr. Ratcliffe. I thank the gentleman for yielding. Ambassador Hale and Ms. Cooper, thank you both for being here. In his opening, Ranking Member Nunes referenced President Trump's general skepticism of providing aid in the amount of foreign aid being provided to foreign countries. Would you agree with that characterization, Ambassador Hale?

Mr. Hale. We've often heard at the State Department that the President of the United States wants to make sure that foreign assistance is reviewed scrupulously to make sure that it's truly in U.S. national interests, and that we evaluate it continuously, so that it meets certain criteria that the President has established.

Mr. Ratcliffe. And since his election, is it fair to say that President Trump has looked to overhaul how foreign aid is distributed?

Mr. Hale. Yes. The NSC launched a foreign assistance review process some time, I think it was late August, or early September 2018.

Mr. Ratcliffe. All right. And throughout both his campaign and his administration, President Trump has repeatedly sought to reframe American foreign policy in economic terms, and as he described, "America first" policy. And consistent with that, well before there was a whistleblower talking about a pause on aid to the Ukraine, the President had expressed genuine concern about providing U.S. foreign assistance.

To that point, is it fair to say that the President has wanted to ensure that American taxpayer money was being effectively and efficiently spent outside of the United States?

Mr. Hale. Yes, that is the broad intent of the foreign assistance review, among other goals.

Mr. Ratcliffe. And has the President expressed that he expects our allies to give their fair share of foreign aid as evidenced by a point that he raised during the July 25th phone call with President Zelensky to that effect?

Mr. Hale. The principle of greater burden sharing by allies and other like-minded states is an important element of the foreign assistance review.

Mr. Ratcliffe. Is it fair to say that in the Trump administration, U.S. aid is

withheld from foreign countries for a number of factors?

Mr. Hale. Correct.

Mr. Ratcliffe. And testified in your prior testimony that it is normal to have delays on aid?

Mr. Hale. I may have said it that way, but it is certainly an occurrence. It does occur.

Mr. Ratcliffe. In the past year, Ukraine was not the only country to have aid withheld from it. Is that correct?

Mr. Hale. Correct.

Mr. Ratcliffe. In the past year, was aid withheld from Pakistan?

Mr. Hale. Yes, sir.

Mr. Ratcliffe. Why was aid withheld from Pakistan?

Mr. Hale. Because of unhappiness over the policies and behavior of the Pakistani Government toward certain proxy groups that were involved in conflict with the United States.

Mr. Ratcliffe. In the past year, was aid also withheld from Honduras?

Mr. Hale. Aid was withheld from the three states in Northern Central America, yes.

Mr. Ratcliffe. In the past year, was aid withheld from Lebanon?

Mr. Hale. Yes, sir.

Mr. Ratcliffe. And when aid was first withheld from Lebanon, were you given a reason why it was withheld?

Mr. Hale. No.

Mr. Ratcliffe. So having no explanation for why aid is being withheld is not uncommon?

Mr. Hale. I would say it is not the normal way that we function.

Mr. Ratcliffe. But it does happen?

Mr. Hale. It does happen.

Mr. Ratcliffe. It is true that when aid was being withheld from Lebanon, that was at the same time aid was being withheld from Ukraine?

Mr. Hale. Correct, sir.

Mr. Ratcliffe. And you've testified that the aid to Lebanon still hasn't been released. Is that right?

Mr. Hale. That is correct.

Mr. Ratcliffe. All right. But the aid to Ukraine was released on September 11th, correct?

Mr. Hale. I read that, yes.

Mr. Ratcliffe. So it's fair to say that aid has been withheld from several countries across the globe for various reasons, and in some cases, for reasons that are still unknown, just in the past year?

Mr. Hale. Correct, sir.

Mr. Ratcliffe. So the assertion has been made that President Trump's Ukraine policy changed when there was a pause in the aid, or the aid was withheld. Is that an accurate statement?

Mr. Hale. That was not the way I understood things to be happening at the time. We were not given an explanation.

Mr. Ratcliffe. In terms of our policy, in terms of aid to Ukraine, you've described it as very robust?

Ms. Cooper. Our aid to Ukraine?

Mr. Ratcliffe. Yes.

Mr. Hale. Yes.

Mr. Ratcliffe. As evidenced by President Trump's policy decision to provide lethal defensive weapons, Javelin missiles?

Mr. Hale. It was very robust, yes, sir.

Mr. Ratcliffe. And that was a decision that President Trump made that the prior administration, President Obama, had not done. Lethal weapons had not been provided to Ukraine in the Obama administration, correct?

Mr. Hale. I was not involved in Ukrainian affairs during the Obama administration, so I don't feel confident to address that.

Mr. Ratcliffe. And when aid to Ukraine was put on pause, I believe you've testified that there may have been a concern by Secretary Kent and by Ambassador Taylor that it was contributing to potentially a negative effect on U.S.-Ukraine relations. Do you agree with that?

Mr. Hale. Well, the State Department position was to advocate for the continuation of that assistance as an important element, in fact, a key element of our strategy to support Ukraine against Russia.

Mr. Ratcliffe. My time is expired. I yield back.

The Chairman. Mr. Himes.

Mr. Himes. Thank you, Mr. Chairman. Thank you to our witnesses for testifying tonight. I'm delighted to follow Mr. Ratcliffe, because he just perfectly summarized the defense that my Republican colleagues are mounting of this behavior. And the defense goes like this: The President is acting on some deep historical concern, apparently invisible concern, about corruption, and that because he's so concerned about corruption in Ukraine, he's holding up aid and being prudent and judicious.

The first part of that is pretty easy to dispose of, because President Trump wasn't

worried about corruption in Ukraine. In fact, in the two conversations he had with the President of Ukraine on April 21st and July 25th, not once does the President of the United States use the word or mention "corruption" to the President.

The second part of that is a little bit more interesting, that he's just being prudent and holding up aid. That's not just wrong, it's illegal. Because, Ms. Cooper, I want you to help us walk through this.

Since the Impoundment Control Act of 1974, the President has not had the authority to, on a whim, or out of prudence, or as my Republicans say, because of a general skepticism of foreign aid, to stop foreign aid.

Ms. Cooper, under our Constitution, it's the Congress, not the President, that controls the power of the purse, correct?

Ms. Cooper. Yes, sir.

Mr. Himes. And the security assistance -- the assistance that was authorized to Ukraine was authorized and appropriated by the Congress, correct?

Ms. Cooper. Yes, sir.

Mr. Himes. So Congress is also concerned about corruption, it wants to ensure that American foreign assistance is spent wisely and not worsen corruption. And so when Congress authorized this money, it built in conditions, just as Mr. Ratcliffe suggested. By law, Ukraine wouldn't get all the money until it demonstrated that it had undertaken substantial anti-corruption reforms.

Ms. Cooper, under the law, the Department of Defense works with the State Department and other agencies to establish anti-corruption benchmarks and determine whether Ukraine has sufficiently met those benchmarks, correct?

Ms. Cooper. That's correct. That provision pertains to the Ukraine Security Assistance Initiative.

Mr. Himes. And that's not -- that's a legally specified process. That's not the President in the Oval Office manifesting a general skepticism of foreign aid, right?

Ms. Cooper. Sir, it is a congressionally mandated process, yes, sir.

Mr. Himes. So did that process take place for the DOD funding that was held up in July?

Ms. Cooper. Sir, the process that took place for the certification took place prior to the May certification to the U.S. Congress.

Mr. Himes. Right. Not only did it take place before, as required by law, but months before President Trump froze the money, the Department of Defense, in consultation with State, sent a letter to Congress certifying, and you said this in your opening statement, "The Government of Ukraine has taken substantial actions to make defense institutional reforms for the purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability enabled by U.S. assistance."

So by the time President Trump froze the aid, the Department of Defense had spent weeks, if not months, determining that the Ukrainian Government met every requirement in the law, and made significant strides in combating corruption. Is that correct?

Ms. Cooper. That is correct. We made that determination in May.

Mr. Himes. So this wasn't about corruption. The timeline proves it. And, in fact, if there was any doubt about what was going on here, the chairman referred to your inference from the conversation with Ambassador Volker, that if the Ukraine made a statement committing to the investigations, the aid would be lifted. You covered that with the chairman.

And then, of course, we have the press conference of October 17th, when Mick

Mulvaney let the cat fully out of the bag. He revealed that President Trump talked to him about, and I quote Mick Mulvaney here, the corruption related to the DNC server, and admitted that, quote, "That's why we held up the money." Any other explanation for the hold is a farce.

Now, in my remaining 30 seconds, just so that people understand what I referred to. In the 1970s, Richard Nixon just arbitrarily decided, I don't know if it was because he had a general skepticism of foreign aid, or what his motives were, but Richard Nixon decided to hold up congressionally mandated aid. And as a result, Congress went to work and passed the Impoundment Control Act of 1974, which prohibits the President from withholding congressionally appropriated funds without the approval of Congress for any reason.

Is that correct, Ms. Cooper?

Ms. Cooper. Sir, I am not a lawyer, but that approximates my understanding of the provision of the Impoundment Control Act.

Mr. Himes. Okay. I'll go with that approximate. Thank you very much, and I yield back the balance of my time.

The Chairman. Mr. Conaway.

Mr. Conaway. As Paul Harvey said, here is the rest of the story. And my colleague failed to put the right and fastness on certain issues with respect to the certification. DOD certification was not corruption writ large throughout the entire country of Ukraine, it was narrowly focused on defense institutional reforms and combat capability. Isn't that correct, Ms. Cooper?

Ms. Cooper. That's correct, sir.

Mr. Conaway. First off, Ms. Cooper, thank you for being here this afternoon, I appreciate that. But my colleague seemed to leave that out as -- he read it when he

read your statement, but he left off the corrected emphasis. So the certification in May didn't really speak to the broader concept of corruption throughout the rest of Ukraine that the President would be familiar with, or the rest of us would be familiar with?

Ms. Cooper. Sir, the May certification was specific to the defense sector --

Mr. Conaway. Thank you.

Ms. Cooper. The defense industry. And it did reference the importance of civilian control of the military, which relates more broadly --

Mr. Conaway. I think all of us would argue -- none of us would argue that that fixes the corruption throughout the rest of the country. Ms. Cooper, maybe you can shed some light on the specific details. You talked about the security assistance program, \$250 million. Some would argue that because the pause, that people died in August because of the pause.

Can you help us understand exactly what obligated and was there things that were about to be delivered to Ukraine? Was Ukraine out of ammunition? Were they out of Javelins? Were they out of all this stuff? And because of this pause, they didn't get certain lethal equipment that they needed in order to protect their folks during the month of August?

Ms. Cooper. Sir, we will deliver all of the --

Mr. Conaway. I understand, I'm trying to get a timeline.

Ms. Cooper. There was no shortfall in equipment deliveries that were expected within that timeframe. "Obligate" means that you're putting the funding on contract --

Mr. Conaway. And that's contracts --

Ms. Cooper. -- and you're starting the process.

Mr. Conaway. Yeah, those contracts would be fulfilled fourth quarter perhaps, or whatever it was?

Ms. Cooper. Sir, I have to say, I'm a policy official, I am not a contracting expert. But my understanding is that we will be able to make up for lost time in the contracting process.

Mr. Conaway. Sure. Fantastic. You go through three or four steps that you went to because you disagreed with the hold being placed on the assistance, and I certainly agree with that. But did you get any kind of criticism from the folks that you deal with because you were going against the OMB's direction to put a hold on that? Did you get criticized at all for that?

Ms. Cooper. Absolutely not. My entire chain of command was supportive of advocating for removing the hold on the funds.

Mr. Conaway. And you weren't restricted on a full-throated advocating on behalf of the getting this hold lifted, were you?

Ms. Cooper. No, sir. I faced no restrictions.

Mr. Conaway. Okay. Well, thank for that, and I thought you might be more in touch with the actual specifics of the accounting process, so I'll defer any further questions. And, again, thank you for being here tonight, and I yield back.

The Chairman. Ms. Sewell.

Ms. Sewell. Thank you, Mr. Chairman. Ambassador Hale, when did you actually find out about the hold on the Ukraine assistance? Was it July 21st?

Mr. Hale. Yes. I -- in the deposition that I did, the closed hearing, I misspoke. I was confused. And I confused June 21st, which was when State first sent the CN up to, the congressional notification, to OMB for clearance. It was only after about July 18, and I think the 21st is when I heard that there was a potential hold.

Ms. Sewell. Thank you for that clarification. Now, did you attend the July 26th deputies' meeting -- deputies' committee meeting that occurred?

Mr. Hale. Yes, I did.

Ms. Sewell. Was it also your understanding that the President directed the hold?

Mr. Hale. We were told in that meeting by the OMB representative that they were objecting to proceeding with the assistance, because the President had so directed through the Acting Chief of Staff.

Ms. Sewell. What was the State Department's position regarding the hold?

Mr. Hale. The State Department advocated, as I did in that meeting, for proceeding with all of the assistance consistent with our policies and interests in Ukraine.

Ms. Sewell. You believed what you said? You believed in the release of the hold?

Mr. Hale. Yes, I did.

Ms. Sewell. Did anyone at the interagency meeting, at the end of July, support the hold? Did anybody want the hold to remain? And, if so, who? What agency?

Mr. Hale. The only agency represented in the meeting that indicated that they supported the hold was OMB.

Ms. Sewell. Ms. Cooper, did you understand similarly that there was an overwhelmingly interagency consensus to lift the hold, and that OMB, at the direction of the President, was the only roadblock?

Ms. Cooper. Yes, ma'am.

Ms. Sewell. How is the security assistance in the national security interests of the United States? What is our interest? Explain that to my constituents in Alabama who are wondering why we should care about the security -- the hold that is on the security assistance?

Ms. Cooper. Yes, ma'am. This specific assistance helps build the capacity of

the Ukrainian armed forces. It's important to understand that these are forces that are fighting to defend themselves against Russian aggression every day. It's an ongoing war. So they do need this equipment to support their ability to defend themselves, and I would say there's a larger issue here that relates to U.S. policy on Russia.

We believe it's very important to strengthen the capacity of Ukraine in order to deter Russian aggression elsewhere around the world.

Ms. Sewell. Exactly. Were you ever able to get a reason why that hold was on? Did you ever get a reason?

Ms. Cooper. No, ma'am. The only thing that I heard about it, but this is, again, you know, second-, thirdhand, was that the President was concerned about corruption. But that was all I ever heard.

Ms. Sewell. So would you -- were you ever provided any additional information about the reason for the hold?

Ms. Cooper. No, ma'am.

Ms. Sewell. I thank you, and I yield the balance of my time to the chairman.

The Chairman. I thank the gentlewoman. My colleagues on the minority asked Mr. Hale, wasn't it common to have holds on military aid. And I think you said they are not unusual. Would you agree, though, that it would be very unusual to place a hold on military aid in order to leverage a foreign country to get them to investigate a political opponent?

Mr. Hale. Yes.

The Chairman. And I take it you would agree that that would be completely inappropriate?

Mr. Hale. That would be inconsistent with the conduct of our foreign policy in general.

The Chairman. It would also be wrong, wouldn't it?

Mr. Hale. Certainly not what I would do.

The Chairman. Mr. Turner.

Mr. Turner. Of course, it would be interesting if any witnesses ever testified that that was the case. I yield my time to Mr. Jordan.

Mr. Jordan. I thank the gentleman for yielding. First of all, I just wanted to go where the chairman started. He said that Ambassador Hale was one of our witnesses. They are all your witnesses. You called 17 witnesses. You subpoenaed 15 of them. They're all your witnesses. We didn't get to subpoena anyone. We didn't get to call anyone. You gave us an opportunity to get a list to you a couple weeks ago where we made suggestions on who you might allow us to have. So we did put three people of those 17 on that list, so that they could provide at least some semblance of context and framework for this entire thing. So, once again, misleading the folks watching this hearing is not helpful.

Thank you both for being here and for your service to our country. Ambassador, I read through yours -- Ambassador to Pakistan, Lebanon, Special Envoy to the Middle East, Ambassador to Jordan. Served in Tunisia, Bahrain, Saudi Arabia, you've been to about every hotspot on the planet. Thank you for those hardship assignments, we appreciate your service.

Let me go first to earlier today. Mr. Sondland, Ambassador Sondland, excuse me, said that he was denied access to some of his records. And the State Department put out a statement, they said this: "Ambassador Sondland, like every current Department of State employee called before Congress in this matter, retained at all times, and continues to retain, full access to his State Department documentary records, and his State Department email account, which he has always been fully free to access

and review at will." That's an accurate statement from the State Department, isn't it, Ambassador Hale?

Mr. Hale. I had not seen it until shortly before entering this hearing room, but it sounds accurate, yes.

Mr. Jordan. I appreciate that. Ambassador, you're aware of no connection between the pause in aid in exchange for any kind of investigation. Is that correct?

Mr. Hale. I'm sorry, I missed the key word. Could you repeat the question?

Mr. Jordan. You're not aware of any connection between the pause in aid and in exchange for some kind of investigation being announced or done by Ukraine. Is that right?

Mr. Hale. Right.

Mr. Jordan. You're not aware of Secretary Pompeo having any knowledge, direct knowledge of a connection between investigations and security aid. Is that correct?

Mr. Hale. I am not aware of that, and he did not speak to me about that.

Mr. Jordan. You're not aware of any nefarious motive to withhold aid to Ukraine. Is that correct?

Mr. Hale. Correct, sir.

Mr. Jordan. In fact, you testified that what you knew was that President Trump was, one, skeptical of foreign assistance generally. Mr. Ratcliffe highlighted that in his round of questioning. And, two, skeptical of the corruption environment in Ukraine. Is that accurate?

Mr. Hale. Well, we had heard that. That was a general impression at the State Department, correct.

Mr. Jordan. And the aid was actually eventually released to Ukraine. Is that correct as well?

Mr. Hale. Yes, I read that, sir.

Mr. Jordan. And there was just a 55-day, or less than 2 months pause in the actual hold on the aid. Is that right, Ambassador?

Mr. Hale. Seems so, yes. Correct.

Mr. Jordan. And to your knowledge as a top principal at the State Department, an investigation into the Bidens, Burisma, or the 2016 election, never happened by the Ukrainians. Is that correct?

Mr. Hale. I don't know that I have the ability to answer that question, having taken this job in August of 2018.

Mr. Jordan. Oh, well, since you've taken the job, how about that?

Mr. Hale. To my knowledge, that's correct.

Mr. Jordan. Thank you. I yield back.

The Chairman. Mr. Carson.

Mr. Carson. Thank you, Chairman. Mr. Hale, Ukraine is the first line of defense against Russia's aggression and expansion into Europe. Numerous witnesses testified that Ukraine is, in fact, vulnerable to Russian influence and control. At your deposition, sir, you testified that providing security assistance is, quote, "vital to helping the Ukrainians be able to defend themselves," end quote. What did you mean by that, sir?

Mr. Hale. That we have a longstanding policy of helping Ukraine become a resilient state in order to be able to defend itself. We want a reliable and resilient, and self-reliant secure and economic partner in Ukraine that can stand up to Russian intimidation and aggression.

Mr. Carson. You testified at the time of Russia's 2014 attack that the Ukrainian armed forces were, quote, "significantly less capable than it is today," end quote. Would you say, sir, that Ukrainian forces were out-matched by Russia's military in

important ways?

Mr. Hale. I did not so testify. I think -- I am Ambassador Hale and, of course, Ms. Cooper --

Mr. Carson. Madam Cooper, would you like to comment?

Ms. Cooper. I'm sorry, I do believe that was my deposition, but could you just repeat the question briefly?

Mr. Carson. So during the time of Russia's 2014 attack, the Ukrainian armed forces were, quote, "significantly less capable than it is today." Would you say that the Ukrainian forces were out-matched by Russia's military in critical ways?

Ms. Cooper. Absolutely.

Mr. Carson. Are the Ukrainian forces now completely self-sufficient, in your mind, essentially in their ability to deter Russian aggression?

Ms. Cooper. No, sir, they have a long way to go.

Mr. Carson. Would you say that the Ukrainian armed forces are now completely self-sufficient, or how much of an impact does the U.S. need to have in terms of that deterrence and how critical is the relationship between both Ukraine and the U.S.?

Ms. Cooper. Sir, the Ukrainians are on the right path to be able to provide for their own security, but they will still need U.S. and allied support for quite some time. And they need that support in the form of, you know, tangible assistance, as well as political and diplomatic support.

Mr. Carson. So this question is to the both of you. Why was Russia's illegal annexation of Crimea so significant in your mind? Madam Cooper?

Ms. Cooper. Russia violated the sovereignty of Ukraine's territory. Russia illegally annexed territory that belonged to Ukraine. They also denied Ukraine access to its naval fleet at the time. And to this day, Russia is building a capability on Crimea

designed to expand Russian military power projection far beyond the immediate region.

RPTR MOLNAR

EDTR HOFSTAD

[6:40 p.m.]

Mr. Carson. In 2014, were there concerns in Washington, here in Washington, and European capitals that Russia might not stop in Ukraine?

Ms. Cooper. I was not in my current position in 2014, but it is my understanding that there was significant fear about where Russian aggression would stop.

Mr. Carson. So what about today? If the U.S. were to withdraw its military support of Ukraine, what would effectively happen?

Ms. Cooper. It is my belief that, if we were to withdraw our support, it would embolden Russia. It would also validate Russia's violation of international law.

Mr. Carson. And which country stands to benefit the most -- would stand to benefit the most from such a withdrawal?

Ms. Cooper. Russia.

Mr. Carson. Ambassador Taylor testified about the importance of the U.S. upholding the international system, and it has underwritten peace in Europe since the end of World War II. A critical aspect of defending that system is ensuring that Russia cannot change its borders by military force.

That is why there is strong bipartisan support for providing Ukraine with security assistance. That is why it is so incredibly destructive of the President of the United States to withhold this assistance as part of a scheme to pressure Ukraine into investigating a debunked conspiracy theory and attack former Vice President Biden.

Mr. Chairman, I yield back.

The Chairman. Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

Thank you both for being here. As an Army Reserve surgeon, I can say, as both of you have, that I served proudly for two Republican and two Democrat Presidents myself.

I want to go to, Ms. Cooper, if I can, page 3. You said, I heard the President had directed the Office of Management and Budget to hold funds because of his concerns about corruption in Ukraine.

And, you know, you're coming from the DOD side here. You know, I served a year in Iraq. And it was important, and I think it's something that the Army always does, as I have seen, that we don't want to deliver aid or assistance if it's going to some corrupt -- or being delivered in some corrupt way. In other words, if we're going to build a medical treatment facility for the Iraqis, we want to make sure we're not getting charged 10 times as much.

I mean, we're concerned about corruption in general when we're delivering funds through the DOD. Is that correct?

Ms. Cooper. Yes, sir.

Dr. Wenstrup. Okay. So I think that that's a normal thing to want to be concerned about. And we would do that in Iraq, especially if we're providing payment for something.

So I just want to go through a few things with you, because multiple witness have testified that the action to provide Javelins to Ukraine by the Trump administration demonstrates strong U.S. support to Ukraine.

Ambassador Yovanovitch, in her deposition, said President Trump's decision to provide lethal weapons to Ukraine -- that our policy actually got stronger over the last 3 years. She also said, in terms of lethal assistance, "We all felt it was very significant that this administration made the decision to provide lethal weapons to Ukraine."

Ambassador Taylor said, "It was a substantial improvement, in that this administration provided Javelin anti-tank weapons. Very strong political message. It said the Americans are willing to provide more than blankets."

Ambassador Volker testified that "providing lethal defensive arms to Ukraine has been extremely helpful." Mr. Volker also stated, "MREs and blankets and all that's fine, but if you're being attacked with mortars and artilleries and tanks, you need to be able to fight back."

Secretary George Kent stated that Javelins are "incredibly effective weapons at stopping armed advance, and the Russians are scared of them."

Special Advisor Catherine Croft stated, "The Javelins help Ukraine defend themselves. A decision to provide Javelins, we believe, is counter to Russian interests."

Do you dispute what these witnesses have testified to, including Ambassador Yovanovitch, Taylor, Volker, and others?

Ms. Cooper. Sir, I absolutely agree that the Javelin system is an important capability and that this was a very important decision, to support Ukraine with this capability.

Dr. Wenstrup. Thank you. And you already testified that you were personally proud of the Trump administration's decision to arm Ukraine with Javelins, correct?

Ms. Cooper. That is correct, sir.

Dr. Wenstrup. So one of the things, on page 3 -- tonight, you were talking about the meeting July 26th. And after that, you said, "I was aware the national security community expressed unanimous support for resuming the funding, as in the U.S. national security interests." That's correct? You said that tonight?

Ms. Cooper. That's correct, sir.

Dr. Wenstrup. So I guess I take a little question with "resuming," because we

don't want to resume as is. Would that be correct? Because as is would not include Javelins.

Ms. Cooper. Sir, I'm not sure I'm following.

Dr. Wenstrup. Well, what I was going to say, in the previous administration, Javelins were not provided, even though they could have been. President Obama stopped the Javelins. He could have delivered Javelins, let's put it that way.

Ms. Cooper. Sir, I think I should clarify what I meant by that statement. "Resuming" was just referring to the fact that OMB had placed a hold on the assistance, so we weren't spending --

Dr. Wenstrup. Okay.

Ms. Cooper. -- and I wanted to resume the spending --

Dr. Wenstrup. Okay. Well --

Ms. Cooper. -- so that we could maintain this policy, maintain the strength --

Dr. Wenstrup. Maintain the policy, but I guess what I'm asking, there is a difference -- and I think, Under Secretary Hale, I thought I saw you nodding -- the difference being that, as it's resumed, in this case, now it included Javelins, which the Obama administration denied. Is that correct?

Ms. Cooper. It is true that the Trump administration approved the release of defensive lethal assistance to include Javelin, whereas the previous administration did not support that policy.

Dr. Wenstrup. Mr. Hale, do you have a comment on that?

Mr. Hale. That seems correct. I'd defer to Ms. Cooper as the expert.

Dr. Wenstrup. Okay. Well, I think we can include that more than blankets and MREs has been helping the Ukrainians, and the lethal defensive weapons are something the Trump administration has approved, and it's a benefit to all of us.

Thank you.

The Chairman. Ms. Speier.

Ms. Speier. Thank you, Mr. Chairman.

Thank you both for being here this evening.

You know, there is this mystery surrounding the hold on the aid in July, it appears. But back in May, Ms. Cooper, I believe you said that there was aid that was conditioned, but you certified in May that the conditions had been met. And they included progress on command and control reform, commitment to pursue defense industry reform, and pass laws to enable government-to-government procurement. Is that correct?

Ms. Cooper. Yes, ma'am, that's correct.

Ms. Speier. So then when you find out in July that they're concerned about corruption, you're scratching your head, right?

Ms. Cooper. Yes, ma'am. We did not --

Ms. Speier. Figuratively.

Ms. Cooper. -- understand.

Ms. Speier. And do you know of any effort that was undertaken then to assess the corruption in Ukraine in June, July, August?

Ms. Cooper. Ma'am, as I believe I said in my deposition, the only specific discussions that I am aware of related to that series of interagency meetings -- the sub-PCC, as we called it; the PCC, Policy Coordination Committee; and the deputy small group.

And, in those meetings, participants did discuss the degree to which corruption was a concern and the degree to which there was progress. And my recollection of what the participants said in these meetings was that there was a very positive sense that progress was being made and --

Ms. Speier. So you have these meetings; progress is being made. Nothing really changes from May until September that would then trigger the release of the money, except a whistleblower came forward.

Ms. Cooper. Ma'am, I do not know what triggered the release of the funding.

Ms. Speier. All right.

The fact that there was reference made to money being withheld for other countries was made by some of our colleagues. But, in those situations, in countries like Pakistan, Lebanon, they're multiyear funding streams, correct?

Ms. Cooper. Ma'am, those accounts fall outside of my purview, so I cannot answer that question.

Ms. Speier. Okay. Well, I've been told that that is indeed the case, so that there's not the immediate angst or hit, financially, that would potentially accrue.

But the difference, as I see it, in Ukraine as compared to these other countries is that Ukraine is engaged in a hot war with Russia right now. And it seems that withholding that money was irresponsible, considering that they had made all of this -- taken steps to meet all the conditions that we had requested of them and Congress had appropriated the funds. Is that not the case?

Ms. Cooper. Ma'am, I and my DOD colleagues advocated strenuously for the release of these funds because of their national security importance.

Ms. Speier. So, basically, the entire interest of the Department of Defense and State Department were consistently supportive of releasing the funds. Everyone was mystified as to why the funds had been withheld, and everyone's running around trying to get an answer. And you're getting, kind of, obtuse responses saying: It was the President because of corruption.

Now, what we see is that President Zelensky gets elected in April. The

expectation is that Vice President Pence is going to attend the inauguration in September, and then the President pulls the carpet out from under him, in terms of him going. And then he proceeds in June or July to withhold the funds.

There is a concerted effort by the President of the United States to act in a manner that is not consistent with our interests in wanting to protect Ukraine and help them deal with the Russian aggression at its border. Would you agree with that?

Ms. Cooper. Ma'am, I have, you know, advocated for the security assistance and I have advocated for high-level engagement with the Government of Ukraine because I think both are in the national security interest.

Ms. Speier. With that, I yield back.

The Chairman. Mr. Stewart.

Mr. Stewart. Thank you, Chairman.

Under Secretary, Assistant Secretary, thank you both for being here. You're both recognized as experts, dedicated public servants. And I've got to tell you, being the President of the United States is perhaps the most complicated endeavor in the history of the world. No one could do it without people like you to provide that backbone that you do, and thank you for doing that.

I don't mean to repeat the same questions ad nauseam, but I think we reached a point of nauseum, I don't know, sometime yesterday or some time ago. It's some repetitive hearing. You'll forgive me for doing that.

Although, Ms. Cooper, I do have some questions based on some things you've said previously, and I just want to, for clarification -- there's a question about these emails that -- I think they claimed withholding -- described withholding the aid, and they had come from Capitol Hill or from someone on the Foreign Affairs Committee. Is that true?

Ms. Cooper. Sir, are you referring to my statement today or something

previous?

Mr. Stewart. I believe this is previous, a question we had previous. Are you aware of such an email?

Ms. Cooper. I'm sorry, I don't think I have enough information to make an assessment. Is it from a particular page in my deposition?

Mr. Stewart. Well, no, it's just reporting that we've heard, that there may have been communications with you with someone on the Foreign Affairs Committee on the Hill. Is that not true?

Ms. Cooper. That there may have been communications with me?

Mr. Stewart. Yes, email with you.

Ms. Cooper. Sir, I am not -- I am not aware.

Mr. Stewart. Okay. Thank you.

And for clarification as well, someone may have asked you or queried you from the Ukrainian Embassy about the withholding of aid. Is that true? Did you hear from them?

Ms. Cooper. Sir, I testified earlier that the communication from the Ukrainian Embassy was to my staff, and my staff mentioned this to me after my deposition. The only specific communication that I recollect with the Ukrainians about this specific issue was on -- I believe it was September 5th at a reception at the Ukrainian Embassy.

Mr. Stewart. And just to bore down on that just a little bit, was that just a query generally about the forthcoming aid, or was it specific regarding them being aware that the aid was being withheld?

Ms. Cooper. Sir, just to be clear, the September 5th conversation that I had was specific to the hold. There was an awareness of that, and there was a question of concern.

Mr. Stewart. Okay. Thank you.

You know, Ms. Cooper -- well, to both of you, Under Secretary Hale as well -- at the end of the day, it really does -- and I've done this before -- it really does come down to this. The transcript I'm holding up is a transcript of the phone call between President Zelensky and President Trump that I would hope every American would take the opportunity to read. It's only a few pages long. And much more information beyond that is maybe helpful to inform, but it really comes down to those conversations, those few sentences.

But, Mr. Hale, going quickly through a series of questions -- and I have your answers here, so this won't take long. And you've answered them generally anyway. You agree the United States should evaluate whether a country is worthy of our aid. Is that fair to say?

Mr. Hale. Yes, sir.

Mr. Stewart. And you understand, as well, that President Trump has been skeptical generally of foreign aid and some of the money that we have given. Is that fair as well?

Mr. Hale. I think so.

Mr. Stewart. And I think that's been fairly consistent. He's done that since before he was elected, I think.

Others in the process have testified that Ukraine has a long history of corruption. That's not going to surprise any one of us. We've talked about that about a thousand times.

Do you think it was right that President Trump would test -- is the word I think you used previously -- that he would test President Zelensky prior to providing some of the security assistance?

Mr. Hale. President Zelensky was new.

Mr. Stewart. Yes.

Mr. Hale. I had met him in February. I was impressed by him. But I think it was understandable for the administration, as a new President in Ukraine was coming into office, to understand better what that President's policies would be and attitude toward the United States.

Mr. Stewart. And, see, Under Secretary, I think that's key. Because we've had it referred to, well, the DOD had completed their review about the same time. But this was a person who was elected and we knew nothing about him. He didn't have a history of governance in the Ukraine. He came, really, a little bit like President Trump himself; he did not come from a public background that we would have much information on him. And it seems prudent, as you said, to kind of test him to see if he was serious about Ukraine.

At some point -- and I'm going to conclude -- I believe it was about Labor Day, the Secretary was able to engage the President on the security assistance, about the same time, by the way, that you had some others -- Vice President Pence and Bolton's -- and Bolton as well, as well as a burden-sharing review was completed. And, shortly thereafter, the aid was released. Is that your understanding?

Mr. Hale. I was never informed as to why the assistance was released. I did read about it.

Mr. Stewart. Okay. Well, those events did happen, and it seemed like they were the reason the aid was released.

But thank you both.

And I yield back.

He Chairman. Mr. Quigley.

Mr. Quigley. Thank you.

Thank you both for being here, and thank you for your service.

You've both been asked about the importance of this military assistance as it affects Ukrainian sovereignty and its importance because of potential greater ambitions by the Russians. Let me try to put it in context and, please, get your reaction from both of you, from someone who had been there before, a renowned international policy expert on such things, Zbigniew Brzezinski. His quote seems to strike home today.

He wrote, "Russia can either be an empire or a democracy, but it cannot be both. Without Ukraine, Russia ceases to be an empire. But with Ukraine suborned and insubordinated, Russia automatically becomes an empire."

Your thoughts of how this puts this into context today, please?

Ms. Cooper. Sir, I think that is a very powerful and accurate quote.

Mr. Hale. I would agree.

Mr. Quigley. Ms. Cooper, you'd talked about emails that were drawn to your attention, that you were -- they were sent to your staff? Is that correct?

Ms. Cooper. The emails that I discussed this evening were emails sent to my staff. That is correct.

Mr. Quigley. Okay. I think, first of all, it's important to point this out, that it's not something you were aware of. But it points to a larger issue, that the Defense Department and the State Department have refused to comply with a duly issued subpoena to provide this committee with documents that would further shed light on when precisely the Ukrainians knew about the hold.

So this isn't something you're aware of, but there is untold information out there being blocked that would draw greater light and help us understand.

Is there anything else out there that you're aware of or possibilities that are out

there with DOD or the State Department which could help us shed light on what the Ukrainians knew and when they knew it?

Ms. Cooper. Sir, I have shared with the committee all that I recollect, but I have not done an exhaustive investigation. So I really can't speculate on what else might be available by combing through all of the Defense Department records, which are substantial.

Mr. Quigley. Did the State Department or Department of Defense ask you for your information, or did they coordinate with you to get information you had?

Ms. Cooper. Sir, I was told not to destroy anything, and our IT personnel have been collecting documents, is my understanding. So that occurs without the individual having to --

Mr. Quigley. But they were collecting it and passing it on to State or DOD. Is that correct?

Ms. Cooper. I'm sorry, sir. Could you repeat that?

Mr. Quigley. You said your department was collecting it. Well, they weren't passing that on to you; they were passing it on to the State Department --

Ms. Cooper. Sir, I --

Mr. Quigley. -- or Department of Defense?

Ms. Cooper. This is what they reported to me. I have not seen the documents that have been collected. I only know those documents that I have produced or that my staff has brought to my attention or that I have received. So, no, I do not know what has happened with the documents that have been collected.

Mr. Quigley. Same general question to you, sir.

Mr. Hale. I requested and was granted access to documents that I either originated or that had been sent to me that were relevant to the pertinent matters of this

investigation during a finite time period.

I don't have, really, information about what else is going on in terms of other documents that I did not produce or I did not receive. I do know --

Mr. Quigley. Would you --

Mr. Hale. -- there was a move to gather them, and I understood generally, indirectly, and informally that they have been gathered. That's the extent of my knowledge. It's not my area of responsibility.

Mr. Quigley. Yes, but did they pass them on to you, or did they pass them on to the administration somehow?

Mr. Hale. The only documents I received, sir, were those within the parameters I described, what I requested, which was those -- and given -- were the documents that either I produced or that were sent to me relevant to the matters we're discussing today

Mr. Quigley. Thank you.

I yield back to the chairman.

The Chairman. Ms. Stefanik?

Ms. Stefanik. Thank you to both of our witnesses for your service today.

Ms. Cooper, I wanted to start with you. You spoke eloquently of the threat of Russia when it illegally annexed Crimea, how that's a threat not only to Ukraine, but it's also a threat to Europe and the United States, a national security challenge.

And I sit on the House Armed Services Committee. We know that the most important support for Ukraine, in terms of lethal defensive aid, is in the form of Javelins. Would you agree with that?

Ms. Cooper. Yes, ma'am.

Ms. Stefanik. In which administration were those Javelins made available to Ukraine?

Ms. Cooper. This administration, the Trump administration.

Ms. Stefanik. And not the Obama administration.

Ms. Cooper. That is correct.

Ms. Stefanik. Both of you, have you ever spoken with the President about Ukraine aid?

Mr. Hale. No, I have not.

Ms. Cooper. No, ma'am.

Ms. Stefanik. Under Secretary Hale, you testified that you had no direct knowledge of any nefarious motivations to withhold aid to Ukraine, correct?

Mr. Hale. Correct.

Ms. Stefanik. And, to your knowledge, you testified that there were no strings attached to the aid, correct? That's page 184 of your deposition.

Mr. Hale. I had no such knowledge.

Ms. Stefanik. And, more specifically, you testified that you had no knowledge of Ukraine aid being held up for investigations. Is that correct?

Mr. Hale. Correct.

Ms. Stefanik. During the temporary hold of security assistance -- this was until Ambassador Taylor sent you the cable -- you had never even heard the words "Burisma" or "Biden," correct?

Mr. Hale. Well, in the context of what we're discussing, correct.

Ms. Stefanik. Great. You testified that on page 96.

And, ultimately, as we know, the aid was released to Ukraine, correct?

Mr. Hale. Yes, I read that.

Ms. Stefanik. Now, let's talk about the context broadly of this hold. You testified that it's not just Ukraine, that there were, in fact, other countries whose security

assistance was on hold. Quote, "The aid package to Lebanon was also being held in the same fashion." Correct?

Mr. Hale. Correct.

Ms. Stefanik. And foreign aid was held from Northern Triangle countries of South America, correct?

Mr. Hale. Central America. Correct.

Ms. Stefanik. Central America.

And you also testified that, when you served as Ambassador to Pakistan, security assistance was also held for their failure to conform to our concerns regarding terrorists and other issues on the Afghan-Pakistan border?

Mr. Hale. Correct.

Ms. Stefanik. You know, basically, let's broadly talk about the context of all of these holds on aid. When we talk about aid, I always think about, these are hard-earned taxpayer dollars. Would you agree with that?

Mr. Hale. Absolutely.

Ms. Stefanik. And isn't it correct that this administration, the Trump administration, has been conducting a foreign assistance review to reestablish norms that guide the assistance as we provide aid overseas?

Mr. Hale. That's correct.

Ms. Stefanik. You testified that this review had been going on for quite a while, and the administration did not want to take a business-as-usual approach to foreign assistance -- a feeling that, once a country has received a certain assistance package, it's something that continues forever.

And you continued, the program had to be evaluated that they were actually worthy beneficiaries of our assistance, that our program made sense, that we avoid

nation-building strategies, and that we provide assistance to countries that are lost in terms of our policy to our adversaries.

Is that correct?

Mr. Hale. That's correct.

Ms. Stefanik. And you testified that you warmly welcomed this assistance review.

Mr. Hale. Correct.

Ms. Stefanik. And, again, just to get this on record and for the millions of Americans viewing, security assistance was, in fact, released to Ukraine. I know I've already asked this, but this is a really important point.

Mr. Hale. Correct.

Ms. Stefanik. Thank you.

I yield back.

The Chairman. Mr. Swalwell?

Mr. Swalwell. Ms. Cooper, your testimony today destroys two of the pillars of the President's defense and one justification for his conduct.

The first pillar: "No harm, no foul. The Ukrainians didn't know that the hold was in place, so it didn't really hurt them."

Second pillar: "This President was a real champion of anticorruption, and he cared about corruption in Ukraine."

So I want to go through your new testimony today. It's your testimony now that, after an employee came forward to you, you believe you have some evidence that the Ukrainians first inquired about security assistance to someone in your office on July 25 of this year. Is that right?

Ms. Cooper. That's correct.

Mr. Swalwell. And July 25 is also the day that President Trump officially talked to President Zelensky where investigations of the Bidens were brought up. Is that right?

Ms. Cooper. Sir, I only know what has been reported publicly on this.

Mr. Swalwell. And that was reported; is that right?

Ms. Cooper. That's correct.

Mr. Swalwell. Second, this President, as a champion of anticorruption, your testimony today is that, on May 23, you certified that, as far as it related to your duties, Ukraine had met the corruption concerns for the aid to be released. Is that right?

Ms. Cooper. Sir, the Defense Department certified.

Mr. Swalwell. And after that date, inexplicably, the President of the United States puts a hold on security assistance. Is that right?

Ms. Cooper. That was what I heard in July, yes.

Mr. Swalwell. Now, this anticorruption President who cares so much about rooting out corruption in Ukraine, did he ever call you after he put the hold to say, "Ms. Cooper, what's going on in Ukraine?"

Ms. Cooper. No, sir.

Mr. Swalwell. Ambassador Hale, did he ever call you to ask about an update on Ukraine corruption?

Mr. Hale. No, sir.

Mr. Swalwell. To your knowledge, did he ever call your boss, Secretary Pompeo?

Mr. Hale. I don't know.

Mr. Swalwell. Ms. Cooper, did he ever call the many bosses that you've had at the Department of Defense, the Secretaries or Acting Secretaries?

Ms. Cooper. I don't know, sir.

Mr. Swalwell. Now, as to the justification, the justification is that "the Obama

administration only provided blankets, so the Ukrainians should be grateful, even after being shaken down, that the Trump administration provided more."

But the truth, Ms. Cooper, is that, under the Obama administration and the European Reassurance Initiative, \$175 million were provided from U.S. taxpayer dollars to the Ukrainians. Is that right?

Ms. Cooper. Sir, I don't have that figure. The figure that we typically use is to say we've provided \$1.6 billion to date.

Mr. Swalwell. And we --

Ms. Cooper. But I don't have the breakdown in front of me.

Mr. Swalwell. And the Obama administration also trained five military battalions of the Ukrainians. Is that correct?

Ms. Cooper. Again, I don't have the figures in front of me, but, yes, the training program began in the Obama administration and we did train many forces.

Mr. Swalwell. And under the Obama administration-founded Ukrainian Security Assistance Initiative, provided to the Ukrainians were armored Humvees, tactical drones, night-vision devices, armored vests, and medical equipment. Is that correct?

Ms. Cooper. Those all sound like pieces of equipment that were provided in the Obama administration, to my recollection.

Mr. Swalwell. You'd agree that's a lot more than blankets, right?

Ms. Cooper. Yes, sir.

Mr. Swalwell. Ambassador Hale, the aid that was withheld to Lebanon and Pakistan, those were for legitimate foreign policy objectives. Is that right?

Mr. Hale. I would say that's true, the assistance to Pakistan. I've not heard an explanation for the current hold on the Lebanese program.

Mr. Swalwell. And you would agree that withholding aid to investigate a political

opponent is not a legitimate foreign policy objective. Is that right?

Mr. Hale. Correct.

Mr. Swalwell. So I guess we can agree that even Bernie Madoff made charitable contributions but it doesn't make him a good guy.

Ms. Cooper, your testimony today demonstrates the power of coming forward and defying lawless orders from the President. Because you came forward and testified, we learned this new information which destroys the central defense that the Republicans have put forward.

Because Ambassador Taylor came forward, one of his employees learned this defense from the Republicans that all we had was hearsay evidence. And Mr. Holmes said, "Actually, I heard the President of the United States tell Ambassador Sondland, 'Where are we with the investigations?'"

Your courage has aided this investigation despite the President's continued obstruction.

I yield back.

The Chairman. Mr. Hurd.

Mr. Hurd. Thank you, Chairman.

Ambassador Hale, you're, in essence, the number-three guy at the State Department. Is that correct?

Mr. Hale. Correct.

Mr. Hurd. You represent roughly 70,000 folks?

Mr. Hale. I wouldn't say I represent them. I'm part of them. I'm one of them, yes.

Mr. Hurd. Well, you're a part of a pretty fantastic workforce that I've been proud to be able to serve alongside. We share a time together in Pakistan. And so, thank

them. I know they oftentimes don't get the pats on the back or the accolades for what they do for our national security, but there are some of us that do recognize that and appreciate that.

Did anybody raise issues to you, Ambassador Hale, about investigations into the Bidens or Burisma?

Mr. Hale. No, sir.

Mr. Hurd. Thank you.

Ms. Cooper, you have a great staff. I don't think my staff would've read my 115-page deposition and gave me feedback, so give them gold stars.

You said in your deposition and you just confirmed with my colleague from California that you certified on 23 May that the Ukraine aid for the review of the -- their defense industry and the Department of Defense, you know, was past the corruption test. Is that correct?

Ms. Cooper. Sir, I think the wording was more along the lines of: Progress has been made, or sufficient progress has been made. It didn't reference any kind of an anticorruption test per se.

Mr. Hurd. Did this change or was there a reevaluation with a new President coming in? Because President Zelensky was inaugurated into office 2 days before that date. Did that have an impact on how he was going to continue some of those pieces? Was that taken into account in this review?

Ms. Cooper. Not prior to May 23rd, no, sir.

Mr. Hurd. So the review was basically done on the previous -- the efforts done by the previous Poroshenko administration.

Ms. Cooper. Yes, sir. Although it's important to note that the review related most specifically to the Ministry of Defense.

Mr. Hurd. Sure. Sure. But there were ultimately changes under the Zelensky regime. Is that correct?

Ms. Cooper. Yes, sir. There's a new Minister of Defense.

Mr. Hurd. Can you explain -- I know FMF, foreign military financing, is State Department's, but can you explain the difference between FMF and USAI funding and also how the Ukrainians get lethal aid?

Ms. Cooper. I'm sorry. Could you repeat the last part of that? Also how the Ukrainians --

Mr. Hurd. Actually get lethal aid? Because, is lethal aid covered under one of these two buckets?

Ms. Cooper. So there are three separate pieces to our overall ability to provide equipment to the Ukrainian Armed Forces.

The first is the foreign military finance system, which is a State Department authority. And countries around the world have this authority. That authority is used for some of the training and equipment.

There's also the Ukraine Security Assistance Initiative. That's a DOD authority. Unlike the State authority, the DOD authority is only a 1-year authority.

And then, third, there's the opportunity for defense sales. And that is something that we're working with the Ukrainians on now so that they can actually purchase U.S. equipment.

Mr. Hurd. Is it --

Ms. Cooper. But the Javelin specifically was provided under FMF initially, and now the Ukrainians are interested in the purchase of Javelin.

Mr. Hurd. And there wasn't a hold put on purchasing of equipment. Is that correct?

Ms. Cooper. Not to my understanding, no.

Mr. Hurd. Can I ask you a non-impeachment-inquiry question, Ms. Cooper?

Ms. Cooper. I'm sorry, a non-what?

Mr. Hurd. A non-impeachment-inquiry question.

Ms. Cooper. Sir, my time is yours.

Mr. Hurd. What can we be doing to help the Ukrainians defend against Russian electronic warfare? What more can we be doing to help the Ukrainians defend against electronic warfare by the Russians?

Ms. Cooper. Well, what I can say in an open hearing is that there actually is some electronic warfare detection equipment that is included in the USAI package. So there's a piece of capability that we're already working to provide them.

I think this specific topic, though, is more suitable for a closed-door session.

Mr. Hurd. That's a good copy.

Thanks for both of y'all's service to our country.

And, Chairman, I yield back.

The Chairman. Mr. Castro.

Mr. Castro. Thank you, Chairman.

And thank you all for your testimony today.

I want us to make an important distinction here, because a few of my colleagues have rattled off countries where we've actually held up aid. There is a big distinction between holding up aid for a legitimate policy reason, foreign policy reason, and holding up aid because it's part of a shakedown, because it's in the service of a President who asked for a political favor of a country to go investigate a political rival. I think that's important for us to note.

And I want to ask you -- Ms. Cooper, you said that the money was cleared to go by

the DOD on May 23rd. Is that right?

Ms. Cooper. That's correct.

Mr. Castro. And it didn't get released until September 11th?

Ms. Cooper. Yes.

I should just clarify, the second half of the Ukraine Security Assistance Initiative was notified to Congress on -- I believe it was May 23rd, and then there was a waiting period for congressional approval. And then, after that point, so in kind of mid-June roughly, it was available for --

Mr. Castro. So perhaps 90 days or so, 95 days, something like that.

Ms. Cooper. Yes. I don't have a calendar --

Mr. Castro. Sure.

Ms. Cooper. -- in front of me, but that sounds right.

Mr. Castro. Well, you both testified that the hold on security assistance was not in the national security interest of the United States and that the hold might embolden Russia. We've heard the same from numerous other witnesses that have come before us.

But this was not the only issue with the hold, right? We understand that people within the United States Government had significant concerns about the legality of the hold as it relates to the Impoundment Control Act. This is because the money had been authorized by Congress and signed into law by President Trump.

Ms. Cooper, at the July meetings, were there any discussions about whether the hold could be implemented in a legal fashion?

Ms. Cooper. So, in the July 26th meeting, my leadership raised the question of how the President's guidance could be implemented and proffered that perhaps a reprogramming action would be the way to do this but that more research would need to

be done.

So, then, after that discussion, we had a lower-level discussion at my level on the 31st of July --

Mr. Castro. And let me ask you about that July 31st meeting. Based on your conversations with colleagues at the DOD, at the July 31st interagency meeting, did you share your understanding of the legal mechanisms that were available at that time?

Ms. Cooper. Yes, sir.

Mr. Castro. And what were they?

Ms. Cooper. I expressed that it was my understanding that there were two ways that we would be able to implement Presidential guidance to stop obligating the Ukraine Security Assistance Initiative. And the first option would be for the President to do a rescission. The second is a reprogramming action that the Department of Defense would do --

Mr. Castro. And both of those would require congressional notice.

Ms. Cooper. Yes, sir.

Mr. Castro. There would be an extra step that the President would have to take to notify Congress. As far as you know, was there ever any notice that was sent out to Congress?

Ms. Cooper. Sir, I did express that I believed it would require notice to Congress --

Mr. Castro. Right.

Ms. Cooper. -- and that then there was no such notice, to my knowledge, or preparation of such a notice, to my knowledge.

Mr. Castro. And as far as you know, there was never any official rescission or reprogramming of that money?

Ms. Cooper. No, sir, not to my knowledge.

Mr. Castro. Instead, what happened was OMB devised an alternative solution involving creative footnotes to implement the hold. And there came a time in August when the Department of Defense no longer supported these unusual footnotes because of concerns that there might not be sufficient time for DOD to obligate the funds before the end of the fiscal year, in violation of the Impoundment Control Act.

So, despite DOD's concerns in mid-August about the Impoundment Control Act and OMB's footnotes, the hold nevertheless continued through September 11th, even after -- now, as an aside, this is even after the whistleblower had come forward. Is that right?

Ms. Cooper. It is correct that the hold was released on September 11th, yes.

Mr. Castro. Well, I know I and many of us here share DOD's concerns about the legality of the hold. And I want to thank you, Ms. Cooper, for voicing DOD's concerns to the White House and pursuing the national security interests of the United States.

I yield back.

The Chairman. Mr. Ratcliffe.

Mr. Ratcliffe. Thank you, Chairman.

Ms. Cooper, based on the new emails that you mentioned in your opening and then subsequent declarations by some of my Democratic colleagues that those emails were evidence that the Ukrainians were aware of a military hold on July 25th, there's now reporting out there saying that "Pentagon official reveals Ukrainians asked about stalled security aid."

It's being widely reported that Ukraine asked about the hold on military aid on July 25th. That's not what I heard from you. Is that correct?

Ms. Cooper. Sir, my exact words were that one email said that the Ukrainian

Embassy and the House Foreign Affairs Committee are asking about security assistance --

Mr. Ratcliffe. Assistance.

Ms. Cooper. Assistance.

Mr. Ratcliffe. Not hold.

Ms. Cooper. And then the second email was, "The Hill knows about the FMF situation, to an extent, and so does the Ukrainian Embassy." Those were the exact words.

Mr. Ratcliffe. And what do "security assistance" and "FMF situation" in these emails mean?

Ms. Cooper. I don't want to speculate on what it means.

Mr. Ratcliffe. Right. They don't necessarily mean "hold," correct?

Ms. Cooper. Not necessarily.

Mr. Ratcliffe. And isn't it true that, around the same time, OMB put a hold on 15 State Department and USAID accounts, including FMF?

Ms. Cooper. I don't know that specific detail.

Mr. Ratcliffe. But you can't say one way or another whether the inquiries in these emails were about the hold. Is that fair?

Ms. Cooper. I cannot say for certain.

Mr. Ratcliffe. All right.

And you can't say one way or another whether the Ukrainians knew about the hold before August 28th, 2019, when it was reported in Politico, correct?

Ms. Cooper. Sir, I can just tell you that it's the recollection of my staff that they likely knew. But, no, I do not have a certain data point to offer you.

Mr. Ratcliffe. Well, it's not unusual, is it, Ms. Cooper, for foreign countries to inquire about foreign aid that they're expecting from the United States, is it?

Ms. Cooper. Sir, in my experience with the Ukrainians, they typically would call about specific things, not just generally checking in on their assistance package.

Mr. Ratcliffe. Are you aware that President Zelensky, on October 10th, in response to questions from more than 300 reporters over the course of the afternoon, stated that he was not aware and had no knowledge of a hold on security assistance during the time of his July 25th phone call with President Trump?

Ms. Cooper. I believe I saw that media reporting, yes.

Mr. Ratcliffe. I yield back.

The Chairman. Mr. Heck.

Mr. Heck. Thank you, Mr. Chairman.

I thank you both for being here this evening.

Ambassador Hale, last week, the country watched as President Trump attacked and intimidated your colleague -- he attempted to intimidate your colleague, Ambassador Yovanovitch, who is, of course, a witness to this proceeding. And, subsequently, Secretary Pompeo declined to condemn that attack.

Bluntly put, I think Secretary Pompeo's silence is nothing less than a betrayal of the men and the women whom he swore an oath to lead. And it's a betrayal that has long-term consequences to attracting and retaining workforce, to their morale, to their effectiveness, and to their overall strength.

So, Ambassador Hale, I want to give you an opportunity to now do what Secretary Pompeo did not do, either in March of 2019 when the vicious smear campaign kind of got kicked into high gear and you, sir, rightfully pressed for a strong statement in support of her or last week when the President and his son attacked her again.

I am offering you the opportunity to reaffirm to this committee and the millions of Americans hopefully who are watching that Marie Yovanovitch is a dedicated and

courageous patriot and that she served with grace and dignity even in the face of that orchestrated and unsubstantiated smear attack against her.

Ambassador Hale, I'm giving you the opportunity to demonstrate leadership. I'm giving you the opportunity to send a clear and resounding message to the men and women who serve in dangerous foreign posts throughout the globe that what happened to Marie Yovanovitch was wrong.

Ambassador Hale, the floor is yours.

Mr. Hale. Thank you, Congressman.

I endorse entirely your description of Ambassador Yovanovitch. I only met her when I took this job, but immediately I understood that we had an exceptional officer doing exceptional work at a very critical embassy in Kyiv. And during my visits to Kyiv, I was very impressed by what she was doing there, to the extent that I asked her if she'd be willing to stay, if that was a possibility, because we had a gap coming up.

I support and believe in the institution and the people of the State Department. I am one of them; I have been for 35 years. All of us are committed to America's national security, and we are the best group of diplomats anywhere in the world. And that support extends to all State officers who have testified before this committee.

If I may, I'd like to read a letter that the Under Secretary for Management wrote on November 18 to the ranking member of the Senator Foreign Relations Committee in response to a communication from him.

"A number of Department employees have testified before the House of Representatives during its inquiry regarding Ukraine. No employee has faced any adverse action by the Department for testimony before Congress on this matter. The Department will not discipline any Department employee for appearing before Congress in response to a subpoena. The Department has also proactively established a program

to provide financial assistance with respect to private counsel legal fees incurred by Department employees."

There's additional information, but that's the essence of the message.

Mr. Heck. Ambassador Hale, then, therefore, are you saying that Marie Yovanovitch is a dedicated and courageous patriot?

Mr. Hale. I endorse what you say exactly. I think --

Mr. Heck. And that she served with grace and dignity in the face of this smear campaign?

Mr. Hale. Yes, she did.

Mr. Heck. And that what happened to her was wrong?

Mr. Hale. I believe that she should've been able to stay at post and continue to do the outstanding work that she was doing.

Mr. Heck. And what happened to her was wrong?

Mr. Hale. That's right.

Mr. Heck. Thank you, sir.

Mr. Hale. Uh-huh.

Mr. Heck. Thank you for clarifying the record. Because I wasn't sure where it was that she could go to set the record straight if it wasn't you, sir, or where she could go to get her good name and reputation back if it weren't -- if it wasn't you, sir.

Indeed, I want to encourage you in the strongest terms possible, stand your ground. America's security and strength and prosperity is predicated in no small part on the professionalism of our Foreign Service corps. And they need to know that you, as the highest-ranking professional diplomat in the entire State Department, have their back, sir. Thank you for having Ambassador Yovanovitch's back this evening.

And, with that, Mr. Chair, I yield back.

The Chairman. Mr. Jordan.

Mr. Jordan. Thank you, Mr. Chairman.

Ms. Cooper, why did the Office of Management and Budget put a hold on the funds?

Ms. Cooper. Sir, the only information that I received was from the Office of Management and Budget that they were operating at the direction of the President, and they reported that he had concerns about corruption. That is all that I knew.

Mr. Jordan. Right. And you put that in your testimony. "The President had directed the Office of Management and Budget to hold the funds because of his concerns about corruption in Ukraine." A very legitimate reason. Do you agree?

Ms. Cooper. That is the statement that the President reportedly made, as reported to me by the Office of Management and Budget.

Mr. Jordan. And then you said in your testimony that "based on recommendations from me and other key DOD advisors, the Department of Defense, in coordination with the Department of State, certified in May of 2019 that Ukraine had taken the steps necessary," and you certified the release of the dollars. Is that accurate?

Ms. Cooper. That is correct, sir.

Mr. Jordan. But there was -- you know, there was a small change in Ukraine in the spring of 2019, wasn't there?

Ms. Cooper. Yes, sir.

Mr. Jordan. Yeah. And can you elaborate on what that change was?

Ms. Cooper. The government of -- well, President Zelensky was elected to government.

Mr. Jordan. Yeah, you got a brand-new guy coming in. In fact, he had just

been, I believe, sworn in the day you approved the dollars. Was it May 23rd? I think he was sworn in on -- I guess it was a couple days before. But there was sort of a change in circumstances that, it seemed to me, would warrant at least maybe a second look.

And that's exactly what played out for a short time, less than 2 months, 55 days. Our government evaluated the new situation. Pretty radical change. You've got a new government. In fact, the previous one, we've heard all kinds of things from the Democrats about the Prosecutor General in the Poroshenko regime, Mr. Lutsenko, and how bad he was.

So it took a while for that all to happen. New President is sworn in. Two months later, the new Congress comes in. Takes them a while to -- it's not until September, September 5th, that they get rid of this prosecutor. And just a few days later, the aid actually gets released.

But the Democrats got all kinds of other things they want to talk about. But the way this played out seems, to me, as logical as you can do it, and particularly when you put it in the broader framework of where this President is on concern about foreign aid, his deep-rooted concern in the corruption issue in Ukraine, the experience he had with high-ranking Ukrainian officials criticizing him and supporting Secretary Clinton in the 2016 election. Put all that together. It sort of, I think, shows why it played out the way it did.

With that, I would yield back, Mr. Chairman.

The Chairman. Mr. Welch.

Mr. Welch. Thank you, Mr. Chairman.

Under Secretary Hale, I want to go back to your support in affirmation of Ambassador Yovanovitch. What I understand -- and, by the way, thank you for that. You know, our military leaves no soldier on the battlefield, and I think those who are in

leadership positions in the State Department and in our Intelligence Community have that bond of loyalty to each other, and it's very reassuring that you represent that.

You first, as I understand it, got information about her situation in March. By early March, Secretary Pompeo had mentioned that sometime in the fall he'd received a letter from a former Member of Congress with complaints about the Ambassador, correct?

Mr. Hale. Correct.

Mr. Welch. And that Member of Congress was?

Mr. Hale. Congressman Sessions.

Mr. Welch. And did you see that there was any basis to the claims of disloyalty?

Mr. Hale. No, I did not, nor did the Secretary of State.

Mr. Welch. All right. And you visited Kyiv, and you discussed, in fact, extending Ambassador Yovanovitch's term until -- to remain at her post, right?

Mr. Hale. It was a personal idea of mine, yes.

Mr. Welch. Obviously an indication that you valued her continued service there.

And you also stated to the Ukrainian press that "Ambassador Yovanovitch represents the President of the United States here in the Ukraine, and America stands behind her statements," obviously trying to give her some public support, correct?

Mr. Hale. Correct.

Mr. Welch. And yet, weeks later, the President and Mr. Giuliani unleashed what can only be characterized as an ugly smear campaign to oust her. What was your reaction to the news articles in late March in which a corrupt Ukrainian prosecutor attacked the Ambassador?

Mr. Hale. Well, we were concerned. We put out a statement that some of these allegations were an outright fabrication, as they related to the do-not-prosecute

list.

Mr. Welch. Right.

Mr. Hale. And we began to discuss what we could do to deal with this matter.

Mr. Welch. Right.

And then the problems continued for Ambassador Yovanovitch. And, as I understand it, she emailed you on March 24th and indicated that, quote, "the tempo of social media and other criticisms" were such that she felt she could no longer function unless there was a strong statement of defense of her from the State Department. Is that correct?

Mr. Hale. Correct.

Mr. Welch. And this message -- and Secretary Pompeo was aware of her situation. Is that correct?

Mr. Hale. Yes. I briefed him the next day.

Mr. Welch. And he's the ultimate authority who could issue that strong statement of support, correct?

Mr. Hale. Correct.

Mr. Welch. But he never, ever did issue a statement, right?

Mr. Hale. We did not issue a statement at that time.

Mr. Welch. But, in fact, you testified around the same time that the Secretary did not render assistance to a long-serving and highly respected ambassador. He made two phone calls to Rudy Giuliani. Is that right?

Mr. Hale. It's correct that he -- I've seen a record that he made those phone calls.

Mr. Welch. One on March 28 and again the next day, on March 29.

Mr. Hale. I saw the record of that, yes.

Mr. Welch. Right. So we don't know what he said to Rudy Giuliani, but we have a pretty good idea of what Rudy Giuliani said to him: "Get rid of Yovanovitch." She was gone, and the statement never came forward, right?

Mr. Hale. Correct.

Mr. Welch. And when she was recalled and wanted to find out what happened, Secretary Pompeo would not meet with her?

Mr. Hale. I was out of the country at the time. I can't comment on that.

Mr. Welch. All right. And then Mr. Brechbuhl, who was next in line, didn't meet with her?

Mr. Hale. I don't know this.

Mr. Welch. And then it came for you to give her the news.

Mr. Hale. It went to the -- the Deputy Secretary, I believe, held the meeting. I was on foreign travel at the time.

Mr. Welch. Well, it'd be interesting if we could have Secretary Pompeo be here to tell us what his conversations were with Rudy Giuliani, the person who was fomenting the discontent about an ambassador who was fighting corruption.

I want to thank you and I want to thank Ms. Cooper for your service.

The Chairman. Mr. Maloney.

Mr. Maloney. Hello, Ms. Cooper.

Hello, Secretary Hale.

Ms. Cooper, thank you for working late on a Wednesday. I think the last time we attempted to hear your testimony, the Republicans were good enough to bring pizza down to the SCIF. But, kidding aside, I know we detained you for about 5 hours that day, so, on behalf of the committee, thank you for your forbearance. We do appreciate your patience with us.

Quick question for you.

And I think just one question for you, Secretary Hale.

Ms. Cooper, was DOD able to put all the security assistance funds into contract before the end of the fiscal year?

Ms. Cooper. No, sir.

Mr. Maloney. And how much were they not able to obligate? What was left unobligated?

Ms. Cooper. I believe the figure was 35 million. It's -- we were able to actually obligate 88 percent, total.

Mr. Maloney. And I think you mentioned that you were able because of legislation that Congress passed, continuing resolution, to do that. Is that right?

Ms. Cooper. So the remainder we are in the process of obligating --

Mr. Maloney. Excuse me. The remainder.

Ms. Cooper. -- right now because of the provision in the continuing resolution.

Mr. Maloney. Right. So, but for literally an act of Congress, you couldn't have spent all the money.

Ms. Cooper. If we had not received the provision in the continuing resolution, we would have obligated 88 percent but not the full amount.

Mr. Maloney. Right. Which, of course, would be a violation of law, to not spend money that Congress appropriated.

Ms. Cooper. Sir, I am not a lawyer, but that is my understanding.

Mr. Maloney. Sure. Thank you.

Secretary Hale, where were you born?

Mr. Hale. Ann Arbor, Michigan.

Mr. Maloney. And is your family from Ireland? Am I right about that?

Mr. Hale. No, sir.

Mr. Maloney. I'm sorry. Strike it.

Another question with respect to Secretary Yovanovitch. You served as Ambassador to, I believe, three countries?

Mr. Hale. Correct.

Mr. Maloney. Jordan --

Mr. Hale. Jordan, Lebanon, and Pakistan.

Mr. Maloney. -- Pakistan, and Lebanon. And while you were Ambassador to those three countries, did anyone ever ask you to issue a support praising, personally, the President of the United States?

Mr. Hale. No.

Mr. Maloney. How would you have viewed such a request?

Mr. Hale. It'd depend on the situation, sir.

Mr. Maloney. Someone said -- say, you went to someone, and you were having a problem with your job, and you said, "How can I do better?", and they said, "You should publish something personally praising the President, flattering to him," would that strike you as unusual?

Mr. Hale. Yes.

Mr. Maloney. If someone told you to "go big or go home," would that change your mind?

Mr. Hale. I don't quite understand the --

Mr. Maloney. Well, that's what Ambassador Yovanovitch was treated to when she went to Ambassador Sondland seeking advice. And she declined to do so. And I believe she said it would strike her as too political.

Is that consistent with the approach you might take?

Mr. Hale. I thought that sounds sensible, yes.

Mr. Maloney. Thank you.

I yield the remaining time back to the chairman.

Thank you both for being here.

The Chairman. Mrs. Demings?

Mrs. Demings. Ambassador Hale, Ms. Cooper, thank you both for being with us.

Just a quick question before I get into some questions about Ambassador Sondland, who we heard from today. I want to ask both of you: If President Trump withheld critical military aid from Ukraine because high-ranking officials supported the President's political opponent, would you consider that an official, acceptable, appropriate action by the President of the United States?

Ambassador Hale?

Mr. Hale. It's not what I would advise.

Mrs. Demings. Ms. Cooper?

Ms. Cooper. No, that does not sound appropriate.

Mrs. Demings. Ambassador Hale, you testified that you were aware Ambassador Sondland was involving himself in matters that, and I quote, "went beyond the normal writ of an Ambassador to the European Union," unquote.

As you understood it, who authorized Ambassador Sondland to work on Ukraine?

RPTR DEAN

EDTR HUMKE

[7:40 p.m.]

Mr. Hale. I have no firsthand knowledge of that. I received a readout from a meeting that the President of the United States had with the delegation on May 23rd in which the briefing I received any way indicated that the President wanted the members of that delegation, which included Ambassador Sondland. To carry forth the policies that were discussed in the course of that meeting.

Mrs. Demings. So that occurred in a meeting in the Oval Office on May 23rd is where you heard that information from the readout --

Mr. Hale. A written readout from that, yes.

Mrs. Demings. You testified that, and I quote, "It was clear that the members of that inaugural delegation were empowered by the President, is what you testified. You also said, and I quote, "As a practical matter, it would be Ambassador Volker and Ambassador Sondland, presumably working with Taylor, who would be the ones really doing the continual effort here. Did you understand that Ambassador Sondland had direct access to the President?"

Mr. Hale. In the few occasions in which I had conversations with Ambassador Sondland. He often would let us know that he was in direct contact with the President. That's all I knew.

Mrs. Demings. So you received that information directly from Ambassador Sondland that he had direct contact with the President?

Mr. Hale. In previous occasions, yes. Not related to this particular matter.

Mrs. Demings. Is there anything about Ambassador Sondland's role that struck you as problematic?

Mr. Hale. Based on what I knew at the time, I was satisfied that this delegation was what the President wanted to have, you know, continue to pursue these policies. And I saw that Ambassador Volker was a professional, had been a Foreign Service officer, an ambassador of distinction. And steeped in Ukrainian affairs was part of that group, so I had no great concerns.

Mrs. Demings. So what you knew at the time you were okay with his role. But did your opinion change about his -- the appropriateness of his role?

Mr. Hale. As I testified, I was not aware of these various activities related to negotiations over investigations, preconditions related to that. I just wasn't aware of it. So I had no reason to be making any kind of judgment one way or the another.

Mrs. Demings. Have you reviewed the text messages between Ambassador Sondland and Volker?

Ambassador Hale. I have seen some of them that were reported in the media.

Mrs. Demings. Were you surprised by anything in those messages that you heard reported or personally witnessed or observed?

Mr. Hale. I was surprised by what I saw in those reports in the media.

Mrs. Demings. I want to ensure that I understand your testimony Ambassador Hale. You believed Ambassador Sondland was empowered by the President, according to what you found out from the May 23rd meeting to work on Ukraine policy and you said quote, None of that really struck you as problematic because of the time differences there what you knew. Is that correct?

Mr. Hale. Based on what I knew, yes.

Mrs. Demings. You are the under secretary for political affairs. You testified that in that capacity you are responsible for the management of the of the United States bilateral relations with and I quote, "Every country in the world that we recognize for the

management of our policies towards those countries, as well as our relationship or policies as they relate to multilateral organizations." Does that include U.S. policy and relations with Ukraine?

Mr. Hale. It does, but when we have a special envoy who reports directly to the Secretary, related to a country or an issue, that special envoy will take the day-to-day responsibilities.

Mrs. Demings. How about U.S. policy and relations with the European Union?

Mr. Hale. Yes, I am.

Mrs. Demings. But you were not aware fully of Ambassador Sondland's activities on behalf of President Trump?

Mr. Hale. That's correct.

Mrs. Demings. Okay. Thank you.

Mr. Chair. I yield back.

The Chairman. Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good evening. Thank you so much for being here.

Under Secretary Hale, you and your colleagues testified that you've gathered official records of the State Department with the understanding that they would be provided to Congress. Right?

Mr. Hale. I was not involved in the decisionmaking or I have no responsibilities related to gathering documents. I understood that it was underway. And I certainly received the documents that I described earlier.

Mr. Krishnamoorthi. I see.

In terms of the materials that were collected, do they include electronic files and emails for instance?

Mr. Hale. I can only speak to the documents that were made available to me and

it did include emails.

Mr. Krishnamoorthi. And paper documents --

Mr. Hale. And paper documents.

Mr. Krishnamoorthi. Would tape-recordings potentially be among the files that are gathered?

Mr. Hale. I really couldn't speculate on that.

Mr. Krishnamoorthi. But you can't rule out that possibility?

Mr. Hale. I don't know of tape recordings so I can't really comment on that.

Mr. Krishnamoorthi. And are you familiar with from whom the documents have been collected, like the individual custodians?

Mr. Hale. I don't know that, sir.

Mr. Krishnamoorthi. You're aware that despite a dually authorized congressional subpoena has been served on the State Department, we have yet to receive even a single document, correct?

Mr. Hale. I understand that, yes.

Mr. Krishnamoorthi. Ms. Cooper, in the interagency process, did anyone in any committee potentially bring up the lack of allied funding as a reason for why there should be a hold on military assistance to Ukraine?

Ms. Cooper. I can only speak to the three meetings that I attended, the PCC, the DSG, and then PCC. And I have no recollection of the issue of allied burden sharing coming up at that point. I did provide information in my deposition about what I thought was a completely separate query that I received in mid June from the Secretary of Defense's front office. And one of the questions there just asked a question about the degree to which allies were contributing to Ukraine security assistance, just to be very clear.

Mr. Krishnamoorthi. Okay. But after the hold was put in place on July 18th, you haven't heard any concerns about a lack of allied funding as a reason for why the hold should be in place?

Ms. Cooper. In those meetings that I attended, I did not hear that or I do not recall hearing that as a reason. The only reason that I heard was the President's views on corruption. No further information.

Mr. Krishnamoorthi. Got it. Same question to you Under Secretary Hale.

Mr. Hale. Could you repeat the question, sir?

Mr. Krishnamoorthi. I assume you didn't hear about the lack of allied funding as a reason for the hold being put in place after July 18th?

Mr. Hale. No, I never had heard a reason for the hold.

Mr. Krishnamoorthi. You never -- I assume neither of you heard any reason whatsoever for why the hold was in place, except for the fact that OMB put it in place at the direction of the President, right?

Mr. Hale. That's correct.

Mr. Krishnamoorthi. And I assume, one of my colleagues brought up the idea that the hold was put in place to assess whether or not President Zelensky was legit. I assume that was not a reason that was offered either.

Ms. Cooper. No, sir. I never heard that as a reason.

Mr. Hale. I heard no reason.

Mr. Krishnamoorthi. Under Secretary Hale, what is the importance of a world leader having a meeting at the White House?

Mr. Hale. Well, really just case by case, but particularly for a new leader it's an extremely important opportunity to demonstrate the strength of our relationship for building of that relationship at a personal level, leadership level to demonstrate common

goals.

Mr. Krishnamoorthi. How about in the case of President Zelensky, how important was it for him to have a meeting at the White House with President Trump?

Mr. Hale. Well, I never talked to President Zelensky about that myself. I met him before he became President. I met with President Poroshenko and the two leading candidates.

Mr. Krishnamoorthi. But as an expert on these matters, is it fair to say that a new world leader such as President Zelensky having a meeting at the White House with President Trump is extremely important for his image that he projects, especially toward folks like Russia?

Mr. Hale. Well, an Oval Office meeting is incredibly valuable for any foreign leader, let me just state that general principal. And for a Ukrainian President, it is indeed what you just said to demonstrate that the bond between the United States and Ukraine is strong, and that there's continuity in our policies, and that we are going to continue to work together on our policy goals, including countering Russian aggression and intimidation of Ukraine.

Mr. Krishnamoorthi. Thank you so much. I yield back.

The Chairman. That concludes the member questioning.

Mr. Nunes, do you have any concluding remarks?

Mr. Nunes. I thank the gentleman.

What have we learned from the Democrats' impeachment inquiry. They promised the country a fair hearing. What have they delivered? The impeachment version of Three Card Monte, a notorious short-con card trick, where the mark, in this case President Trump and the American public, stands no chance of winning.

Democrats promised the whistleblower's testimony. In fact, they told us that we

need to speak with the whistleblower. And then we learned that the whistleblower coordinated with the Democratic staff before alerting the Intelligence Community's inspector general.

To hide their con, the Democrats pound the table and gaslight the country. Telling us that the whistleblower's entitled to an imaginary statutory right of anonymity. They accuse us of trying to out the whistleblower, knowing that they are the only ones who know who he is. They say that if the facts are against you, argue the law. If the law is against you, argue the facts. And if both are against you, pound the table and yell like hell. It seems that law school these days is teaching their students a fourth tactic, if the facts and the law are against you, simply rig the game and hope your audience is too stupid to catch your duplicity.

This is not an impeachment inquiry. It is an impeachment inquisition. In the Middle Ages the inquisitor was free to act on his own and bring suit against any person who was even vaguely the subject of the lowest rumor. And the accused was denied any right to confront their accusers. Incredibly or maybe not so much given the Democrats' track record, an inquisition victim had more rights than the Democrats are giving the President. After all, inquisition victims had the right to know their accuser's name.

For those of you at home, it's time to change the channel, turn down the volume or hide the kids, put them to bed.

I yield to Mr. Schiff for story time hour.

The Chairman. I thank the gentleman as always for his remarks.

I'll be brief this evening, it's been a long day and I said most of what I wanted to say earlier in the day. But I did want to end this evening and first of all thank you both for your testimony and your long service to the country. We are grateful that you

answered the lawful process of a congressional subpoena.

I wanted to share a few reflections on two words that have come up a lot in the course of these hearings, and those words are corruption and anticorruption. We are supposed to believe I imagine, listening to my colleagues, that Donald Trump is a great anticorruption fighter. That his only concern about Ukraine was that it would fight corruption. But let's look at that argument. Let's look at the President's words. And let's look at his deeds.

Ambassador Yovanovitch was an anticorruption champion. No one has contradicted that that has come forward to testify here. She was a champion. And on the day she is at a meeting, acknowledging in Ukraine another anti corruption champion, a woman who had acid thrown in her face and died a painful death after months, she is called back to Washington because of a vicious smear campaign by the President's lawyer, Rudy Giuliani, among others.

She is recalled, that is not anticorruption, that is corruption. And one of the people responsible for the smear campaign, in addition to Mr. Giuliani and it is a long and sordid list of those who were involved is a man named Lutsenko, someone who the minority's own witness acknowledges has a poor reputation as self serving and corrupt.

And what do we see about Mr. Lutsenko and his predecessor and Mr. Shokin? What does the President have to say about one of these corrupt former prosecutors? He praises them. He says they were treated very unfairly. That's not anticorruption, that's corruption.

And when Ambassador Sondland testified today that there was unquestionably a quid pro quo and everybody knew it, conditioning a White House meeting that Ukraine desperately wanted to show its friend and foe alike it had the support of the President of the United States when that was conditioned, an official act was conditioned on the

receipt of things of value to the President political investigations. That was not anticorruption, that was corruption.

And when Ambassador Sondland testified today that he could put two and two together and so can we, that there was also a quid pro quo on the military aid, that that aid was not going to be released unless they did a public statement, Ukraine did a public statement of these political investigations, the President wanted. That's not anticorruption, that is corruption.

And let's look at the President's words on that phone call, that infamous phone call on July 25th, does he ask President Zelensky, how's that reform coming in the Rada? What are you doing to root out corruption? What about that new anticorruption court? Of course not. Of course not.

Are we willing to believe that was his priority? No. What does he ask? I want you to do as a favor, investigate this crazy 2016 server conspiracy that the server is somewhere in Ukraine. And more ominously, investigate the Bidens. That's not anticorruption, that is corruption.

And the next day when he's on the phone to Ambassador Sondland in that outdoor bar/restaurant in Kyiv, what does he want to know about? Does he want to know how Zelensky is going to fight corruption? Of course not. The only thing he brings up in that call is the investigation he wants into the Bidens. That's not anticorruption, that is corruption.

Every now and then, there's a conversation that really says all you need to know. And sometimes it doesn't seem all that significant, but I'll tell you, this one really struck me, and it was a conversation that Ambassador Volker related in his testimony. And it was a conversation just this past September when he's talking to Andriy Yermak, top adviser to President Zelensky, and he's advising him as indeed he should, you know, you

may not want to go through with an investigation or prosecution of former President Poroshenko. Engaging in political investigations is really not a good idea. And you know what Yermak says? Oh, you mean like you want us to do of the Bidens and the Clintons? Well, there's a word for that too and it's not corruption or anticorruption, it's called hypocrisy.

And this is the problem here. We do have an anticorruption policy around the world. And the great, men and women in your department, Under Secretary Hale, and in your department, Ms. Cooper, they carry that message around the world, that the United States is devoted to the rule of law. But when they see a President of the United States who is not devoted to the rule of law, who is not devoted to anticorruption, but instead demonstrates in word and deed corruption, they are forced to ask themselves what does America stand for anymore?

That concludes this evening's hearing.

I will ask the witnesses to excuse themselves, members should remain. We have a business matter to take up.

I have the ranking member's request that I concur as chair and the ranking member's request that the committee issue subpoenas pursuant to House Resolution 660, section 2, paragraph 4. We received that request this morning and we'll add it to the record now without objection.

By way of overview, two of the requested subpoenas would compel deposition testimony by the whistleblower, by Hunter Biden. Three other subpoenas would compel certain parties to produce records, the whistleblower to produce documents and communications related to the whistleblower's complaint.

Rosemont Seneca Bohai to produce records related to Hunter Biden's role on the Burisma board. And the Democratic National Committee to produce communications

with Ukrainian officials and records relating to Alexandra Chalupa. I do not concur in these requests for subpoenas.

We will not allow, as I said before, this committee to be used either to out the whistleblower or for purposes of engaging in the same improper investigation that the President sought to coerce Ukraine to commit. The committee will take them up now beginning with the first minority request to compel testimony by the whistleblower.

Is there a motion?

Mr. Swalwell. Mr. Chairman, I move to table.

The Chairman. The gentleman moves to table --

Mr. Conaway. Mr. Chairman, this meeting has not been noticed, Mr. Chairman.

The Chairman. That is a non debatable motion.

All those in favor of tabling the motion --

Mr. Conaway. Point of order, Mr. Chairman. Point of order.

The Chairman. -- say aye.

Mr. Conaway. Point of order, Mr. Chairman. Point of order, Mr. Chairman.

The Chairman. All those opposed, say no.

Mr. Conaway. Point of order -- no. Point of order. Mr. Chairman.

The Chairman. Excuse me. The motion is a non debatable.

Mr. Conaway. Point of order, Mr. Chairman.

The Chairman. Those opposed say no.

Mr. Conaway. Point of order, Mr. Chairman.

The Chairman. In the opinion of the chair --

Mr. Conaway. Point of order, Mr. Chairman.

The Chairman. -- the ayes have it and the motion is tabled.

Mr. Conaway. Point of order, Mr. Chairman.

Mr. Jordan. Roll call. A roll call.

The Chairman. A roll call vote is requested. The Clerk shall call the roll.

The Clerk. Chairman Schiff?

The Chairman. Aye.

The Clerk. Mr. Himes?

Mr. Himes. Aye.

The Clerk. Ms. Sewell?

Ms. Sewell. Aye.

The Clerk. Mr. Carson?

Mr. Carson. Aye.

The Clerk. Ms. Speier?

Ms. Speier. Aye.

The Clerk. Mr. Quigley?

Mr. Quigley. Aye.

The Clerk. Mr. Swalwell?

Mr. Swalwell. Aye.

The Clerk. Mr. Castro?

Mr. Castro. Aye.

The Clerk. Mr. Heck?

Mr. Heck. Aye.

The Clerk. Mr. Welch?

Mr. Welch. Aye.

The Clerk. Mr. Maloney?

Mr. Maloney. Aye.

The Clerk. Ms. Demings?

Ms. Demings. Aye.

The Clerk. Mr. Krishnamoorthi?

Mr. Krishnamoorthi. Aye.

The Clerk. Ranking Member Nunes?

Mr. Nunes. No.

The Clerk. Mr. Conaway?

Mr. Conaway. No.

The Clerk. Mr. Turner?

[No response.]

The Clerk. Dr. Wenstrup?

[No response.]

The Clerk. Mr. Stewart?

[No response.]

The Clerk. Ms. Stefanik?

[No response.]

The Clerk. Mr. Hurd?

[No response.]

The Clerk. Mr. Ratcliffe?

Mr. Ratcliffe. No.

The Clerk. Mr. Jordan?

Mr. Jordan. No.

The Clerk. Mr. Chairman, there are 13 ayes and 4 noes.

Mr. Conaway. Point of order, Mr. Chairman.

The Chairman. The motion to table is carried.

Mr. Conaway. Point of order, Mr. Chairman.

The Chairman. The gentleman will state his point of order.

Mr. Conaway. Mr. Chairman, was this business meeting noticed properly within the rules of the House?

The Chairman. House Resolution 660 requires that if the minority makes a request for subpoenas that we will promptly take up that request and that is what we are doing.

On the subpoena --

Mr. Conaway. Mr. Chairman -- however, Mr. Chairman, rule 11(g) --

The Chairman. Is there a motion on the subpoena to compel the testimony of Hunter Biden?

Mr. Swalwell. Mr. Chairman, I move to table.

The Chairman. The gentleman moves to table.

All those in favor will say aye.

All opposed will say no.

In the opinion of the chair the ayes have it. The ayes have it.

The motion is now --

Mr. Nunes. Roll call vote.

The Chairman. The gentleman requests a roll call vote. Please call the roll.

The Clerk. Chairman Schiff?

The Chairman. Aye.

The Clerk. Mr. Himes?

Mr. Himes. Aye.

The Clerk. Ms. Sewell?

Ms. Sewell. Aye.

The Clerk. Mr. Carson?

Mr. Carson. Aye.

The Clerk. Ms. Speier?

Ms. Speier. Aye.

The Clerk. Mr. Quigley?

Mr. Quigley. Aye.

The Clerk. Mr. Swalwell?

Mr. Swalwell. Aye.

The Clerk. Mr. Castro?

Mr. Castro. Aye.

The Clerk. Mr. Heck?

Mr. Heck. Aye.

The Clerk. Mr. Welch?

Mr. Welch. Aye.

The Clerk. Mr. Maloney?

Mr. Maloney. Aye.

The Clerk. Ms. Demings?

Ms. Demings. Aye.

The Clerk. Mr. Krishnamoorthi?

Mr. Krishnamoorthi. Aye.

The Clerk. Ranking Member Nunes?

Mr. Nunes. No.

The Clerk. Mr. Conaway?

Mr. Conaway. No.

The Clerk. Mr. Turner?

[No response.]

The Clerk. Dr. Wenstrup?

[No response.]

The Clerk. Mr. Stewart?

[No response.]

The Clerk. Ms. Stefanik?

[No response.]

The Clerk. Mr. Hurd?

Mr. Hurd. No.

The Clerk. Mr. Ratcliffe?

Mr. Ratcliffe. No.

The Clerk. Mr. Jordan?

Mr. Jordan. No.

The Clerk. Mr. Chairman, there are 13 ayes and five noes.

The Chairman. Motion to table is carried.

The motion is now on the subpoena to compel documents from the whistleblower. Is there a motion?

Mr. Swalwell. Mr. Chairman, I move to table.

The Chairman. The gentleman moves to table.

All those in favor will say aye.

All those opposed will say no.

In the opinion of the chair the ayes have it. The ayes have it.

We'll now move to subpoena number 4 to compel documents regarding Hunter Biden's role on Burisma board.

Mr. Swalwell. Mr. Chairman, I move to table.

The Chairman. The gentleman moves to table.

All those in favor will say aye.

All those opposed will say no.

In the opinion of the chair the ayes have it. The ayes have it. The motion is tabled.

The last motion is on a motion to compel documents from the Democratic National Committee. Is there a motion?

Mr. Swalwell. Mr. Chairman, I move to table.

The Chairman. The chairman moves to table.

All those in favor will say aye.

All those opposed will say no.

In the opinion of the chair the ayes have it and the motion is tabled.

Mr. Conaway. Point of order, Mr. Chairman.

The Chairman. We are now adjourned.

[Whereupon, at 8:03 p.m., the committee was adjourned.]



OPENING STATEMENT OF DEPUTY ASSISTANT SECRETARY  
OF DEFENSE LAURA K. COOPER

Mr. Chairman, Ranking Member, Members of this Committee,

I appear today to provide facts and answer questions based on my experience as the Deputy Assistant Secretary of Defense for Russia, Ukraine, and Eurasia. I would first like to describe my background as well as my role and vantage point relevant to your inquiry.

I bring to my daily work and to this proceeding my sense of duty to U.S. national security -- not to any political party. I have proudly served two Democratic and two Republican presidents. I entered government service through the Presidential Management Internship competition, joining the State Department in 1999 to work on counterterrorism in Europe and the former Soviet Union. Inspired by working with the U.S. military on a Department of Defense rotational assignment, I decided to accept a civil service position in the Policy organization of the Office of the Secretary of Defense in January 2001, where I have remained for the past 18 years.

My strong sense of pride in serving my country and dedication to my Pentagon colleagues were cemented in the moments after I felt the Pentagon shake beneath me on September 11, 2001. My office was scheduled to move into the section of the Pentagon that was destroyed in the attack, but a construction delay meant we were still at our old desks in the adjacent section on that devastating day. After we had wiped the black dust from our desks and tried to get back to work, I found meaning by volunteering to work on Afghanistan policy and would give my

next four years to this mission. I later had the opportunity to move into the leadership ranks of my organization and have had the privilege to manage issues ranging from defense strategic planning to homeland defense and mission assurance.

I accepted the position of Principal Director for Russia, Ukraine, and Eurasia in 2016 and was honored to be appointed formally to the position of Deputy Assistant Secretary of Defense in 2018. In my current role, I work to advance U.S. national security with a focus on deterring Russian aggression and building strong partnerships with the front line states of Ukraine and Georgia as well as ten other allies and partners from the Balkans to the Caucasus.

Strengthening Ukraine's capacity to defend itself against Russian aggression is central to my team's mission. The United States and our Allies provide Ukraine with security assistance because it is in our national security interest to deter Russian aggression around the world. We also provide security assistance so that Ukraine can negotiate a peace with Russia from a position of strength. The human toll continues to climb in this ongoing war, with 14,000 Ukrainian lives lost since Russia's 2014 invasion. These sacrifices are continually in my mind as I lead DoD efforts to provide vital training and equipment, including defensive lethal assistance, to the Ukrainian Armed Forces.

I have also supported a robust Ukrainian Ministry of Defense program of defense reform to ensure the long-term sustainability of U.S. investments and the transformation of the Ukrainian military from a Soviet model to a NATO-interoperable force. The National Defense Authorization Act requires the Department of Defense to certify defense reform progress to release half of

Ukraine Security Assistance Initiative (“USAI”) funds, a provision we find very helpful. Based on recommendations from me and other key DoD advisors, the Department of Defense, in coordination with the Department of State, certified in May 2019 that Ukraine had “taken substantial actions to make defense institutional reforms for the purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability,” meriting obligation of the entire \$250 million in USAI funds.

This brings me to the specific topic of these proceedings. I would like to recap my recollection of the timeline in which these events played out. I testified about all of this at length in my deposition.

In July, I became aware of a hold being placed on obligation of State Department’s Foreign Military Financing (FMF) and DoD’s USAI funds. In a series of interagency meetings, I heard that the President had directed the Office of Management and Budget to hold the funds because of his concerns about corruption in Ukraine. Let me say at the outset that I have never discussed this or any other matter with the President and never heard directly from him about this matter.

At a senior level meeting I attended on July 26, chaired by National Security Council leadership, as at all other interagency meetings on this topic of which I was aware, the national security community expressed unanimous support for resuming the funding as in the U.S. national security interest.

At the July 26 meeting there was also a discussion of how Ukrainian anti-corruption efforts were making progress. DoD reiterated what we had said in our

earlier certification to Congress, stating that sufficient progress in defense reform (including anti-corruption) had occurred to justify the USAI spending.

I, and others at the interagency meetings, felt that the matter was particularly urgent because it takes time to obligate that amount of money, and my understanding was that the money was legally required to be obligated by September 30, the end of the fiscal year.

In the ensuing weeks until the hold was released on September 11, I pursued three tracks.

- First, starting on July 31 at an interagency meeting, I made clear to interagency leadership my understanding that once DoD reaches the point at which it does not have sufficient time to obligate all the funding by the end of the fiscal year, there were only two legal ways to discontinue obligation of USAI: a President-directed rescission or a DoD-directed reprogramming action, either of which would need to be notified to Congress. I never heard that either was being pursued.
- Second, I was in communication with the DoD security assistance implementing community to try to understand exactly when they would reach the point at which they would be unable to obligate all the funds by the end of the fiscal year. I received a series of updates, and in a September 5 update, I and other senior Defense Department leaders were informed that over \$100 million could not be obligated by September 30.
- And third, I was advocating for a meeting of the Cabinet level Principals with the President to explain why the assistance should go forward. Although I heard of attempts to discuss the issue with the President, I never

received details about any conversations other than a status update that the hold had not been lifted.

After the decision to release the funds on September 11 of this year, my colleagues across the DoD security assistance enterprise worked tirelessly to be able to ultimately obligate about 86% of the funding by the end of the fiscal year, more than they had originally estimated they would be able to. Due to a provision in September's continuing resolution appropriating an amount equal to the unobligated funds from FY2019 we ultimately will be able to obligate all of the USAI funds. Given how critical these funds are for bolstering Ukraine's security and deterring Russia, I appreciate this Congressional action.

Mr. Chairman, I welcome your questions. I will answer them to the best of my ability. Thank you.



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00:02:03



Adam B. Schiff

ORDER. GOOD AFTERNOON, EVERYONE. THIS IS THE SIXTH OF PUBLIC HEARINGS THE COMMITTEE WILL BE HOLDING AS HOUSE OF REPRESENTATIVES...

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Devin Nunes

INVESTIGATION INTO THE TRUMP-UKRAINE SCHEME, AND NOW RECOGNIZE THE RANKING MEMBER. >> THANK YOU. REPUBLICANS HAVE ARGUED AT THESE...

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00:15:55

Adam B. Schiff

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IMPEACHMENT INQUIRY: MS. JENNIFER WILLIAMS AND

LIEUTENANT COLONEL ALEXANDER VINDMAN

Tuesday, November 19, 2019

U.S. House of Representatives,

Permanent Select Committee on Intelligence,

Washington, D.C.

The committee met, pursuant to call, at 9:08 a.m., in Room HVC-304, Capitol Visitor Center, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

The Chairman. The committee will come to order. Good morning, everyone. This is the third in a series of public hearings the committee will be holding as part of the House of Representatives impeachment inquiry. Without objection, the chair is authorized to declare a recess of the committee at any time. There is a quorum present.

We will proceed today in the same fashion as our first hearing. I will make an opening statement, and then Ranking Member Nunes will have the opportunity to make a statement. Then we will turn to our witnesses for their opening statements and then to questions.

For audience members, we welcome you and respect your interest in being here. In turn, we ask for your respect as we proceed with today's hearing. It is the intention of the committee to proceed without disruptions. As chairman, I will take all necessary and appropriate steps to maintain order, and ensure that the committee is run in accordance with House rules and House Resolution 660.

With that, I now recognize myself to give an opening statement in the impeachment inquiry into Donald J. Trump, the 45th President of the United States.

Last week, we heard from three experienced diplomats, who testified about President Trump's scheme to condition official acts, a White House meeting and hundreds of millions of dollars of U.S. military aid to fight the Russians, on a deliverable by the new Ukrainian President Zelensky to politically motivated investigations that Trump believed would help his reelection campaign. One of those investigations involved the Bidens, and the other involved a discredited conspiracy theory that Ukraine and not Russia was responsible for interfering in our 2016 election.

As Ambassador Sondland would later tell career Foreign Service Officer David Holmes immediately after speaking to the President, Trump did not give a -- he then used

an expletive -- about Ukraine. He cares about big stuff that benefits the President, like the Biden investigation that Giuliani was pushing.

To press a foreign leader to announce an investigation into his political rival, President Trump put his own personal and political interests above those of the Nation. He undermined our military and diplomatic support for a key ally and undercut U.S. anticorruption efforts in Ukraine. How could our diplomats urge Ukraine to refrain from political investigations of its own citizens if the President of the United States was urging Ukraine to engage in precisely the same kind of corrupt and political investigations of one of our own citizens.

At the White House, career professionals became concerned that President Trump, through an irregular channel that involved his acting chief of staff, Mick Mulvaney, EU Ambassador Gordon Sondland, and Rudy Giuliani, was pushing a policy towards Ukraine at odds with the national interest.

This morning, we hear from two of the national security professionals who became aware of those efforts. Lieutenant Colonel Alex Vindman, whose family fled oppression in the Soviet Union when he was a toddler, is a career Army officer, an Iraq war veteran, who was awarded a Purple Heart, and an expert in Russia and Ukraine who has worked at the highest levels of the Pentagon. In July 2018, he was detailed to the White House, in part, to coordinate policy on Ukraine.

Jennifer Williams is a career Foreign Service Officer who is currently detailed to the Office of the Vice President and responsible for Europe and Eurasia-related issues.

Following his initial and congratulatory phone call with Ukrainian President Zelensky on April 21st, President Trump asked Vice President Pence to represent him at Zelensky's upcoming inauguration. Ms. Williams was working on logistics for the trip. Pence would be a coveted attendee, second in significance only to the President, and

would have sent an important signal of support to the new Ukrainian President.

In early May, however, Rudy Giuliani had been planning to go to Ukraine to pursue the President's interest in having the Bidens investigated, but had to call off the trip after it became public. Among others, Giuliani blamed people around Zelensky for having to cancel, and claimed that they were antagonistic to Trump.

Three days later, the President has called off the Vice President's attendance at Zelensky's inauguration. Instead, a lower-level delegation was named: Energy Secretary Rick Perry, Ambassador Sondland, and Ambassador Kurt Volker, the Three Amigos. Senator Ron Johnson and Lieutenant Colonel Vindman would also attend.

After returning from the inauguration, several members of the delegation briefed President Trump on their encouraging first interactions with Zelensky. They urged Trump to meet with the Ukrainian President, but Trump instead criticized Ukraine and instructed them to work with Rudy.

A few weeks later, on July 10th, Ambassador Sondland met at the White House with a group of U.S. and Ukrainian officials, including Colonel Vindman, and informed the group that, according to Chief of Staff Mulvaney, the White House meeting sought by the Ukrainian President with Trump would happen if Ukraine undertook certain investigations. National Security Advisor Bolton abruptly ended the meeting and said afterwards that he would not be part of whatever drug deal Sondland and Mulvaney are cooking up on this.

Undeterred, Sondland brought the Ukrainian delegation downstairs to another part of the White House, and was more explicit, according to witnesses. Ukraine needed to investigate the Bidens or Burisma if they were to get a White House meeting with Trump.

After this discussion, which Vindman witnessed, he went to the National Security

Council's top lawyer to report the matter. Vindman was told to return in the future with any concerns. He would soon find the need to do so.

A week later, on July 18th, a representative of the Office of Management and Budget announced on a video conference call that Mulvaney, at Trump's direction, was freezing nearly \$400 million in military assistance to Ukraine, which was appropriated by Congress and enjoyed the support of the entirety of the U.S. national security establishment.

And 1 week after that, Trump would have the now infamous July 25th phone call with Zelensky. During that call, Trump complained that the U.S. relationship with Ukraine had not been reciprocal. Later, Zelensky thanks Trump for his support in the area of defense, and says that Ukraine was ready to purchase more Javelins, an antitank weapon that was among the most important deterrence of further Russian military action. Trump's immediate response: I would like you to do us a favor, though.

Trump then requested that Zelensky investigate the discredited 2016 conspiracy theory, and even more ominously, look into the Bidens. Neither was part of the official preparatory material for the call, but they were in Donald Trump's personal interest and in the interest of his 2020 reelection campaign. And the Ukrainian President knew about both in advance, because Sondland and others had been pressing Ukraine for weeks about investigations into the 2016 election, Burisma, and the Bidens.

Both Colonel Vindman and Ms. Williams were on the July 25th call. Vindman testified that due to the unequal bargaining position of the two leaders and Ukraine's dependency on the U.S., the favor Trump asked of Zelensky was really a demand. After the call, multiple individuals, including Vindman, were concerned enough to report it to the National Security Council's top lawyer. It was the second time in 2 weeks that Vindman had raised concerns with NSC lawyers.

For her part, Williams also believed that asking Zelensky to undertake these political investigations was inappropriate, and that it might explain something else that she had become aware of, the otherwise inexplicable hold on U.S. military assistance to Ukraine.

Both Colonel Vindman and Ms. Williams also took note of the explicit use of the word "Burisma" by Zelensky, a fact conspicuously left out of the record of the call now locked away on an ultra secure server. Colonel Vindman believed that Zelensky must have been prepped for the call to be able to make the connection between Biden and Burisma, a fact that other witnesses have now confirmed.

In the weeks that followed the July 25th call, Colonel Vindman continued to push for a release of the military aid to Ukraine, and struggled to learn why it was being withheld. More disturbing, word of the hold had reached Ukrainian officials prior to its becoming public. By mid-August, the Ukrainian Deputy Ambassador asked Vindman why the United States was withholding the aid. Although Vindman didn't have an answer, Sondland made it explicit to Ukrainians at a meeting in Warsaw. They needed to publicly commit to these two investigations if they hoped to get the aid.

Ms. Williams, we all saw the President's tweet about you on Sunday afternoon and the insults he hurled at Ambassador Yovanovitch last Friday. You are here today, and the American people are grateful.

Colonel Vindman, we have seen far more scurrilous attacks on your character, and watched as certain personalities on FOX have questioned your loyalty. I note that you have shed blood for America, and we owe you an immense debt of gratitude. I hope no one on this committee will become part of those vicious attacks.

Today's witnesses, like those who testified last week, are here because they were subpoenaed to appear, not because they are for or against impeachment. That

question is for Congress, not the fact witnesses. If the President abused his power and invited foreign interference in our elections, if he sought to condition, coerce, extort, or bribe an ally into conducting investigations, to aid his reelection campaign and did so by withholding official acts, a White House meeting, or hundreds of millions of dollars of needed military aid, it will be up to us to decide whether those acts are compatible with the Office of the Presidency.

I now recognize Ranking Member Nunes for any remarks he'd like to make.

Mr. Nunes. I thank the gentleman.

I'd like to address a few brief words to the American people watching at home.

If you watched the impeachment hearings last week, you may have noticed a disconnect between what you actually saw and the mainstream media accounts describing it when you saw three diplomats who dislike President Trump's Ukraine policy, discussing secondhand and thirdhand conversations about their objections with the Trump policy. Meanwhile, they admitted they had not talked to the President about these matters, and they were unable to identify any crime or impeachable offense the President committed.

What you read in the press were accounts of shocking, damning, and explosive testimony that fully supports the Democrats' accusations. If these accounts have a familiar ring, it's because this is the same preposterous reporting the media offered for 3 years on the Russian hoax. On a nearly daily basis, the top news outlets in America reported breathlessly on the newest bombshell revelations showing that President Trump and everyone surrounding him were Russian agents. It really wasn't long ago that we were reading these headlines: From CNN: Congress investigating Russian investment fund with ties to Trump officials. This was false. New York Times, Trump campaign aides had repeated contacts with Russian intelligence, also false. Slate: Was a Trump server communicating with Russia? This was false. New York Magazine: Will Trump

be meeting with his counterpart or his handler? This was false. The Guardian: Manafort held secret talks with Assange in Ecuadorian Embassy, also false. BuzzFeed: President Trump directed his attorney to lie to Congress about the Moscow Tower project. All of these were false.

There was no objectivity or fairness in the media's Russia stories, just a fevered rush to tarnish and remove a President who refuses to pretend that the media are something different from what they really are, puppets of the Democratic Party. With their biased misreporting on the Russia hoax, the media lost the confidence of millions of Americans; and because they refuse to acknowledge how badly they botched the story, they've learned no lessons and simply expect Americans will believe them as they try to stoke yet another partisan frenzy.

In previous hearings, I've outlined three questions the Democrats and the media don't want asked or answered. Instead of shedding light on these crucial questions, the media are trying to smother and dismiss them. Those questions start with: What is the full extent of the Democrats' prior coordination with the whistleblower and who else did the whistleblower coordinate this effort with?

The media have fully accepted the Democrats' stunning reversal on the need for the whistleblower to testify to this committee. When the Democrats were insisting on his testimony, the media wanted it too. But things have changed since it became clear the whistleblower would have to answer problematic questions that include these: What was the full extent of the whistleblower's prior coordination with Chairman Schiff, his staff, and any other people he cooperated with while preparing the complaint? What are the whistleblower's political biases and connections to Democratic politicians? How does the whistleblower explain the inaccuracies in the complaint? What contact did the whistleblower have with the media, which appears to be ongoing? What are the

sources of the whistleblower's information, who else did he talk to, and was the whistleblower prohibited by law from receiving or conveying any of that information? The media have joined the Democrats in dismissing the importance of cross-examining this crucial witness. Now that the whistleblower has successfully kick-started impeachment, he has disappeared from the story as if the Democrats put the whistleblower in their own witness protection program.

My second question: What was the full extent of Ukraine's election meddling against the Trump campaign? In these depositions and hearings, Republicans have cited numerous indications of Ukraine meddling in the 2016 elections to oppose the Trump campaign.

Many of these instances were reported, including the posting of many primary source documents by veteran investigative journalist John Solomon. Since the Democrats switched from Russia to Ukraine for their impeachment crusade, Solomon's reporting on Burisma, Hunter Biden, and Ukraine election meddling has become inconvenient for the Democratic narrative, and so the media is furiously smearing and libeling Solomon.

In fact, the publication, The Hill, told its staff yesterday it would conduct a review of Solomon's Ukraine reporting. Coincidentally, the decision comes just 3 days after a Democrat on this committee told a Hill writer that she would stop speaking to the Hill because it had run Solomon's stories. And she urged the writer to relay her concerns to Hill's management. So now that Solomon's reporting is a problem for the Democrats, it's a problem for the media as well.

I'd like to submit for the record John Solomon's October 31st story entitled "Debunking Some of the Ukraine Scandal Myths About Biden and Election Interference." I encourage viewers today to read this story and draw your own conclusions about the

evidence Solomon has gathered.

I ask unanimous consent that we put this into the record, Mr. Chair.

The Chairman. Without objection.

Mr. Nunes. The concerted campaign by the media to discredit and disown some of their own colleagues is shocking, and we see it again in the sudden denunciations of New York Times Reporter Ken Vogel, as a conspiracy theorist, after he covered similar issues, including a 2017 Politico piece entitled "Ukrainian efforts to sabotage Trump backfire."

My third question: Why did Burisma hire Hunter Biden? What did he do for them? And did his position affect any U.S. Government actions under the Obama administration? We have now heard testimony from the Democrats' own witnesses that diplomats were concerned about a conflict of interest involving Hunter Biden. That's because he had secured a well-paid position, despite having no qualifications, on the board of a corrupt Ukrainian company while his father was Vice President charged with overseeing Ukrainian issues.

After trying out several different accusations against President Trump, the Democrats have recently settled on bribery. According to widespread reports, they replaced their quid pro quo allegation because it wasn't polling well. But if the Democrats and the media are suddenly so deeply concerned about bribery, you would think they would take some interest in Burisma paying Hunter Biden \$83,000 a month, and you'd think they would be interested in Joe Biden threatening to withhold U.S. loan guarantees unless the Ukrainians fired a prosecutor who was investigating Burisma. That would be a textbook example of bribery.

The media, of course, are free to act as Democrat puppets and they're free to lurch from the Russia hoax to the Ukraine hoax at the direction of their puppet masters,

but they cannot reasonably expect to do so without alienating half the country who voted for the President they're trying to expel.

Americans have learned to recognize fake news when they see it, and if the mainstream press won't give it to them straight, they'll go elsewhere to find it, which is exactly what the American people are doing.

With that, I yield back.

The Chairman. I thank the gentleman.

Today, we are joined by Lieutenant Colonel Vindman and Jennifer Williams. Lieutenant Colonel Alexander Vindman is an Active Duty military officer who joined the Army after college and served multiple tours overseas, serving in South Korea, Germany, and Iraq. He was deployed to Iraq at a time of heavy fighting, and was awarded a Purple Heart after being wounded by a roadside bomb. Since 2008, Colonel Vindman has served as a Foreign Area Officer specializing in Eurasia, serving both at home and in U.S. Embassies in Ukraine and Russia. He has served as a Political Military Affairs Officer for Russia for the Chairman of the Joint Chiefs of Staff. He joined the Trump administration in July 2018, when he was asked to serve on the National Security Council.

Jennifer Williams began her career in government service in 2005, shortly after graduating from college, when she joined the Department of Homeland Security as a political appointee during the George W. Bush administration, and after working as a field representative on the 2004 Bush-Cheney Presidential campaign. She joined the Foreign Service the following year, completing tours in Jamaica, Beirut, and Lebanon.

Prior to joining the Office of the Vice President, she served at the U.S. Embassy in London as a Public Affairs Officer. In April 2019, Ms. Williams was detailed to the Office of the Vice President, Mike Pence, where she serves as a special adviser on his foreign policy team covering Europe and Russia issues. In that capacity, she keeps the Vice

President aware of foreign policy issues in Europe and Russia, and prepares him for foreign policy engagements and meetings with foreign leaders.

Two final points before our witnesses are sworn. The first witness depositions as part of this inquiry were unclassified in nature, and all open hearings will also be held at the unclassified level. Any information that may touch on classified information will be addressed separately.

Second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for testifying before Congress, including you or any of your colleagues.

If you would both please rise and raise your right hand, I will begin by swearing you in.

Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Ms. Williams. I do.

Lieutenant Colonel Vindman. I do.

The Chairman. Let the record show the witnesses have answered in the affirmative. Thank you and you may be seated. The microphones are sensitive, so please speak directly into them. Without objection, your written statement will be made part of the record.

With that, Ms. Williams, you are now recognized for your opening statement, and when you are concluded, Lieutenant Colonel Vindman, you are recognized immediately thereafter for your opening statement.

Ms. Williams.

Ms. Williams. Thank you, Chairman Schiff, Ranking Member Nunes, and other members of the committee, for the opportunity to provide this statement. I appear

today pursuant to subpoena, and am prepared to answer your questions to the best of my abilities.

I have had the privilege of working as a Foreign Service Officer for nearly 14 years, working for three different Presidential administrations: two Republican and one Democratic. I joined the State Department in 2006, after serving in the Department of Homeland Security under Secretary Michael Chertoff. It was with great pride and conviction that I swore an oath to uphold and defend the Constitution administered by a personal hero of mine, former Secretary of State Condoleezza Rice.

As a career officer, I am committed to serving the American people and advancing American interests abroad in support of the President's foreign policy objectives. I have been inspired and encouraged in that journey by the thousands of other dedicated public servants who I am proud to call colleagues across the Foreign Service, civil service, military, and Federal law enforcement agencies.

I have served overseas tours in Kingston, Jamaica, Beirut, Lebanon, and London, United Kingdom. I have worked to implement humanitarian assistance programs to serve millions of victims of the Syria conflict and served as an adviser on Middle East issues to the Deputy Secretary of State. And this spring, it was the greatest honor of my career to be asked to serve as a special adviser to the Vice President for Europe and Russia.

Over the past 8 months, I have been privileged to work with the dedicated and capable men and women of the Office of the Vice President to advance the administration's agenda. I have also worked closely with talented and committed colleagues at the National Security Council, State Department, Department of Defense, and other agencies to advance and promote U.S. foreign policy objectives. In this capacity, I have advised and prepared the Vice President for engagements related to

Ukraine.

As you are aware, on November 7th, I appeared before the committee for a closed-door deposition pursuant to a subpoena. I would like to take this opportunity to briefly summarize my recollection of some of the events I expect the committee may ask me about.

On April 21st, Volodymyr Zelensky won the Ukrainian Presidential election. On April 23rd, the Vice President called to congratulate President-elect Zelensky. During the call, which I participated in, the Vice President accepted an invitation to attend President-elect Zelensky's upcoming inauguration, providing that the scheduling worked out. The Vice President had only a narrow window of availability at the end of May, and the Ukrainian Parliament would not meet to set a date for the inauguration until after May 14th. As a result, we did not expect to know whether the Vice President would be -- could attend until May 14th, at the earliest, and we made only preliminary trip preparations in early May.

On May 13th, an assistant to the Vice President's chief of staff called and informed me that President Trump had decided that the Vice President would not attend the inauguration in Ukraine. She did not provide any further explanation. I relayed that instruction to others involved in planning the potential trip. I also informed the NSC that the Vice President would not be attending, so that it could identify a head of delegation to represent the United States at President-elect Zelensky's inauguration.

On July 3rd, I learned that the Office of Management and Budget had placed a hold on a tranche of security assistance designated for Ukraine. According to the information I received, OMB was reviewing whether the funding was aligned with the administration's priorities.

I subsequently attended meetings of the policy coordination committee, where

the hold on Ukrainian security assistance was discussed. During those meetings, representatives of the State and Defense Departments advocated that the hold should be lifted; and OMB representatives reported that the White House Chief of Staff had directed that the hold should remain in place. On September 11th, I learned that the hold on security assistance for Ukraine had been released. I have never learned what prompted that decision.

On July 25th, along with several of my colleagues, I listened to a call between President Trump and President Zelensky, the content of which has since been publicly reported. Prior to July 25th, I had participated in roughly a dozen other Presidential phone calls.

During my closed-door deposition, members of the committee asked about my personal views, and whether I had any concerns about the July 25th call. As I testified then, I found the July 25th phone call unusual because, in contrast to other Presidential calls I had observed, it involved discussion of what appeared to be a domestic political matter.

After the July 25th call, I provided an update in the Vice President's daily briefing book indicating that President Trump had a call that day with President Zelensky. A hard copy of the memorandum transcribing the call was also included in the book. I do not know whether the Vice President reviewed my update or the transcript. I did not discuss the July 25th call with the Vice President or any of my colleagues in the Office of the Vice President or the NSC.

On August 29th, I learned that the Vice President would be traveling to Poland to meet with President Zelensky on September 1st. At the September 1st meeting, which I attended, President Zelensky asked the Vice President about news articles reporting a hold on U.S. security assistance for Ukraine. The Vice President responded that Ukraine

had the United States' unwavering support, and promised to relay their conversation to President Trump that night. During the September 1st meeting, neither the Vice President nor President Zelensky mentioned the specific investigations discussed during the July 25th phone call.

Thank you, again, for the opportunity to provide this statement. I'd be happy to answer any questions.

[The statement of Ms. Williams follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Lieutenant Colonel Vindman. Mr. Chairman, Ranking Member, thank you for the opportunity to address the House Permanent Select Committee on Intelligence with respect to activities relating to Ukraine and my role in the events under investigation.

I have dedicated my entire professional life to the United States of America. For more than two decades, it has been my honor to serve as an officer in the United States Army. As an infantry officer, I served multiple overseas tours, including South Korea and Germany, and I was deployed to Iraq for combat operations.

Since 2008, I have been a Foreign Area Officer specializing in European and Eurasian political military affairs. I served in the United States Embassies in Kyiv, Ukraine, and Moscow, Russia. In Washington, D.C., I was the political military affairs officer for Russia for the Chairman of the Joint Chiefs of Staff, where I drafted the Armed Forces global campaign plan to counter Russian aggression and Russian malign influence.

In July 2018, I was asked to serve at the White House National Security Council. At the NSC, I'm the principal adviser to the National Security Advisor on Ukraine and other countries in my portfolio. And my role at the NSC is to develop, coordinate, and implement plans and policies to manage the full range of diplomatic, informational, military and economic national security issues for the countries in my portfolio.

My core function is to coordinate policy with departments and agencies. The committee has heard from many of my colleagues about the strategic importance of Ukraine as a bulwark against Russian aggression. It is important to know that our countries' policy of supporting Ukrainian sovereignty and territorial integrity, promoting Ukrainian prosperity, strengthening a free and democratic Ukraine as a counter to Russian aggression has been a consistent, bipartisan foreign policy objective and strategy

across various administrations, both Democratic and Republican, and that President Zelensky's election in April 2019 created an unprecedented opportunity to realize our strategic objectives.

In the spring of 2019, I became aware of two disruptive actors, primarily Ukraine's then-prosecutor Yuriy Lutsenko, and former Mayor Rudolph Giuliani, the President's personal attorney, promoting false narratives that undermined the United States' Ukraine policy. The NSC and its interagency partners, including the State Department, grew increasingly concerned about the impact that such information was having on our country's ability to achieve our national security objectives.

On April 21st, 2019, Volodymyr Zelensky was elected President of Ukraine in a landslide victory on a unity, reform, and anticorruption platform. President Trump called President Zelensky on April 21st, 2019, to congratulate him on his victory. I was the staff officer who produced the call materials and was one of the staff officers who listened to the call. The call was positive and President Trump expressed his desire to work with President Zelensky and extended an invitation to visit the White House.

In May, I attended the inauguration of President Zelensky as part of the Presidential delegation led by Secretary Perry. Following the visit, the members of the delegation provided President Trump a debriefing, offering a positive assessment of President Zelensky and his team. After this debriefing, President Trump signed a congratulatory letter to President Zelensky and extended another invitation to visit the White House.

On July 10, 2019, Oleksandr Danylyuk, then Ukraine's National Security Advisor, visited Washington, D.C., for a meeting with National Security Advisor Bolton. Ambassador Volker and Sondland -- Ambassadors Volker and Sondland and Secretary Rick Perry also attended the meeting. I attended with Dr. Hill.

We fully anticipated the Ukrainians would raise the issue of a meeting between the Presidents. Ambassador Bolton cut the meeting short when Ambassador Sondland started to speak about the requirement that Ukraine deliver specific investigations in order to secure the meeting with President Trump. Following this meeting, there was a short debriefing, during which Ambassador Sondland emphasized the importance of Ukraine delivering the investigations into the 2016 elections, the Bidens, and Burisma. I stated to Ambassador Sondland that this was inappropriate, and had nothing to do with national security. Dr. Hill also asserted these comments were improper. Following the meeting, Dr. Hill and I agreed to report the incident to NSC's lead counsel, Mr. John Eisenberg.

On July 21st, 2019, President Zelensky won a parliamentary election in another landslide victory. The NSC proposed that President Trump call President Zelensky to congratulate him. On July 25th, 2019, the call occurred. I listened in on the call in the Situation Room with White House colleagues. I was concerned by the call. What I heard was inappropriate, and I reported my concerns to Mr. Eisenberg.

It is improper for the President of the United States to demand a foreign government investigate a U.S. citizen and a political opponent. I was also clear that if Ukraine pursued an investigation -- it was also clear that if Ukraine pursued an investigation into the 2016 elections, the Bidens and Burisma, it would be interpreted as a partisan play. This would undoubtedly result in Ukraine losing bipartisan support, undermining U.S. national security, and advancing Russia's strategic objectives in the region.

I want to emphasize to the committee that when I reported my concerns on July 10th relating to Ambassador Sondland, and then July 25th relating to the President, I did so out of a sense of duty. I privately reported my concerns in official channels to the

proper authority in the chain of command. My intent was to raise these concerns because they had significant national security implications for our country. I never thought that I would be sitting here testifying in front of this committee and the American public about my actions. When I reported my concerns, my only thought was to act properly and to carry out my duty.

Following each of my reports to Mr. Eisenberg, I immediately returned to work to advance the President's and our country's foreign policy objectives. I focused on what I have done throughout my military career, promoting America's national security interests.

I want to take a moment to recognize the courage of my colleagues who have appeared and are scheduled to appear before this committee. I want to state that the character attacks on these distinguished and honorable public servants is reprehensible. It is natural to disagree and engage in spirited debate, and this has been the custom of our country since the time of our Founding Fathers, but we are better than personal attacks.

The uniform I wear today is that of a United States Army -- is that of the United States Army. The members of our all-volunteer force are made up of a patchwork of people from all ethnicities, regions, socioeconomic backgrounds, who come together under a common oath to protect and defend the Constitution of the United States of America. We do not serve any political party; we serve the Nation.

I am humbled to come before you today as one of many who serve in the most distinguished and able military in the world. The Army is the only profession I have ever known. As a young man, I decided I wanted to spend my life serving this Nation that gave my family refuge from authoritarian oppression. For the last 20 years, it has been an honor to represent and protect this great country.

Next month will mark 40 years since my family arrived in the United States as refugees. When my father was 47 years old, he left behind his entire life and the only home he had ever known to start over in the United States so his three sons could have better and safer lives. His courageous decision inspired a deep sense of gratitude in my brothers and myself, and instilled in us a sense of duty and service. All three of us have served, or are currently serving in the military. My little brother sits behind me here today. Our collective military service is a special part of our family's history, story in America.

I also recognize that my simple act of appearing here today, just like the courage of my colleagues who have also truthfully testified before this committee, would not be tolerated in many places around the world. In Russia, my act of expressing concern to the chain of command in an official and private channel would have severe personal and professional repercussions, and offering public testimony involving the President would surely cost me my life.

I am grateful to my father -- for my father's brave act of hope 40 years ago and for the privilege of being an American citizen and public servant, where I can live free, free of fear for mine and my family's safety.

Dad, I am sitting here today in the U.S. Capitol talking to our elected professionals. Talking to our elected professionals is proof that you made the right decision 40 years ago to leave the Soviet Union and come here to the United States of America in search of a better life for our family. Do not worry. I will be fine for telling the truth.

Thank you again for your consideration. I will be happy to answer your questions.

[The statement of Lieutenant Colonel Vindman follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. Thank you, Colonel. Thank you, Ms. Williams. Colonel, your brother and family are more than welcome here. We're grateful to have them with us.

We will proceed with the first round of questions, as detailed in the memo provided to committee members. There will be 45 minutes of questions conducted by the chairman or majority counsel, followed by 45 minutes for the ranking member or minority counsel. Under House Resolution 660, that time may not be delegated to other members. Following that, unless I specify an additional equal time for extended questioning, we will proceed under the 5-minute rule and every member will have a chance to ask questions.

I now recognize myself or majority counsel for the first 45 minutes.

Before we get into the substance of your testimony, Ms. Williams, I want to ask you about a phone call between Vice President Pence and President Zelensky of Ukraine on September 18th. Were you on that call?

Ms. Williams. I was.

The Chairman. And did you take notes of the call?

Ms. Williams. Yes, sir.

The Chairman. Is there something about that call that you think may be relevant to our investigation?

Mr. Shur. Mr. Chairman, as we previously discussed with the committee, the Office of the Vice President has taken the position that the September --

The Chairman. Sir, could you move the microphone a little closer to you.

Mr. Shur. As we previously discussed with both majority and minority staff of the committee, the Office of the Vice President has taken the position that the September 18 call is classified. As a result, with respect to the call, I'd refer the

committee to the public record, which includes Ms. Williams' November 7th testimony, which has been publicly released, as well as the public readout of that call, which has previously been issued by the White House.

Beyond that, given the position of the Vice President's office on classification, I have advised Ms. Williams not to answer further questions about that call in an unclassified setting.

The Chairman. I thank the counsel.

Ms. Williams, I would only ask you in this setting whether you think there is something relevant to our inquiry in that call and whether, if so, you'll be willing to make a classified submission to the committee?

Ms. Williams. I would also refer to my testimony that I gave in the closed session, and I am very happy to appear for a classified setting discussion as well.

The Chairman. It may not be necessary for you to appear if you'll be willing to submit the information in writing to the committee.

Ms. Williams. I'll be happy to do so.

The Chairman. I thank you.

Colonel Vindman, if I could turn your attention to the April 21st call, that is the first call between President Trump and President Zelensky, did you prepare talking points for the President to use during that call?

Lieutenant Colonel Vindman. Yes, I did.

The Chairman. And did those talking points include rooting out corruption in Ukraine?

Lieutenant Colonel Vindman. Yes.

The Chairman. That was something the President was supposed to raise in the conversation with President Zelensky?

Lieutenant Colonel Vindman. Those were the recommended talking points that were cleared through the NSC staff for the President, yes.

The Chairman. Did you listen in on that call?

Lieutenant Colonel Vindman. Yes, I did.

The Chairman. The White House has now released the record of that call. Did President Trump ever mention corruption in the April 21st call?

Lieutenant Colonel Vindman. To the best of my recollection, he did not.

The Chairman. On the April 21st call, President Trump told President Zelensky that he would send a high-level U.S. delegation to the inauguration. Following that call, Ms. Williams, was it your understanding that the President wanted the Vice President to attend the inauguration in Kyiv?

Ms. Williams. Yes, that was my understanding.

The Chairman. And did the President subsequently tell the Vice President not to attend the inauguration?

Ms. Williams. I was informed by our chief of staff's office, by the Vice President's chief of staff office that the President had told the Vice President not to attend. I did not witness that conversation.

The Chairman. And am I correct that you learned this on May 13th? Is that right?

Ms. Williams. That is correct.

The Chairman. Am I also correct that the inauguration date had not been set by May 13th?

Ms. Williams. That is correct.

The Chairman. Do you know what accounted for the President's decision to instruct the Vice President not to attend?

Ms. Williams. I do not.

The Chairman. Colonel Vindman, you were a member of the U.S. delegation to the inauguration on May 20th. Is that correct?

Lieutenant Colonel Vindman. Yes, Chairman.

The Chairman. And during that trip, did you have an opportunity to offer any advice to President Zelensky?

Lieutenant Colonel Vindman. Yes, Chairman.

The Chairman. What was the advice that you gave him?

Lieutenant Colonel Vindman. During a bilateral meeting in which the whole delegation was meeting with President Zelensky and his team, I offered two pieces of advice: To be particularly cautious with regards to Ukraine -- to be particularly cautious with regards to Russia, and its desire to provoke Ukraine; and the second one was to stay out of U.S. domestic policy.

The Chairman. Do you mean politics?

Lieutenant Colonel Vindman. Politics, correct.

The Chairman. And why did you feel it was necessary to advise President Zelensky to stay away from U.S. domestic politics?

Lieutenant Colonel Vindman. Chairman, in the March and April timeframe, it became clear that there were -- there were actors in the U.S., public actors, nongovernmental actors that were promoting the idea of investigations and 2016 Ukrainian interference.

And it was consistent with U.S. policy to advise any country, all the countries in my portfolio, any country in the world, to not participate in U.S. domestic politics. So I was passing the same advice consistent with U.S. policy.

The Chairman. I know Mr. Goldman will have more questions about that when I

turn to him. But let me turn, if I can, to the hold on security assistance which I think you both testified you learned about in early July.

Am I correct that neither of you were provided with a reason for why the President put a hold on security assistance to Ukraine?

Ms. Williams. My understanding was that OMB was reviewing the assistance to ensure it was in line with administration priorities, but it was not made more specific than that.

The Chairman. Colonel Vindman?

Lieutenant Colonel Vindman. That is consistent. The review was to ensure it remained consistent with administration policies.

The Chairman. Colonel Vindman, you attended a meeting in John Bolton's office on July 10th where Ambassador Sondland interjected to respond to a question by senior Ukrainian officials about a White House visit. What did he say at that time?

Lieutenant Colonel Vindman. To the best of my recollection, Ambassador Sondland said that in order to get a White House meeting, the Ukrainians would have to provide a deliverable, which is investigations, specific investigations.

The Chairman. And what was Ambassador Bolton's response or reaction to that comment?

Lieutenant Colonel Vindman. The -- we had not completed all of the agenda items and we still had time for the meeting, and Ambassador Bolton abruptly ended the meeting.

The Chairman. Did you report this incident to the National Security Council lawyers?

Lieutenant Colonel Vindman. Yes, I did.

The Chairman. Based on Ambassador Sondland's remark at the July 10th

meeting, was it your clear understanding that the Ukrainians understood they had to commit to investigations President Trump wanted in order to get the White House meeting?

Lieutenant Colonel Vindman. It may not have been entirely clear at that moment. Certainly Ambassador Sondland was calling for these meetings, and he had -- he had stated that his -- he had this -- this was developed per a conversation with the chief of staff, Mr. Mick Mulvaney, but the connection to the President wasn't clear at that point.

The Chairman. But the import of what Ambassador Sondland said during that meeting was that there was agreement with Mick Mulvaney that Zelensky would get the meeting if they would undertake these investigations?

Lieutenant Colonel Vindman. That is correct.

The Chairman. About 2 weeks after that July 10th meeting, President Trump and President Zelensky had their second call, the now infamous July 25th call.

Colonel Vindman, what was your real-time reaction to hearing that call?

Lieutenant Colonel Vindman. Chairman, without hesitation, I knew that I had to report this to the White House counsel. I had concerns, and it was my duty to report my concerns to the proper -- proper people in the chain of command.

The Chairman. And what was your concern?

Lieutenant Colonel Vindman. Chairman, as I said in my statement, it was inappropriate. It was improper for the President to request -- to demand an investigation into a political opponent, especially a foreign power where there's, at best, dubious belief that this would be a completely impartial investigation, and that this would have significant implications if it became public knowledge, and it would be perceived as a partisan play. It would undermine our Ukraine policy, and it would undermine our

national security.

The Chairman. Colonel, you've described this as a demand, this favor that the President asked. What is it about the relationship between the President of the United States and the President of Ukraine that leads you to conclude that when the President of the United States asks a favor like this, it's really a demand?

Lieutenant Colonel Vindman. Chairman, the culture I come from, the military culture, when a senior asks you to do something, even if it's polite and pleasant, it's not -- it's not to be taken as a request, it's to be taken as an order.

In this case, the power disparity between the two leaders, my impression is that, in order to get the White House meeting, President Zelensky would have to deliver these investigations.

The Chairman. Ms. Williams, I think you've described your reaction in your deposition when you listened to the call as you found it unusual and inappropriate, but I was struck by something else you said in your deposition. You said that it shed some light on possible other motivations behind a security assistance hold. What did you mean by that?

Ms. Williams. Mr. Chairman, I was asked during the closed-door testimony how I felt about the call. And in reflecting on what I was thinking in that moment, it was the first time I had heard internally the President reference particular investigations that previously I had only heard about through Mr. Giuliani's press interviews and press reporting.

So in that moment, it was not clear whether there was a direct connection or linkage between the ongoing hold on security assistance and what the President may be asking President Zelensky to undertake in regard to investigations. So it was noteworthy in that regard. I did not have enough information to draw any firm conclusions.

The Chairman. But it raised a question in your mind as to whether the two were related?

Ms. Williams. It was the first I had heard of any requests of Ukraine which were that specific in nature. So it was noteworthy to me in that regard.

The Chairman. Both of you recall President Zelensky in that conversation raising the issue or mentioning Burisma, do you not?

Ms. Williams. That is correct.

Lieutenant Colonel Vindman. Correct.

The Chairman. And yet the word "Burisma" appears nowhere in the call record that's been released to the public. Is that right?

Ms. Williams. That's right.

Lieutenant Colonel Vindman. Correct.

The Chairman. Do you know why that's the case, why that was left out?

Ms. Williams. I do not. I was not involved in the production of that transcript.

Lieutenant Colonel Vindman. I attribute that to the fact that this transcript that is being produced may have not caught the word "Burisma," and it was -- in the transcript that was released, it was released as the company, which is accurate. It's not a significant omission.

The Chairman. Colonel, you pointed out the fact that that word was used, did you not?

Lieutenant Colonel Vindman. Correct.

The Chairman. And yet, it was not included in the record released to the public?

Lieutenant Colonel Vindman. That's right. It's -- I'd say it's informed speculation that the folks that produce these transcripts do the best they can, and they just didn't catch the word. And that was my responsibility to then make sure that the

transcript was as accurate as possible; and that's what I attempted to do by putting that word back in, because that was in my notes.

The Chairman. I think, Colonel, you testified in your deposition that you found it striking that Zelensky would bring up Burisma, that it indicated to you that he had been prepped for the call to expect this issue to come up. What led you to that conclusion?

Lieutenant Colonel Vindman. It seemed unlikely that he would be familiar with a single company in the context of a call that had -- that was on the broader bilateral relationship. And it seemed to me that he was either tracking this issue because it was in the press or he was otherwise prepped.

The Chairman. Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman.

Good morning to both of you.

On July 25th, at approximately 9 a.m., you both were sitting in the Situation Room, probably not too much further away than you are right now, and you were preparing for a long-awaited phone call between President Trump and President Zelensky.

Now, Colonel Vindman, in advance of this phone call, did you prepare talking points, as you did for the April 21st call?

Lieutenant Colonel Vindman. Yes, I did.

Mr. Goldman. What were those talking points based upon?

Lieutenant Colonel Vindman. They were -- so this is not in the public record, and I can't comment too deeply, but what is -- the areas that we've consistently talked to, talked about in public was cooperation on supporting a reform agenda, anticorruption efforts, and helping President Zelensky implement his plans to end Russia's war against Ukraine.

Mr. Goldman. In other words, they're based on official U.S. policy?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. And is there a process to determine official U.S. policy?

Lieutenant Colonel Vindman. Yes. That is -- my job is coordinate U.S. policy.

So throughout the preceding year that I had been on staff, I had undertaken an effort to make sure we had a cohesive, coherent U.S. policy.

Mr. Goldman. And as you listened to the call, did you observe whether President Trump was following the talking points, based on the official U.S. policy?

Lieutenant Colonel Vindman. Counsel, the President could choose to use the talking points or not. He's the President. But they were not consistent with what I provided, yes.

Mr. Goldman. Let's take a look at a couple of excerpts from this call. And right after President Zelensky thanked President Trump for the United States' support in the area of defense, President Trump asks President Zelensky for a favor, and then raises this theory of Ukrainian interference in the 2016 election.

He says in the highlighted portion: "I would like you to do us a favor though, because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike... I guess you have one of your wealthy people... The server, they say Ukraine has it."

Now, Colonel Vindman, was this statement based on the official talking points that you had prepared?

Lieutenant Colonel Vindman. No.

Mr. Goldman. And was this statement related to the 2016 Ukraine interference in the 2016 election part of the official U.S. policy?

Lieutenant Colonel Vindman. No, it was not.

Mr. Goldman. Now, at the time of this July 25th call, Colonel Vindman, were you aware of a theory that Ukraine had intervened or interfered in the 2016 U.S. election?

Lieutenant Colonel Vindman. I was.

Mr. Goldman. Are you aware of any credible evidence to support this theory?

Lieutenant Colonel Vindman. I am not.

Mr. Goldman. Are you also aware that Vladimir Putin had promoted this theory of Ukrainian interference in the 2016 election?

Lieutenant Colonel Vindman. I am well aware of that fact.

Mr. Goldman. And ultimately, which country did U.S. intelligence services determine to have interfered in the 2016 election?

Lieutenant Colonel Vindman. It is the consensus of the entire Intelligence Community that the Russians interfered in U.S. elections in 2016.

Mr. Goldman. Let's go to another excerpt from this call where President Trump asks President Zelensky to investigate his political opponent, Vice President Joe Biden. Here, President Trump says: "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of people want to find out about that, so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution, so if you can look into it. It sounds horrible to me," he said.

Again, Colonel Vindman, was this included in your talking points?

Lieutenant Colonel Vindman. It was not.

Mr. Goldman. Is such a request to investigate a political opponent consistent with official U.S. policy?

Lieutenant Colonel Vindman. It was not consistent with the policy, as I

understood it.

Mr. Goldman. Now, are you aware of any credible allegations or evidence to support this notion that Vice President Biden did something wrong, or against U.S. policy with regard to Ukraine?

Lieutenant Colonel Vindman. I am not.

Mr. Goldman. Ms. Williams, are you familiar with any credible evidence to support this theory against Vice President Biden?

Ms. Williams. No, I'm not.

Mr. Goldman. Now, Ms. Williams, prior to the July 25th call, approximately how many calls between the President of the United States and foreign leaders had you listened to?

Ms. Williams. I would say roughly a dozen.

Mr. Goldman. Had you ever heard a call like this?

Ms. Williams. As I testified before, I believe what I found unusual or different about this call was the President's reference to specific investigations that struck me as different than other calls I had listened to.

Mr. Goldman. You testified that you thought it was political in nature. Why did you think that?

Ms. Williams. I thought that the references to specific individuals and investigations, such as former Vice President Biden and his son, struck me as political in nature, given that the former Vice President is a political opponent of the President.

Mr. Goldman. And so you thought that it could potentially be designed to assist President Trump's reelection effort?

Ms. Williams. I can't speak to what the President's motivation was in referencing it, but I just noted that the reference to Biden sounded political to me.

Mr. Goldman. Colonel Vindman, you said in your deposition that it doesn't take a rocket scientist to see the political benefits of the President's demands. For those of us who are not rocket scientists, can you explain what you meant by that?

Lieutenant Colonel Vindman. So, my understanding is that it was -- the connection to investigating a political opponent was inappropriate and improper. I made that connection as soon as the President brought up the Biden investigation.

Mr. Goldman. Colonel Vindman, you testified that President Trump's request for a favor from President Zelensky would be considered as a demand to President Zelensky. After this call, did you ever hear from any Ukrainians, either in the United States or Ukraine, about any pressure that they felt to do these investigations that President Trump demanded?

Lieutenant Colonel Vindman. Not that I can recall.

Mr. Goldman. Did you have any discussions with officials at the Embassy here, the Ukrainian Embassy here in Washington, D.C.?

Lieutenant Colonel Vindman. Yes, I did.

Mr. Goldman. Did you discuss at all the demand for investigations with them?

Lieutenant Colonel Vindman. I did not.

Mr. Goldman. Did you discuss at all, at any point, their concerns about the hold on security assistance?

Lieutenant Colonel Vindman. To the best of my recollection, in the August timeframe, the Ukrainian Embassy started to become aware of the hold on security assistance, and they were asking if I had any comment on that or if I could substantiate that.

RPTR FORADORI

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[10:08 a.m.]

Mr. Goldman. And that was before it became public. Is that right?

Lieutenant Colonel Vindman. Yes.

Mr. Goldman. And what did you respond?

Lieutenant Colonel Vindman. I believe I said that -- I don't recall, frankly. I don't recall what I said, but I believe it may have been something along the lines of, "I'm not aware of it."

Mr. Goldman. You testified that one of your concerns about the request for investigations related to U.S. domestic politics was that Ukraine may lose bipartisan support. Why was that a concern of yours?

Lieutenant Colonel Vindman. Ukraine is in a war with Russia, and the security assistance that we provide Ukraine is significant. Absent that security assistance and, maybe even more importantly, the signal of support for Ukrainian sovereignty and territorial integrity, that would likely encourage Russia to pursue -- to potentially escalate to pursue further aggression, undermining -- further undermining Ukrainian sovereignty, European security, and U.S. security.

Mr. Goldman. So, in other words, Ukraine is heavily dependent on United States' support, both diplomatically, financially, and also militarily?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. Colonel Vindman, what languages do you speak?

Lieutenant Colonel Vindman. I speak Russian and Ukrainian and a little bit of English.

Mr. Goldman. Do you know what -- do you recall what language President Zelensky spoke on this July 25th phone call?

Lieutenant Colonel Vindman. I know he made a valiant effort to speak English. He had been practicing up his English. But he also spoke Ukrainian.

Mr. Goldman. I want to look at the third excerpt from the July 25th call. And Chairman Schiff addressed this with you in his questioning. And you see in the highlighted portion, it says, "specifically to the company that you mentioned in this issue."

Is that the portion of the call record that, Colonel Vindman, you thought President Zelensky actually said "Burisma"?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. And you testified earlier that his use of -- or his understanding that when President Trump mentioned the Bidens that that referred to the company Burisma, sounded to you like he was prepped or prepared for this call. Is that right?

Lieutenant Colonel Vindman. That is correct.

Mr. Goldman. I want to go to the next slide, if we could, which is actually a text message that neither of you is on, but this is from Ambassador Kurt Volker to Andriy Yermak.

And, Colonel Vindman, who's Andriy Yermak?

Lieutenant Colonel Vindman. Andriy Yermak is a senior advisor within the Presidential administration, Ukrainian Presidential administration. He's a senior advisor to President Zelensky.

Mr. Goldman. Now, this text message is less than a half-hour before the call on July 25th. And since neither of you were on it, I'll read it.

It says, from Ambassador Volker: "Good lunch. Thanks. Heard from White

House. Assuming President Z convinces Trump he will investigate, 'get to the bottom of what happened' in 2016, we will nail down date for a visit to Washington. Good luck. See you tomorrow. Kurt."

Now, is this the sort of thing that you're referring to when you say that it is sounded like President Zelensky was prepared for this call?

Lieutenant Colonel Vindman. This would be consistent, yes.

Mr. Goldman. Now, turning to the fourth excerpt from the July 25th call, where Ukraine's President Zelensky links the White House meeting to the investigations that President Trump requests, President Zelensky says, "I also wanted to thank you for your invitation to visit the United States, specifically Washington, D.C. On the other hand, I also wanted to ensure you that we will be very serious about the case and will work on the investigation."

Colonel Vindman, when President Zelensky says, "on the other hand," would you agree that he's acknowledging a linkage between the White House visit that he mentions in the first sentence and the investigations that he mentions in the second sentence?

Lieutenant Colonel Vindman. It could be taken that way. I'm not sure if I -- it seems like a reasonable conclusion.

Mr. Goldman. And if that is the case, that would be consistent with the text message that Ambassador Volker sent to Andriy Yermak right before the call. Is that right?

Lieutenant Colonel Vindman. Seemingly so.

Mr. Goldman. Now, you've testified in your deposition that a White House visit, an Oval Office visit, is very important to President Zelensky. Why is that?

Lieutenant Colonel Vindman. The show of support for President Zelensky, still a brand-new President, frankly, a new politician on the Ukrainian political scene, looking to

establish his bona fides as a regional and maybe even a world leader, would want to have a meeting with the United States, the most powerful country in the world and Ukraine's most significant benefactor, in order to be able to implement his agenda.

Mr. Goldman. It would provide him with some additional legitimacy at home?

Lieutenant Colonel Vindman. Yes.

Mr. Goldman. So, just to summarize, in this July 25th call between the Presidents of the United States and Ukraine, President Trump demanded a favor of President Zelensky -- to conduct investigations that both of you acknowledge were for President Trump's political interest, not the national interest -- and in return for his promise of a much-desired White House meeting for President Zelensky.

Colonel Vindman, is that an accurate summary of the excerpts that we just looked at?

Lieutenant Colonel Vindman. Yes.

Mr. Goldman. Ms. Williams?

Ms. Williams. Yes.

Mr. Goldman. Colonel Vindman, you immediately reported this call to the NSC lawyers. Why did you do that?

Lieutenant Colonel Vindman. So, at this point, I'd already been tracking this, initially, what I would describe as alternative narrative, false narrative, and I was certainly aware of the fact that it was starting to reverberate, gain traction. The fact that it, in the July 10th call, ended up being pronounced by a public official, Ambassador Sondland, had me alerted to this. And I was -- subsequent to that report, I was invited to follow up with any other concerns to Mr. Eisenberg.

Mr. Goldman. And we're going to discuss that July 10th meeting in a moment. But when you say "alternative/false narratives," are you referring to the two

investigations that President Trump referenced in the call?

Lieutenant Colonel Vindman. Yes.

Mr. Goldman. Now, at some point, did you also discuss how the written summary of the call record should be handled with the NSC lawyers?

Lieutenant Colonel Vindman. There was -- following the report, there was a discussion in the legal shop on the best way to manage the transcript, yes.

Mr. Goldman. What did you understand they concluded?

Lieutenant Colonel Vindman. My understanding is that this was viewed as a sensitive transcript and to avoid leaks and, if I recall the term properly, something along the lines of "preserve the integrity of the transcript." It should be segregated to a smaller group of folks.

Mr. Goldman. So "preserve the integrity of the transcript," what did that mean?

Lieutenant Colonel Vindman. I'm not sure. I mean, it seemed like a legal term. I'm not an attorney. But it was -- I didn't take it as anything nefarious. I just understood that they wanted to keep it in a smaller group.

Mr. Goldman. If there was real interest in preserving the integrity of the transcript, don't you think they would've accepted your correction that Burisma should've been included?

Lieutenant Colonel Vindman. Not necessarily. The way these edits occur, they go through, like everything else, an approval process. I made my contribution. It was cleared by Mr. Morrison. Then, when I returned it -- you know, sometimes that doesn't happen.

There are administrative errors. I think that, in this case, I didn't see -- when I first saw the transcript without the two substantive items that I had attempted to include. I didn't see that as nefarious. I just saw it as a: "Okay. No big deal. You know,

these might be meaningful, but it's not that big a deal."

Mr. Goldman. You said two substantive issues. What was the other one?

Lieutenant Colonel Vindman. There was a reference in a section -- one second. On page 4, the top paragraph -- let me find the right spot. Okay. Yes. "You can look into it" -- ellipse -- "there are videos" is what I recall. Or there were recordings -- recordings.

Mr. Goldman. So, instead of an ellipses, it should have said, to what you heard, that there are recordings?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. Did you ultimately learn where the call record was put?

Lieutenant Colonel Vindman. I understood that it was being segregated into a separate system, a separate secure system.

Mr. Goldman. Why would it be put on a separate secure system?

Lieutenant Colonel Vindman. This is not definitely not unprecedented, but, at times, if you want to limit access to a smaller groups of folks, you put it on the secure system to ensure that a smaller group of people with access to the secure system have it.

Mr. Goldman. But can't you also limit the number of people who can access it on the regular system?

Lieutenant Colonel Vindman. You can do that. But, to the best of my recollection, the decision was made, frankly, on the fly, after my -- after the fact I -- after I conveyed my concerns to Mr. Eisenberg, Mr. Ellis came in. He hadn't heard the entire conversation. And when it was mentioned that it was sensitive, it was kind of an on-the-fly decision to just segregate it into this other system.

Mr. Goldman. Mr. Eisenberg and Mr. Ellis are the NSC lawyers?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. But it was your understanding that it was not a mistake to put it on the highly classified system. Is that right?

Lieutenant Colonel Vindman. I'm not sure I understand.

Mr. Goldman. Was it intended to be put on the highly classified system by the lawyers, or was it a mistake that it was put there?

Lieutenant Colonel Vindman. I think it was intended, but, again, it was intended to prevent leaks and to limit access.

Mr. Goldman. Now, you testified, both of you, about the April 21st call a little earlier.

And, Colonel Vindman, you indicated that you did include in your talking points the idea of Ukraine rooting out corruption but that President Trump did not mention corruption.

I want to go to the White House readout from the April 21st call. And I'm not going to read the whole thing, but do you see highlighted portion where it says, "root out corruption"?

Lieutenant Colonel Vindman. Yes.

Mr. Goldman. So, in the end, this readout was false? Is that right?

Lieutenant Colonel Vindman. That's -- maybe that's a bit of a -- it's not entirely accurate, but I'm not sure if I would describe it as false. It was consistent with U.S. policy. And these items are used as messaging tools also. So a statement that goes out, in addition to, you know, reading out the meeting itself, is also a messaging platform to indicate what is important with regards to U.S. policy.

Mr. Goldman. So it is a part of U.S. official policy that Ukraine should root out corruption even if President Trump did not mention it in that April 21st phone call. Is that right?

Lieutenant Colonel Vindman. Certainly.

Mr. Goldman. And he also did not mention it in the July 25th phone call. Is that right?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. So, even though it was included in his talking points for the April 21st call and presumably even though you can't talk about it for the July 21st call, it was not included in either. Is that right?

Lieutenant Colonel Vindman. For the April 21st call --

Mr. Goldman. He did not mention it in either, rather.

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. So, when the President says now that he held up security assistance because he was concerned about rooting out corruption in Ukraine, that concern was not expressed in the two phone conversations that he had with President Zelensky earlier this year. Is that right?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. Now, Ms. Williams, you testified earlier that, after this April 21st call, President Trump asked Vice President Pence to attend President Zelensky's inauguration. Is that right?

Ms. Williams. That's correct.

Mr. Goldman. And that on May 13th you were just informed by the Chief of Staff's Office that Vice President Pence should not -- will not be going, per request of the President. Is that right?

Ms. Williams. That's what I was informed, yes.

Mr. Goldman. And you didn't know what had changed from April 21st to May 13th. Is that right?

Ms. Williams. No, not in terms of that decision.

Mr. Goldman. Well, Colonel Vindman, since you in particular are a little bit more, perhaps, than Ms. Williams, who has a broader portfolio, focuses on Ukraine, I want to ask you if you were aware of the following things that happened from April 21st to May 13th.

Were you aware that Ambassador Yovanovitch was abruptly recalled from Ukraine in that time?

Lieutenant Colonel Vindman. Yes.

Mr. Goldman. Were you aware that President Trump --

Lieutenant Colonel Vindman. I'm sorry. To correct it, so she was recalled prior -- let me see -- so the notification occurred toward the end of April, and she was finally recalled in the May timeframe, I think May 20th, if I recall correctly.

Mr. Goldman. Right. So she learned about it after April 21st, on April 24th. Is that right?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. And were you aware that President Trump had a telephone call with President Putin during this time period in early May?

Lieutenant Colonel Vindman. I was.

Mr. Goldman. And were you aware that Rudy Giuliani had planned a trip to go to Ukraine to pressure the Ukrainians to initiate the two investigations that President Trump mentioned on the July 25th call in this time period?

Lieutenant Colonel Vindman. I was aware that he was traveling there and that he had been promoting the idea of these investigations.

Mr. Goldman. I want to move now to that July 10th meeting that you referenced, Colonel Vindman. What exactly did Ambassador Sondland say when the

Ukrainian officials raised the idea of a White House meeting?

Lieutenant Colonel Vindman. As I recall, he referred to specific investigations that the Ukrainians would have to deliver in order to get these meetings.

Mr. Goldman. And what happened to --

Lieutenant Colonel Vindman. The White House meeting.

Mr. Goldman. What happened to the broader meeting after he made that reference?

Lieutenant Colonel Vindman. Ambassador Bolton very abruptly ended the meeting.

Mr. Goldman. Did you have any conversations with Ambassador Bolton about this meeting?

Lieutenant Colonel Vindman. No, I did not.

Mr. Goldman. Did you follow Ambassador Sondland and the others to the Ward Room for a meeting followup?

Lieutenant Colonel Vindman. There was a photo opportunity that we leveraged in order to demonstrate U.S. support, so the White House visit demonstrating U.S. support for Ukraine and the new national security advisory, who was a technocrat. And then, after that, we went down to a short post-meeting huddle or debrief.

Mr. Goldman. Were the investigations, the specific investigations that Ambassador Sondland referenced in the larger meeting, also discussed in the Ward Room meeting?

Lieutenant Colonel Vindman. They were.

Mr. Goldman. And what did Ambassador Sondland say?

Lieutenant Colonel Vindman. Ambassador Sondland referred to investigations into the Bidens, Burisma, and 2016.

Mr. Goldman. How did you respond, if at all?

Lieutenant Colonel Vindman. I said that this request to conduct these meetings was inappropriate -- these investigations was inappropriate and had nothing to do with national security policy.

Mr. Goldman. Was Ambassador Volker in this meeting as well?

Lieutenant Colonel Vindman. I don't recall specifically. I believe he was there for at least a portion of the time. I don't recall if he was there for that -- the whole meeting.

Mr. Goldman. Was this statement made in front of the Ukrainian officials?

Lieutenant Colonel Vindman. I believe there was some discussion prior to the Ukrainians leaving. When it was apparent there was some discord between the senior folks, Ambassador Sondland and other White House staff, myself, they were asked to step out. So I don't recall if they were there for the entire discussion.

Mr. Goldman. The senior White House staff you're referring to, does that include Fiona Hill, your immediate supervisor at the time?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. Now, you said you also reported this incident to the NSC lawyers. Is that right?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. And what was their response?

Lieutenant Colonel Vindman. John Eisenberg said that he -- he took notes while I was talking, and he said that he would look into it.

Mr. Goldman. Why did you report this meeting and this conversation to the NSC lawyers?

Lieutenant Colonel Vindman. Because it was inappropriate. And, following the

meeting, I had a short conversation -- following the post-meeting meeting, in the Ward Room, I had a short conversation with Ambassador -- correction -- Dr. Hill, and we discussed the idea of needing to report this.

Mr. Goldman. So am I correct, Colonel Vindman, that at least no later than that July 10th meeting the Ukrainians had understood or at least heard that the Oval Office meeting that they so desperately wanted was conditioned on these specific investigations into Burisma and the 2016 election?

Lieutenant Colonel Vindman. That was the first time I was aware of the Ukrainians being approached directly by a government official.

Mr. Goldman. And directly linking the White House meeting to the investigations?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. Ms. Williams, you testified in your opening statement that you attended the September 1st meeting between Vice President Pence and President Zelensky in Warsaw. Is that right?

Ms. Williams. That's correct.

Mr. Goldman. What was the first thing that President Zelensky asked Vice President Pence about at that meeting?

Ms. Williams. President Zelensky asked the Vice President about the status of security assistance for Ukraine, because he had seen the Politico article and other news reporting that the security assistance was being held.

Mr. Goldman. And you testified in your deposition that, in that conversation, President Zelensky emphasized that the military assistance, the security assistance, was not just important to assist Ukraine in fighting a war against Russia but that it was also symbolic in nature. What did you understand him to mean by that?

Ms. Williams. President Zelensky explained that, more than -- or just equally with the financial and fiscal value of the assistance, that it was the symbolic nature of that assistance that really was the show of U.S. support for Ukraine and for Ukraine's sovereignty and territorial integrity. And I think he was stressing that to the Vice President to really underscore the need for the security assistance to be released.

Mr. Goldman. And that if the United States was holding the security assistance, is it also true, then, that Russia could see that as a sign of weakening U.S. support for Ukraine and take advantage of that?

Ms. Williams. I believe that's what President Zelensky was indicating, that any signal or sign that U.S. support was wavering would be construed by Russia as potentially an opportunity for them to strengthen their own hand in Ukraine.

Mr. Goldman. Did Vice President Pence provide a reason for the hold on security assistance to the Ukrainian President in that meeting?

Ms. Williams. The Vice President did not specifically discuss the reason behind the hold, but he did reassure President Zelensky of the strongest U.S. unwavering support for Ukraine. And they talked about the need for European countries to step up and provide more assistance to Ukraine as well.

Mr. Goldman. Did Vice President Pence report back to President Trump on that meeting, to your knowledge?

Ms. Williams. The Vice President conveyed to President Zelensky that he would follow up with President Trump that evening, and conveyed to President Trump what he had heard from President Zelensky with regard to his efforts to implement reforms in Ukraine. I am aware that the Vice President spoke to President Trump that evening, but I was not privy to the conversation.

Mr. Goldman. Are you also aware, however, that the security assistance hold

was not lifted for another 10 days after this meeting?

Ms. Williams. That's correct.

Mr. Goldman. And am I correct that you didn't learn the reason why the hold was lifted?

Ms. Williams. That's correct.

Mr. Goldman. Colonel Vindman, you didn't learn a reason why the hold was lifted either. Is that right?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. Colonel Vindman, are you aware that the committees launched an investigation into Ukraine matters on September 9th, 2 days before the hold was lifted?

Lieutenant Colonel Vindman. I am aware, and I was aware.

Mr. Goldman. And, on September 10th, the Intelligence Committee requested the whistleblower complaint from the Department of National Intelligence. Are you aware of that?

Lieutenant Colonel Vindman. I don't believe I aware of that.

Mr. Goldman. Were you aware that the White House was aware of this whistleblower complaint prior to that date?

Lieutenant Colonel Vindman. The first I heard of the whistleblower complaint is, I believe, when the news broke. I was only aware of the committees investigating the hold on security assistance.

Mr. Goldman. So is it accurate to say, Colonel Vindman, that whatever reason that was provided for the hold, including the administrative policies which -- well, which would support the hold, is that -- would support the security assistance. Is that right, to your understanding?

Lieutenant Colonel Vindman. I'm sorry. I didn't understand that question.

Mr. Goldman. I was just asking, the administrative policies of President Trump supported the security assistance. Is that your understanding?

Lieutenant Colonel Vindman. So the interagency policy was to support security assistance for Ukraine.

Mr. Goldman. Thank you.

I yield back.

The Chairman. I now recognize Ranking Member Nunes or minority counsel for 45 minutes.

Mr. Nunes. Thank you.

Ms. Williams, welcome. I want to just establish a few basic facts about your knowledge of Ukraine, Burisma, and the role of the Bidens. You spend an extraordinary amount of your time on Ukraine, correct?

Ms. Williams. Ukraine is one of the countries in my portfolio. I would not say an extraordinary amount of time, but certainly the Vice President has engaged on Ukraine policy quite a bit in my 8 months.

Mr. Nunes. And it's in your portfolio.

Ms. Williams. That's correct.

Mr. Nunes. First off, were you aware, in September of 2015, then-U.S. Ambassador to Ukraine Jeffrey Pyatt publicly called for an investigation into Zlochevsky, the president of Burisma? Were you aware of these public statements?

Ms. Williams. No, not at the time.

Mr. Nunes. You are today, though.

Ms. Williams. I have since heard them, yes.

Mr. Nunes. Did you know of anti-Trump efforts by various Ukrainian officials as

well as Alexandra Chalupa, a DNC consultant?

Ms. Williams. No, I was not aware.

Mr. Nunes. Did you know about the Deputy Assistant Secretary of State Kent's concerns about potential conflict of interest into Hunter Biden's sitting on the board of Burisma?

Ms. Williams. I did not work on Ukraine policy during that timeframe, so I've become aware of it through --

Mr. Nunes. In the last year or so.

Ms. Williams. I have become aware of it through Mr. Kent's testimony through this process.

Mr. Nunes. Did you know that financial records show a Ukrainian natural gas company, Burisma, routed more than \$3 million to American accounts tied to Hunter Biden?

Ms. Williams. No, I was not aware.

Mr. Nunes. Until?

Ms. Williams. Until --

Mr. Nunes. You prepared for this hearing?

Ms. Williams. Until others have been testifying in more detail on those issues. That's correct.

Mr. Nunes. And you've been following it more closely.

Ms. Williams. Correct.

Mr. Nunes. Did you know that Burisma's American legal representatives met with Ukrainian officials just days after Vice President Biden forced the firing of the country's chief prosecutor?

Ms. Williams. Again, sir, I was not working on Ukraine policy during that time, and I was not --

Mr. Nunes. And I'm not -- none of these are trick questions. I'm just trying to get through them on the record.

Ms. Williams. I understand.

Mr. Nunes. Did you know that Burisma lawyers pressured the State Department in February 2016 after the raid, a month before the firing of Shokin, and that they invoked Hunter Biden's name as a reason to intervene?

Ms. Williams. I was not aware.

Mr. Nunes. Did you know that Joe Biden called Ukrainian President Poroshenko at least three times in February 2016 after the president and owner of Burisma's home was raided on February 2nd by the state prosecutor's office?

Ms. Williams. Not at the time. Again, I've become aware of that through this proceeding.

Mr. Nunes. Thank you, Ms. Williams.

Lieutenant Colonel Vindman, I'm going to ask you the same questions just to establish some basic facts about your knowledge about Ukraine, Burisma, and the role of the Bidens.

In September 2015, U.S. Ambassador to Ukraine Jeffrey Pyatt publicly called for an investigation into Zlochevsky, the president of Burisma. Were you aware of these public statements?

Lieutenant Colonel Vindman. I wasn't aware of them at the time.

Mr. Nunes. When did you become aware of them?

Lieutenant Colonel Vindman. During the course of the testimony and depositions after this impeachment inquiry began.

Mr. Nunes. Did you know of anti-Trump efforts by various Ukrainian Government officials as well as Alexandra Chalupa, a DNC consultant?

Lieutenant Colonel Vindman. I'm not aware of any of these interference efforts.

Mr. Nunes. Did you know about Deputy Assistant Secretary of State Kent's

concerns about potential conflicts of interest with Hunter Biden sitting on the board of Burisma?

Lieutenant Colonel Vindman. The only thing I'm aware of pertains to his deposition.

Mr. Nunes. Did you know that financial records show a Ukrainian natural gas company, Burisma, routed more than \$3 million to the American accounts tied to Hunter Biden?

Lieutenant Colonel Vindman. I'm not aware of this fact.

Mr. Nunes. Until recently.

Lieutenant Colonel Vindman. I guess I didn't independently look into it. I'm just not aware of, you know, what kind of payments Mr. Biden may have received. This is not something I'm aware of.

Mr. Nunes. Did you know that Burisma's American legal representatives met with Ukrainian officials just days after Vice President Biden forced the firing of the country's chief prosecutor?

Lieutenant Colonel Vindman. I'm not aware of these meetings.

Mr. Nunes. Did you know that Burisma lawyers pressured the State Department in February 2016 after the raid and a month before the firing of Shokin and that they invoked Hunter Biden's name as a reason to intervene?

Lieutenant Colonel Vindman. I'm not aware of any of these facts.

Mr. Nunes. Did you know that Joe Biden called Ukrainian President Poroshenko at least three times in February 2016 after the president and owner of Burisma's home was raided on February 2nd by the state prosecutor's office?

Lieutenant Colonel Vindman. I'm aware of the fact that President Biden -- or Vice President Biden was very engaged on Ukraine and had numerous engagements.

That's what I'm aware of.

Mr. Nunes. Ms. Williams and Lieutenant Colonel Vindman, as you may or may not know, this committee has spent nearly 3 years conducting various investigations, starting with the Russia collusion hoax, FISA abuse, Democratic hysteria over the lack of collusion in the Mueller report, and now this impeachment charade.

One of the most concerning things regarding all of these investigations is the amount of classified or otherwise sensitive information I read in the press that derive either from this committee or sources in the administration.

To be clear, I'm not accusing either one of you leaking information. However, given that you are the first witnesses who actually have some firsthand knowledge of the President's call by listening in on July 25th, it's imperative to the American public's understanding of the events that we get a quick matters -- few matters out of the way first.

Ms. Williams, let me just go to you first. For the purposes of the following questions, I'm only asking about the time period between -- from July 25th through September 25th.

Ms. Williams. Okay.

Mr. Nunes. Did you discuss the July 25th phone call between President Trump and President Zelensky or any matters associated with the phone call with any members of the press?

Ms. Williams. No.

Mr. Nunes. To be clear, you never discussed these matters with The New York Times, The Washington Post, Politico, CNN, or any other media outlet?

Ms. Williams. No, I did not.

Mr. Nunes. Did you ask or encourage any individual to share the substance of

the July 25th phone call or any matter associated with the call with any member of the press?

Ms. Williams. I did not.

Mr. Nunes. Do you know of any individual who discussed the substance of the July 25th phone call or matter associated with the call with any member of the press?

Ms. Williams. No, I do not.

Mr. Nunes. Lieutenant Colonel Vindman, the same questions for you. Did you discuss the July 25th phone call between President Trump and President Zelensky or any matter associated with the phone call with any member of the press?

Lieutenant Colonel Vindman. I did not.

Mr. Nunes. Just to be clear, you did not discuss this with The New York Times, The Washington Post, Politico, CNN, or any other media outlet?

Lieutenant Colonel Vindman. I did not.

Mr. Nunes. Did you ask or encourage any individual to share the substance of the July 25th phone call or any matter associated with the call with any member of the press?

Lieutenant Colonel Vindman. I did not.

Mr. Nunes. Do you know of any individual who discussed the substance of the July 25th phone call or any matter associated with the call with any member of the press?

Lieutenant Colonel Vindman. We have an NSC press shop, and they field any of these types of questions. I do not engage with the press at all.

Mr. Nunes. Let me ask the question again. Do you know of any individual who discussed the substance of the July 25th phone call or any matter associated with the call with any member of the press?

Lieutenant Colonel Vindman. We have an NSC press shop whose job is to engage

on any of these types of questions. I am not aware, but it is possible and likely that the press shop would have had -- would field these types of questions.

Mr. Nunes. Right, but the question is --

Lieutenant Colonel Vindman. After -- I'm sorry.

Mr. Nunes. The question is, do you know any individual -- do you personally know any individual who discussed the substance of the July 25th phone call or any matter associated with the call with any member of the press?

Lieutenant Colonel Vindman. Thank you, Ranking Member, for clarifying. I do not.

Mr. Nunes. Thank you.

Ms. Williams, did you discuss the July 25th phone call with anyone outside the White House on July 25th or July 26th? And, if so, with whom?

Ms. Williams. No, I did not discuss the call with anyone outside or inside the White House.

Mr. Nunes. Ms. Williams, during your time on the NSC, have you ever accessed a colleague's work computer without their prior authorization or approval?

Ms. Williams. I have not. And just to clarify, I'm in the Office of the Vice President, so I'm not on the NSC.

Mr. Nunes. Right, but representing --

Ms. Williams. No, I have not.

Mr. Nunes. -- the Vice President.

Ms. Williams. No.

Mr. Nunes. Thank you for that clarification.

Lieutenant Colonel Vindman, did you discuss the July 25th phone call with anyone outside the White House on July 25th or the 26th? And, if so, with whom?

Lieutenant Colonel Vindman. Yes, I did. My core function is to coordinate U.S. Government policy, interagency policy, and I spoke to two individuals with regards to providing some sort of a readout of the call.

Mr. Nunes. Two individuals that were not in the White House?

Lieutenant Colonel Vindman. Not in the White House. Cleared U.S. Government officials with the appropriate need to know.

Mr. Nunes. And what agencies were these officials with?

Lieutenant Colonel Vindman. Department of State -- Department of State Deputy Assistant Secretary George Kent, who is responsible for the portfolio, Eastern Europe, including Ukraine. And an individual from the Office of -- an individual in the Intelligence Community.

Mr. Nunes. As you know, the Intelligence Community has 17 different agencies. What agency was this individual from?

The Chairman. If I could interject here, we don't want to use these proceedings --

Mr. Nunes. It's our time, Chairman.

The Chairman. I know, but we need to protect the whistleblower. Please stop. I want to make sure that there's no effort to out the whistleblower through these proceeds.

If the witness has a good-faith belief that this may reveal the identity of the whistleblower, that is not the purpose that we are here for, and I want to advise the witness accordingly.

Mr. Nunes. Mr. Vindman, you testified in your deposition that you did not know the whistleblower.

Lieutenant Colonel Vindman. Ranking Member, it's Lieutenant Colonel Vindman,

please.

Mr. Nunes. Lieutenant Colonel Vindman, you testified in the deposition that you did not know who the whistleblower was or is.

Lieutenant Colonel Vindman. I do not know who the whistleblower is. That is correct.

Mr. Nunes. So how is it possible for you to name these people and then out the whistleblower?

Lieutenant Colonel Vindman. Per the advice of my counsel, I've been advised not to answer specific questions about members of the Intelligence Community.

Mr. Nunes. This is -- are you aware that this is the Intelligence Committee that's conducting an impeachment hearing?

Lieutenant Colonel Vindman. Of course I am.

Mr. Nunes. Wouldn't the appropriate place for you to come to to testify would be the Intelligence Committee about someone within the Intelligence Community?

Lieutenant Colonel Vindman. Ranking Member, per the advice of my counsel and the instructions from the chairman, I've been advised not to provide any specifics on who I have spoken to inside the Intelligence Community.

What I can offer is that these were properly cleared individuals -- or was a properly cleared individual with a need to know.

Mr. Nunes. Well, this is -- I mean, you could really -- you could plead the Fifth, but you're here to answer questions, and you're here under a subpoena. So you can either answer the question or you can plead the Fifth.

Mr. Volkov. Excuse me. On behalf of my client, we are following the rule of the committee, the rule of the chair, with regard to this issue. And this does not call for an answer that is invoking the Fifth or any theoretical issue like that. We're following the

ruling of the chair.

Mr. Nunes. Counselor, what ruling is that?

The Chairman. If I could interject, counsel is correct. The whistleblower has the right -- statutory right to anonymity. These proceedings will not be used to out the whistleblower.

Mr. Volkov. And I've advised my client accordingly, and he's going to follow the ruling of the chair. If there's an alternative or you want to work something out with the chair, that's up to you, Mr. Nunes.

Mr. Nunes. Well, we've attempted to subpoena the whistleblower to sit for a deposition. The chair has tabled that motion and then has been unwilling to recognize those motions over the last few days of this impeachment inquisition process.

With that, I'll go to Mr. Castor.

Mr. Castor. Thank you, Ranking Member Nunes.

The call transcript as published on September 25th is complete and accurate.

Will both of you attest to that?

Ms. Williams?

Ms. Williams. I didn't take a word-for-word --

Mr. Castor. Of course.

Ms. Williams. -- accounting. When I first saw the publicly released version, it looked substantively correct to me.

Mr. Castor. And Colonel Vindman?

Lieutenant Colonel Vindman. I think -- I certainly would describe it as substantively correct or --

Mr. Castor. I think in your testimony, your deposition, you said "very accurate"?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. Okay.

And you flagged a couple edits, Colonel Vindman. I think you had "Burisma" on page 4, where President Zelensky was talking about the company mentioned in the issue?

Lieutenant Colonel Vindman. I'm sorry. Could you say that question --

Mr. Castor. I believe in your testimony you explained that you offered an edit that on page 4 of the transcript that was ultimately published you thought President Zelensky mentioned the word "Burisma"?

Lieutenant Colonel Vindman. Oh, I had it in my notes. I know that's what he said. Yes.

Mr. Castor. Okay.

And, Ms. Williams -- and that was on page 4, correct?

Lieutenant Colonel Vindman. Correct. Correct.

Mr. Castor. And, Ms. Williams, I believe after your deposition you went back and checked your notes, and you had President Zelensky using the term "Burisma" as well. Is that correct?

Ms. Williams. That's correct.

Mr. Castor. But that came up on a different part of the transcript than what Colonel Vindman was relating to, correct?

Ms. Williams. Yes, I believe so.

Mr. Castor. Yours came up on page 5, and it would've been in substitution for the word "case"?

Ms. Williams. That's right. That's where I have it in my notes.

Mr. Castor. Okay.

Colonel Vindman, we've had some discussion earlier today and also at your deposition about whether the President had a demand for President Zelensky. And, you

know, I suggested to you in the deposition that the President's words are, in fact, ambiguous, and he uses some phrases that certainly could be characterized as hedging.

On page 3, in the first paragraph, he talks about "whatever you can do." He talks about "if that's possible." On page 4, he mentions "if you could speak to him," talking about the Attorney General or Rudy Giuliani. And then, at the end of the first paragraph on page 4, he says, "whatever you can do." The President also says, you know, "if you can look into it."

And I asked you during your deposition whether you saw or acknowledged the fact that certain people could read that to be ambiguous.

Lieutenant Colonel Vindman. And I said, correct, yes.

Mr. Castor. And I believe you said, "I think people want to hear what they have already preconceived." Is that what you testified?

Mr. Volkov. Actually, if I could ask for just a page cite?

Mr. Castor. 256.

Mr. Volkov. 256?

Mr. Castor. Yeah.

Mr. Volkov. And a line? Thank you. Just a minute, please.

Mr. Castor. And --

Mr. Volkov. Just a minute, please.

Okay. We got the page.

Mr. Castor. Okay.

And then you went on to say, "Yeah" -- you agreed with me. You said, "Yeah, I guess you could interpret it different ways." Is that correct?

Lieutenant Colonel Vindman. Yes.

Mr. Castor. Okay.

Turning attention to the preparation of the transcript, that followed the ordinary process, correct?

Lieutenant Colonel Vindman. So I think it followed the appropriate process in terms of making sure that eventually it came around for clearances, for accuracy --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- but it was in a different system, so --

Mr. Castor. Well, I'll get to that in a second. That relates to the storage of it.

You had some concerns, Mr. Morrison articulated his concerns, about if the transcript was leaked out. And I think both you and Mr. Morrison agreed that it needed to be protected?

Mr. Volkov. Just a correction. I don't think it was Mr. Morrison. It was Mr. Eisenberg, right?

Mr. Castor. Mr. Morrison testified at his deposition --

Mr. Volkov. Okay. We don't have that in front of us. If you can give us that, we'll take a look.

Lieutenant Colonel Vindman. I think in this -- but I could say for myself, I -- there were --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. The concerns about leaks seemed valid, and I wasn't particularly critical. I thought this was sensitive, and I was not going to question --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- the attorney's judgment on that.

Mr. Castor. Right. And even on the codeword server, you had access to it.

Lieutenant Colonel Vindman. Yes.

Mr. Castor. So at no point in time during the course of your official duties were you denied access to this information.

Lieutenant Colonel Vindman. Correct.

Mr. Castor. Is that correct?

Ms. Williams, I want to turn to you for a moment. And you testified that you believed the transcript is complete and accurate, other than the one issue you mentioned?

Ms. Williams. Substantively accurate, yes.

Mr. Castor. Now, did you express any concerns to anyone in your office about what you heard on the call?

Ms. Williams. My supervisor was listening on the call as well. So, because he had heard the same information, I did not feel a need to have a further conversation with him about it.

Mr. Castor. And you never had any concerns with anyone else in the Vice President's Office?

Ms. Williams. I did not discuss the call further with anyone in the Vice President's Office.

Mr. Castor. Okay. So you didn't flag it for the Chief of Staff or the Vice President's counsel or anyone of that sort?

Ms. Williams. Again, my immediate supervisor, Lieutenant General Kellogg, was in the room with me.

Mr. Castor. Right. And, after the call, did you and General Kellogg ever discuss the contents of the call?

Ms. Williams. We did not, no.

Mr. Castor. Okay.

Now, in the run-up to the meeting in Warsaw -- the Vice President was meeting with President Zelensky September 1st in Warsaw -- you were involved with the preparation of the Vice President's briefing materials?

Ms. Williams. I was.

Mr. Castor. And did you flag for the Vice President, you know, parts of call that had concerned you?

Ms. Williams. No, we did not include the call transcript in the trip briefing book. We don't normally include previous calls in trip briefing books.

Mr. Castor. Okay. And so I'm just wondering, if the concerns were so significant, how come nobody on the Vice President's staff at least alerted him to the issue that President Zelensky might be on edge about something that had been mentioned on the 7/25 call?

Ms. Williams. Again, my supervisor had been in the call with me, and I ensured that the Vice President had access to the transcript in the moment on that day.

As we were preparing for the September meeting with the President Zelensky, the more immediate issue at hand was, 2 days prior, the news had broken about the hold on the security assistance. So we much more focused on the discussion that was likely to occur about the hold on security assistance for that meeting.

Mr. Castor. And, to your recollection -- you were in the meeting with President Zelensky and Vice President Pence?

Ms. Williams. I was.

Mr. Castor. And Burisma didn't come up or the Bidens or --

Ms. Williams. No.

Mr. Castor. -- any of these investigations?

Ms. Williams. No. They did not.

Mr. Castor. Colonel Vindman, you testified that the President has well-standing -- or longstanding concerns about corruption in Ukraine, correct?

Lieutenant Colonel Vindman. I don't recall, but there are concerns. There are broad concerns about corruption, yes.

Mr. Castor. But would you agree that if the U.S. is giving, you know, hundreds of millions of dollars to a foreign nation that has a corruption problem, that that's certainly something that the U.S. Government officials and the President would want to be concerned about?

Lieutenant Colonel Vindman. Yes.

Mr. Castor. And if a foreign country has a problem with oligarchs taking money, taking U.S. taxpayer dollars, that's something that the President ought to be concerned about in advance of dispensing the aid?

Lieutenant Colonel Vindman. Yes.

Mr. Castor. And I believe you did testify that corruption is endemic in Ukraine?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. Are you also aware of the President's skepticism of foreign aid generally?

Lieutenant Colonel Vindman. I am.

Mr. Castor. And it's something that he's made part of his priorities, to make sure that U.S. foreign aid is spent wisely?

Lieutenant Colonel Vindman. That is correct.

Mr. Castor. And you're also aware the President has concerns about burden-sharing among our allies?

Lieutenant Colonel Vindman. Yes.

Mr. Castor. And, with respect to Ukraine, he was very interested and engaged in

seeing if there was a possibility for our European allies to step up and contribute more?

Lieutenant Colonel Vindman. Yes. I think that would be in the context of military assistance. In terms of burden-sharing, the European Union provides over \$15 billion.

Mr. Castor. Okay.

Lieutenant Colonel Vindman. Or has provided since 2014.

Mr. Castor. Okay. But you are aware of the President's concern of burden-sharing, right?

Lieutenant Colonel Vindman. Yes, I am.

Mr. Castor. Okay.

Turning our attention specifically to the company of Burisma, Mykola Zlochevsky, the co-founder of Burisma, is one of Ukraine's largest natural gas producers, correct?

Lieutenant Colonel Vindman. That is my understanding, yes.

Mr. Castor. And it's been subject to numerous investigations over the years?

Lieutenant Colonel Vindman. I'm not aware of -- I guess I couldn't point to specific investigations, but there is what I would call a pattern of questionable dealings and questions about corruption.

Mr. Castor. Zlochevsky had served as the Minister of Ecology during President Yanukovich's tenure?

Lieutenant Colonel Vindman. I came to learn that that is correct, yes.

Mr. Castor. And are you aware -- and George Kent testified a little bit about this last week -- that, under the Obama administration, the U.S. Government encouraged Ukraine to investigate whether Zlochevsky used his government position to grant himself or Burisma exploration licenses? Are you aware of that?

Lieutenant Colonel Vindman. I would defer to George Kent. He's a fount of

knowledge on Ukraine, much deeper knowledge than I have. And --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- if he attested to that, then I'd take his word for it.

Mr. Castor. Okay. And he testified that the U.S., along with the United Kingdom, was engaged in trying to recoup about 23 million in taxpayer dollars from Zlochevsky and the Burisma entity?

Lieutenant Colonel Vindman. I understand he testified to that, yes.

Mr. Castor. Okay.

And Mr. Kent also testified that the investigation was moving along and then all of a sudden there was a bribe paid and the investigation went away. Did you hear him mention that?

Lieutenant Colonel Vindman. I heard him mention that. These are events that occurred before my time, so, frankly, beyond what he said, I don't know much more.

Mr. Castor. Fair enough.

Right around the time the bribe was paid, the company sought to bolster their board. Are you aware that they tapped some luminaries for their corporate board?

Lieutenant Colonel Vindman. Certainly I learned that at some point, yes.

Mr. Castor. Including the President of Poland, I believe?

Lieutenant Colonel Vindman. Yes.

Mr. Castor. And Hunter Biden?

Lieutenant Colonel Vindman. Yes, I came to learn that as well.

Mr. Castor. And are you aware of any specific experience Hunter Biden has in the Ukrainian corporate governance world?

Lieutenant Colonel Vindman. I don't know much about Mr. Hunter Biden.

Mr. Castor. And we talked a little bit at your deposition about whether Mr. Biden was qualified to serve on this board, and, you know, I believe you acknowledged that apparently he was not, in fact, qualified?

Lieutenant Colonel Vindman. As far as I can tell, he didn't seem to be. But, like I said, I don't know his qualifications.

Mr. Castor. Okay.

And, Ms. Williams, I want to turn our attention to the inaugural trip. At one point, the Vice President and the Vice President's Office was focusing on attending that, correct?

Ms. Williams. That's right.

Mr. Castor. And it was somewhat complicated because, as I understand it, the White House doesn't want the President and the Vice President to be out of the country at the same time?

Ms. Williams. Yes, that's correct.

Mr. Castor. And during the timeframe, the President was in Japan. I believe he was in Japan May 24th to the 28th. And then he returned to Europe for the D-Day ceremonies June 2nd to 7th. And I think you told us that there was a window you provided of 4 days at the end of May, that if the Vice President was going to attend the inauguration, it had to be the 29th, 30th, 31st, or 1st?

Ms. Williams. Our Embassy in Kyiv had been in discussions with the Ukrainian -- with President Zelensky's team. And, as we had learned, obviously, the Ukrainian parliament wasn't going to come back into the session until mid-May, and so we wouldn't know formally what the date would be, but we understood that the initial thinking was that they were looking at dates at the end of May.

And so, homing in on that timeframe, we were aware of President Trump's plan to

travel on either end. And so that's why we advised the Ukrainians that, if Vice President Pence were to be able to participate, the only really available days would be May 30th, May 31st, or June 1st.

Mr. Castor. Okay. And before the Vice President travels to a foreign nation, you have to send the Secret Service, do advance work, book hotels, and it's a relatively involved preparation experience, right?

Ms. Williams. That's correct.

Mr. Castor. And do you know if the Secret Service ever deployed, booked hotels, or anything of that sort?

Ms. Williams. My understanding is that our advance team was looking in those preparations, including hotel availability, and we were trying to determine when it would be appropriate to send out Secret Service and other advance personnel to lay groundwork for a trip. But because we weren't sure yet when the date would be, we hesitated to send those officials out.

Mr. Castor. Okay. But, ultimately, the Secret Service, as I understand it, did not deploy?

Ms. Williams. I don't believe they did, no.

Mr. Castor. Okay.

And President Zelensky's inauguration was May 20th, if I'm not mistaken?

Ms. Williams. Yes, that's correct.

Mr. Castor. And you had about 4 days' notice?

Ms. Williams. In the end, the Ukrainian parliament decided on May 16th to set the date for May 20th. That's correct.

Mr. Castor. Okay. So you would acknowledge that that made it quite difficult for the Vice President and the whole operation to mobilize and get over to Ukraine,

correct?

Ms. Williams. It would have been, but we had already stopped the trip planning by that point.

Mr. Castor. And when the did that happen?

Ms. Williams. Stopping the trip planning?

Mr. Castor. Yeah.

Ms. Williams. On May 13th.

Mr. Castor. Okay. And how did you hear about that?

Ms. Williams. I was called by a colleague in the Vice President's Chief of Staff's Office and told to stop the trip planning.

Mr. Castor. Okay. And, as I understand it, it was the assistant to the Chief of Staff?

Ms. Williams. That's correct.

Mr. Castor. Okay. And so you didn't hear about it from General Kellogg or the Chief of Staff or --

Ms. Williams. Correct.

Mr. Castor. -- the President or the Vice President. You heard about it from Mr. Short's assistant?

Ms. Williams. That's right.

Mr. Castor. And did you have any knowledge of the reasoning for stopping the trip?

Ms. Williams. I asked my colleague why we should stop trip planning and why the Vice President would not be attending, and I was informed that the President had decided the Vice President would not attend the inauguration.

Mr. Castor. Okay. But do you know why the President decided --

Ms. Williams. No. She did not have that information.

Mr. Castor. Okay. And, ultimately, the Vice President went to Canada for a USMCA event --

Ms. Williams. That's right.

Mr. Castor. -- during this window of time, correct?

Ms. Williams. Correct.

Mr. Castor. So it's entirely conceivable that the President decided that he wanted the Vice President to go to Canada on behalf of USMCA instead of doing anything else, correct?

Ms. Williams. I'm really not in a position to speculate what the motivations were behind the President's decision.

Mr. Castor. Well, you know the Vice President's done quite a bit of USMCA events, correct?

Ms. Williams. Absolutely. Yes, sir.

Mr. Castor. Okay. And are you aware of whether anyone at the State Department inquired with your office about the Vice President's availability for the trip to Canada?

Ms. Williams. For the trip -- at what point?

Mr. Castor. Early May. Maybe May 8th?

Ms. Williams. I was not involved in the trip planning for Canada. One of my colleagues who covers Western Hemisphere was in charge --

Mr. Castor. Okay.

Ms. Williams. -- of that. So I'm not aware of specific --

Mr. Castor. Okay.

Ms. Williams. -- requests about --

Mr. Castor. Okay.

Ms. Williams. -- the Vice President's availability. I was aware from my colleague who was planning that trip that we had competing trips, potentially, for the same window --

Mr. Castor. Okay.

Ms. Williams. -- but I was told that the Ukraine trip would take priority.

Mr. Castor. Okay. But, ultimately, you don't know.

Ms. Williams. I don't know about the Canada trip? Or --

Mr. Castor. You don't know the reason as to why the Vice President was sent to Canada for a USMCA event instead of going to the Ukraine.

Ms. Williams. I would say I don't know the reason behind why the President directed the Vice President not to go to Ukraine. I can't speak to the motivations about the Canada trip.

Mr. Castor. Okay.

Colonel Vindman, I'd like to turn a little bit to the July 10th meeting in Ambassador Bolton's office and the subsequent post-meeting in the Ward Room.

Who all was in the July 10th meeting, to the best of your recollection?

Lieutenant Colonel Vindman. Are we talking about the Ward Room, or are we talking about the actual meeting with Ambassador Bolton?

Mr. Castor. We'll start with the first meeting in the Ambassador's office.

Lieutenant Colonel Vindman. So, from the U.S. side, we had Ambassador Bolton, Dr. Hill. I believe there was another -- a special assistant to the President. Wells Griffith was in there.

Mr. Castor. Uh-huh.

Lieutenant Colonel Vindman. From our -- and myself.

From the Ukrainians --

Mr. Castor. Who from the Ukrainians? Oh, sorry.

Lieutenant Colonel Vindman. Yeah. For the Ukrainian side, we had Oleksandr Danylyuk; Andriy Yermak; and I think Oleksandr Danylyuk's advisor, Alexey Simeni (ph).

Mr. Castor. Okay. And you testified that you couldn't recall exactly why Ambassador Bolton stopped the meeting short and you only learned it subsequently in talking to Dr. Fiona Hill?

Lieutenant Colonel Vindman. Yeah, I noted that, you know, it ended abruptly, but I didn't, frankly, you know -- I didn't exactly know why.

Mr. Castor. And, in the Bolton meeting, you don't remember Ambassador Sondland using the word "Biden"?

Lieutenant Colonel Vindman. He did not.

Mr. Castor. Okay.

Lieutenant Colonel Vindman. To the best of my recollection, I don't think he did.

Mr. Castor. And then the group decamped to take a photo, correct?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. Okay. So the general feeling of the group was a positive one at that time, even though it may have ended abruptly.

Lieutenant Colonel Vindman. I think Ambassador Bolton was exceptionally qualified, and he understood the strategic communications opportunity of having a photo. And we prompted him to see, before we completely adjourned, to see if he was willing to do a photo, and he did.

Mr. Castor. Okay. So you went out to West Executive Ave or wherever in the White House and you took a photo. I think you said you took it?

Lieutenant Colonel Vindman. I certainly took a couple of them, yes.

Mr. Castor. Okay. And in the photo is Secretary Perry, Ambassador Bolton, Ambassador Volker, Mr. Danylyuk, and Mr. Yermak?

Lieutenant Colonel Vindman. Yes.

And I apologize. When I was running through the U.S. side, of course Ambassador Bolton, Volker, and Sondland were there, and Secretary Perry was there.

Mr. Castor. Okay.

Now, you testified that before the July 10th meeting you had developed concerns about the narrative, you know, involving Rudy Giuliani. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Castor. And had you heard, like, a firsthand account from anyone on the inside, or had you just been following news accounts?

Lieutenant Colonel Vindman. So I certainly was following news accounts. And that's from the Ukrainian side, Ukrainian press, and U.S. press.

Mr. Castor. Okay.

Lieutenant Colonel Vindman. And my colleagues in the interagency also were concerned about this, as this had started in the March timeframe, kind of emanating from the John Solomon story all the way through. So there had been ongoing conversations. So several different sources, Counsel.

Mr. Castor. Okay. And so, when Ambassador Sondland mentioned the investigations, you sort of had a little bit of a clue of what the issue was?

Lieutenant Colonel Vindman. Oh, definitely.

Mr. Castor. Okay. And then you took the photo, a very nice photo, and then you went to the Ward Room?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. And do you remember -- I think you conceded to us that you had a

hard time remembering exactly what was said in the Ward Room. Again, it's 4 months ago; it's hard to be precise about whether Sondland -- what specific words he used, whether he used "Burisma," "2016," "investigations." Is --

Lieutenant Colonel Vindman. Yeah. So I believe it's in the deposition. The three elements -- Burisma, Bidens, and the 2016 elections -- were all mentioned.

Mr. Castor. In the Ward Room?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. And I think -- you know, I think -- we can maybe go back to this, but I think on page 64 of your testimony you told us that you don't remember him using "2016" in the Ward Room?

Mr. Castor. I believe that I actually followed up and -- when you -- because this question was asked multiple times --

Mr. Castor. Uh-huh.

Lieutenant Colonel Vindman. -- I said all three elements were in there.

Mr. Castor. Okay. So, when we asked the question, it sort of refreshed your recollection?

Lieutenant Colonel Vindman. Yes, I guess that's the term now.

Mr. Castor. Okay.

There was some discussion of, you know, whether, when Mr. Morrison took over the portfolio for Dr. Hill, whether you were sidelined at all. Did you feel like you were?

Lieutenant Colonel Vindman. So I certainly was excluded or didn't participate in the trip to Ukraine, Moldova, Belarus --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- at the end of August . And I wasn't -- initially, before it changed from a POTUS trip to a Vice President trip to Warsaw,

I wasn't participating in that one. So I didn't miss that, no.

Mr. Castor. Okay. Did you express any concerns to Mr. Morrison about why you weren't included on those trips?

RPTR BRYANT

EDTR HOFSTAD

[11:08 a.m.]

Lieutenant Colonel Vindman. So Mr. Morrison -- I was on leave. I was supposed to be on leave from the 3rd of August through about the 16th or so of August. And he called me and asked me to return. There was, obviously, high-priority travel to the region, and he needed my assistance to help plan for it.

And, in asking me to return early from leave, which I take infrequently, I assumed that I'd be going on the trip. So when I was -- after returning from leave early, when I was told I wasn't going, I inquired about it, correct.

Mr. Castor. Okay. And what feedback did he give you?

Lieutenant Colonel Vindman. He initially told me that the aircraft that was acquired, the MILAIR, was too small and there wasn't enough room.

Mr. Castor. Had you ever had any discussions with Mr. Morrison about concerns that he or Dr. Hill had with your judgment?

Lieutenant Colonel Vindman. Did I ever have any conversations with Mr. Morrison about it?

Mr. Castor. Yes.

Lieutenant Colonel Vindman. No.

Mr. Castor. Okay. Did Mr. Morrison ever express concerns to you that he thought maybe you weren't following the chain of command in all instances?

Lieutenant Colonel Vindman. He did not.

Mr. Castor. And did Dr. Hill or Mr. Morrison ever ask you questions about whether you were trying to access information outside of your lane?

Lieutenant Colonel Vindman. They did not.

Mr. Castor. And another, you know, aspect of the Ukraine portfolio that you were not a part of were some of the communications Mr. Morrison was having with Ambassador Taylor?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. And did you ever express concern that he was leaving you off those calls?

Lieutenant Colonel Vindman. Well, certainly it was concerning. He had just come onboard. He didn't have the -- you know, he wasn't steeped in all the items that we were working on, including the policy that we had developed over the preceding months. And I thought I could contribute to that, to his -- to the performance of his duties.

Mr. Castor. Okay. When you were -- you went to Ukraine for the inauguration?

Lieutenant Colonel Vindman. Correct.

Mr. Castor. At any point during that trip, did Mr. Danylyuk offer you a position of Defense Minister with the Ukrainian Government?

Lieutenant Colonel Vindman. He did.

Mr. Castor. And how many times did he do that?

Lieutenant Colonel Vindman. I believe it was three times.

Mr. Castor. And do you have any reason why he asked you to do that?

Lieutenant Colonel Vindman. I don't know. But every single time, I dismissed it. Upon returning, I notified my chain of command and the appropriate counterintelligence folks about this, the offer.

Mr. Castor. I mean, Ukraine is a country that's experienced a war with Russia. Certainly, their Minister of Defense is a pretty key position --

Lieutenant Colonel Vindman. Yeah.

Mr. Castor. -- for the Ukrainians. For President Zelensky, Mr. Danylyuk to bestow that honor on you, at least asking you, I mean, that was a big honor, correct?

Lieutenant Colonel Vindman. I think it would be a great honor. And, frankly, I'm aware of servicemembers that have left service to help nurture the developing democracies in that part of the world. Certainly in the Baltics, former officers -- and, if I recall correctly, it was an Air Force officer that became Minister of Defense.

But I'm an American. I came here when I was a toddler. And I immediately dismissed these offers --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- did not entertain them.

Mr. Castor. When he made this offer to you initially, did you leave the door open? Was there a reason that he had to come back and ask a second and third time, or was he just trying to convince you?

Lieutenant Colonel Vindman. Counsel, you know what? The whole notion is rather comical, that I was being asked to consider whether I'd want to be the Minister of Defense. I did not leave the door open at all.

Mr. Castor. Okay.

Lieutenant Colonel Vindman. But it is pretty funny for a lieutenant colonel in the United States Army, which really is not that senior, to be offered that illustrious a position.

Mr. Castor. When he made this offer to you, was he speaking in English or Ukrainian?

Lieutenant Colonel Vindman. Oh, Mr. Danylyuk is an absolutely flawless English speaker. He was speaking in English.

Mr. Castor. Okay.

Lieutenant Colonel Vindman. And just to be clear, there were two other staff officers, Embassy Kyiv staff officers, that were sitting next to me when this offer was made.

Mr. Castor. Okay. And who were they?

Lieutenant Colonel Vindman. So one of them you may have met. It was Mr. David Holmes. And the other one was -- I don't know. I mean, I guess I could -- it's another Foreign Service officer, Keith Bean.

Mr. Castor. Okay. Yeah, we met Mr. Holmes last Friday evening.

Lieutenant Colonel Vindman. I understand. He's a delightful fellow.

Mr. Castor. And you said, when you returned to the United States, you papered it up, given your -- you know, with SCI clearance, whenever a foreign government makes an overture like that, you have to -- you paper it up and you tell your chain of command?

Lieutenant Colonel Vindman. I did. But I also don't know if I fully entertained it as a legitimate offer. I was just making sure that I did the right thing in terms of reporting, yes.

Mr. Castor. Okay. And did any of your supervisors, Dr. Hill at the time or Dr. Kupperman or Ambassador Bolton, ever follow up with you about that? It's rather significant; you know, the Ukrainians offered you the post of Defense Minister. You know, did you tell anyone in your chain of command about it?

Lieutenant Colonel Vindman. After I spoke to -- and I believe our Deputy Senior Director, John Erath, was there. Once I mentioned it to both of them, I don't believe there was ever a followup discussion.

Mr. Castor. Okay. So it never came up with Dr. Kupperman or Dr. Hill?

Lieutenant Colonel Vindman. Following that conversation I had with Dr. Hill --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- I don't believe there was a subsequent conversation.

Mr. Castor. Okay.

Lieutenant Colonel Vindman. And I don't recall ever having a conversation with Dr. Kupperman about it.

Mr. Castor. Okay. And did you brief Dr. -- or, sorry, Director Morrison when he came onboard?

Lieutenant Colonel Vindman. No. I completely forgot about it.

Mr. Castor. Okay. And subsequent to the May trip, did Mr. Danylyuk ever ask you to reconsider? Were there any other offers?

Lieutenant Colonel Vindman. No.

Mr. Castor. When he visited for the July 10th meeting with Ambassador Bolton, did it come up again?

Lieutenant Colonel Vindman. It never came up again.

Mr. Castor. Okay. And did you ever think that possibly if this information, you know, got out that it might create at least the perception of a conflict, that the Ukrainians thought so highly of you to offer you the Defense Ministry post, you know, on one hand, but on the other hand you're responsible for Ukrainian policy at the National Security Council?

Lieutenant Colonel Vindman. So, frankly, it'd be -- it's more important about what my American leadership, American chain of command thinks than any of the -- and this is -- these are honorable people. I'm not sure if he meant it as a joke or not. But it's much more important what my civilian White House National Security Council chain of command thinks more so than anybody else. And, frankly, if they were concerned

about me being able to continue my duties --

Mr. Castor. Oh, of course.

Lieutenant Colonel Vindman. -- they would have brought that to my attention. Dr. Hill stayed on for several more months, and we continued to work to advance U.S. policy.

Mr. Castor. Okay.

And during the times relevant of the committees' investigation, did you have any communications with Mr. Yermak or Danylyuk outside of the July 10th meeting?

Lieutenant Colonel Vindman. I recall a courtesy note from Mr. Yermak within days of his return to -- July -- in which he wanted to preserve an open channel of communication. And I said, you know, please feel free to contact me with any concerns.

Mr. Castor. And were you following this -- you know, there were, sort of, two tracks. Ambassador Taylor walked us through it during his testimony last Wednesday. There was a -- he called it a regular channel, and then he called it an irregular but not outlandish channel with Ambassador Sondland and Ambassador Volker.

Were you tracking the Sondland and Volker channel during this time period?

Lieutenant Colonel Vindman. Yeah, so I'm trying to recall at which point I became aware of Ambassador -- certainly I was aware of the fact that they were working together -- Ambassador Sondland, Ambassador Volker, and Secretary Perry were working together to advance U.S. policy interests that were in support of what had been agreed to.

But I didn't really learn, like I said, until the July 10th -- actually, it may have been at a slightly earlier point. I recall a meeting in which Ambassador Bolton facilitated a meeting between Ambassador Volker and Ambassador Bolton in the June timeframe, and there may have been some discussion about this external channel. But --

Mr. Castor. Okay.

Lieutenant Colonel Vindman. -- I, frankly, didn't become aware of these particular U.S. Government officials being involved in this alternate track until July 10th.

Mr. Castor. Okay.

And I think we had some discussion that, you know, Mr. Giuliani was promoting a negative narrative about the Ukraine, and certain officials were trying to help the President understand that, with Zelensky, it was a new day and Ukraine's going to be different. Is that your understanding?

Lieutenant Colonel Vindman. That is correct. That is exactly what was being reported by the Intelligence Community, by the policy channels within the NSC, and the concerted voices of the various people that have actually met with him, including foreign officials.

Mr. Castor. And to the extent that you're aware of what Ambassador Sondland's goals were here and Ambassador Volker's goals were here, I mean, do you think they were just trying to do the best they could and try to advocate in the best interests of the United States?

Lieutenant Colonel Vindman. That is what I believed, and that is what I still believe, frankly.

Mr. Castor. And so, to the extent Mr. Giuliani may have had differing views, they were trying to help him understand that it was time to change those views?

Lieutenant Colonel Vindman. I think they were trying to bring him into the tent and have him, kind of, support the direction that we had settled on.

Mr. Castor. And you never conferred with Mr. Giuliani?

Lieutenant Colonel Vindman. No.

Mr. Castor. You never had any meetings, phone calls, or anything of that sort?

Lieutenant Colonel Vindman. I did not.

Mr. Castor. And did you have any --

Lieutenant Colonel Vindman. I only know him as New York's finest mayor.

Mr. Castor. America's mayor.

Lieutenant Colonel Vindman. America's mayor.

Mr. Castor. And did you have any discussions, communications during this relevant time period with the President?

Lieutenant Colonel Vindman. I have never had any contact with the President of the United States.

Mr. Castor. Okay.

My time has expired, Mr. Chairman. Thank you.

The Chairman. I thank the gentleman.

We are going to now move to the 5-minute member rounds.

Are you good to go forward, or do you need a break?

Lieutenant Colonel Vindman. I think we'll elect to take a short break.

The Chairman. Okay. Let's try to take a 5- or 10-minute break, and we will resume with the 5-minute rounds.

If I could ask the audience and members to please allow the witnesses to leave the room first.

[Recess.]

The Chairman. The committee will come back to order.

We'll now begin a period of 5-minute questions from the members. I recognize myself for 5 minutes.

I wanted to ask you both about some of the questions you were asked by my colleagues in the minority.

First, if I could ask you, Ms. Williams and Colonel Vindman, you were asked a series of questions by the ranking member at the outset, "Were you aware of the fact that," and then there was a recitation of information about Burisma, Zlochevsky, the Bidens. Is it fair to say you have no firsthand knowledge of any of the matters that were asked in those questions?

Ms. Williams. That's correct.

Lieutenant Colonel Vindman. That is correct.

The Chairman. Ms. Williams, you were also asked a series of questions about the Vice President's schedule and whether he could've made the inauguration or was the President traveling or the trip to Canada.

Let's be clear about something. The President -- you were instructed that the President had told the Vice President not to go before you even knew the date of the inauguration. Is that correct?

Ms. Williams. Yes, that's correct.

The Chairman. So, at the time that he was told not to go, there was no calculation about where he might be or where the President might be, because the date hadn't even been set yet. Is that right?

Ms. Williams. That's right. The date had not been set, so we were weighing a number of different scenarios of when the inauguration might fall.

The Chairman. Now, I think you said that originally the President had told him to go, and then you received the instruction that the President no longer wanted him to go.

Were you aware, in the interim between the President telling him to go and the President telling him not to go, that Rudy Giuliani had to abort a trip that he was going to make to Ukraine?

Ms. Williams. I had seen that in the press, yes.

The Chairman. And had you seen in the press that Rudy Giuliani blamed people around Zelensky for having to cancel the trip?

Ms. Williams. For having to cancel his trip?

The Chairman. Yes.

Ms. Williams. I'd read that in the press reporting, yes.

The Chairman. And did you read in the press reporting also that Giuliani wanted to go to Ukraine to, as he put it, not meddle in an election but meddle in investigations?

Ms. Williams. I did read that, yes.

The Chairman. And that occurred prior to the President canceling the Vice President's trip to the inauguration?

Ms. Williams. It did. I believe it was around May 10th or so.

The Chairman. Colonel Vindman, you were asked by the minority counsel about the President's words in the July 25th call and whether the President's words were ambiguous.

Was there any ambiguity about the President's use of the word "Biden"?

Lieutenant Colonel Vindman. There was not.

The Chairman. It was pretty clear that the President wanted Zelensky to commit to investigating the Bidens, was it not?

Lieutenant Colonel Vindman. That is correct.

The Chairman. That is one of the favors that you thought should be properly characterized as a demand?

Lieutenant Colonel Vindman. That is correct.

The Chairman. And there's no ambiguity about that?

Lieutenant Colonel Vindman. In my mind, there was not.

The Chairman. It's also true, is it not, that these two investigations that the

President asked Zelensky for into 2016 and into the Bidens were precisely the two investigations that Rudy Giuliani was calling for publicly, were they not?

Lieutenant Colonel Vindman. That is correct.

The Chairman. So, when people suggest, well, maybe Rudy Giuliani was acting on his own and maybe he was a freelancer or whatever, the President referred to exactly the same two investigations Rudy Giuliani was out pushing on his behalf. Is that correct?

Lieutenant Colonel Vindman. That is correct.

The Chairman. Now, Ms. Williams, you were asked about the meeting the Vice President had with Zelensky in September in which Ukrainians brought up their concern about the hold on the security assistance. Is that right?

Ms. Williams. That's right.

The Chairman. And you were asked about whether, in that meeting between the Vice President and Zelensky, the Bidens or Burisma came up, and I think you said they did not, correct?

Ms. Williams. That's correct. They did not come up.

The Chairman. Now, that bilateral meeting was a large meeting that involved two or three dozen people, wasn't it?

Ms. Williams. It was.

The Chairman. So, in the context of this meeting with two or three dozen people, the Vice President didn't bring up those investigations, correct?

Ms. Williams. No, he did not bring up those investigations. He's never brought up those investigations.

The Chairman. Were you aware that immediately -- and I mean immediately -- after that meeting broke up, Ambassador Sondland has said that he went

over to Mr. Yermak, one of the top advisors to Zelensky, and told Yermak that if they wanted the military aid they were going to have to do these investigations or words to that effect?

Ms. Williams. I was not aware at the time of any meetings, side meetings, that Ambassador Sondland had following the Vice President's meeting with President Zelensky. I've only learned that through Ambassador Sondland's testimony.

The Chairman. So, at the big public meeting, it didn't come up, and you can't speak to the private meeting that was held immediately thereafter.

Ms. Williams. Correct. The Vice President moved on with his schedule immediately after his meeting with President Zelensky.

The Chairman. Now, Colonel Vindman, I want to go back to that July 10th meeting or meetings, the one with Ambassador Bolton and then the one in the Ward Room that followed quickly on its heels.

Were you aware that Ambassador Bolton instructed your superior, Dr. Hill, to go talk to the lawyers after that meeting?

Lieutenant Colonel Vindman. I learned shortly after she was finished talking to Ambassador Bolton and after we wrapped up with the Ward Room that she did have a meeting with him and that that's what was expressed.

The Chairman. Now, you thought you should go talk to the lawyers on your own, correct?

Lieutenant Colonel Vindman. That is my recollection, yes.

The Chairman. But Bolton also thought that Dr. Hill should go talk to the lawyers because of his concern over this drug deal that Sondland and Mulvaney were cooking up. Is that right?

Lieutenant Colonel Vindman. That is my understanding.

The Chairman. And, in fact, this drug deal, as Bolton called it, involved this conditioning of the White House meeting on these investigations that Sondland brought up. Is that right?

Lieutenant Colonel Vindman. That is my understanding.

The Chairman. And, in fact, the same conditioning or the same issue of wanting these political investigations and tying it to the White House meeting, this came up in the July 25th call, did it not, when the President asked for these investigations?

Lieutenant Colonel Vindman. That is correct.

The Chairman. So the very same issue that Bolton said to Hill, "Go talk to the lawyers," the very same issue that prompted you to go talk to the lawyers, ends up coming up in that call with the President. Is that right?

Lieutenant Colonel Vindman. That is correct.

The Chairman. And it was that conversation that, once again, led you back to the lawyers' office?

Lieutenant Colonel Vindman. That is correct.

The Chairman. I now yield to the ranking member.

Mr. Nunes. A parliamentary inquiry, Mr. Chairman. You took 7 minutes, so I assume you're going to give us equal time?

The Chairman. Yes, Mr. Nunes.

Mr. Nunes. I thank the gentleman.

Lieutenant Colonel Vindman, before I turn to Mr. Jordan, I asked Ms. Williams about this, about if she had ever accessed without authorization a fellow employee's computer system. She answered "no" to the question.

Have you ever accessed anyone's computer system at the NSC without authorization?

Lieutenant Colonel Vindman. Without their knowledge? No.

Mr. Nunes. Knowledge or authorization?

Lieutenant Colonel Vindman. I'm sorry?

Mr. Nunes. Knowledge or authorization? You never accessed someone's computer without their knowledge or authorization?

Lieutenant Colonel Vindman. Correct.

Mr. Nunes. Mr. Jordan.

Mr. Jordan. I thank the ranking member.

Colonel, I want to thank you for your service and sacrifice to our great country.

This afternoon, your former boss, Mr. Morrison, is going to be sitting right where you're sitting and he's going to testify. And I want to give you a chance -- I think we're bringing you a copy. I want to give you a chance to respond to some of the things Mr. Morrison said in his deposition.

Page 82 of the transcript from Mr. Morrison, Mr. Morrison said this: "I had concerns about Lieutenant Colonel Vindman's judgment. Among the discussions I had with Dr. Hill in the transition was our team, its strengths, its weaknesses, and Fiona and others had raised concerns about Alex's judgment."

When Mr. Morrison was asked by Mr. Castor, "Did anyone ever bring concerns to you that they believed Colonel Vindman may have leaked something?", Mr. Morrison replied, "Yes."

So your boss had concerns about your judgment. Your former boss, Dr. Hill, had concerns about your judgment. Your colleagues had concerns about your judgment. And your colleagues felt that there were times when you leaked information.

Any idea why they have those impressions, Colonel Vindman?

Lieutenant Colonel Vindman. Yes, Representative Jordan. I guess I'll start by

reading Dr. Hill's own words, as she attested to in my last evaluation that was dated middle of July, right before she left.

"Alex is a top 1 percent military officer and the best Army officer I have worked with in my 15 years of government service. He is brilliant, unflappable, and exercises excellent judgment."

Mr. Jordan. So --

Lieutenant Colonel Vindman. "He was" -- I'm sorry.

Mr. Jordan. Okay. I'm sorry.

Lieutenant Colonel Vindman. -- "exemplary during numerous visits" -- so forth and so on, but I think you get the idea.

Mr. Morrison -- yeah, the date of that was -- let's see. I'm sorry. July 13th.

So, Mr. Jordan, I would say that I can't say what Mr. Morrison -- why Mr. Morrison questioned my judgment. We had only recently started working together. He wasn't there very long, and we were just trying to figure out our relationship. Maybe it was a different culture, military culture versus --

Mr. Jordan. And, Colonel, you never leaked information?

Lieutenant Colonel Vindman. I never did, never would. That is preposterous, that I would do that.

Mr. Jordan. Okay. Colonel, it's interesting. We deposed a lot of people in the bunker in the basement of the Capitol over the last several weeks, but, of all those depositions, only three of the individuals we deposed were actually on the now-somewhat-famous July 25th phone call between President Trump and President Zelensky. There was you; there was the individual sitting beside you, Ms. Williams; and then there, of course, was your boss, Mr. Morrison, who I just read from his deposition.

When we asked Ms. Williams who she spoke to after the call about the call, she

was willing to answer our questions, and Chairman Schiff allowed her to answer our questions.

When we asked Mr. Morrison who he spoke to after the call about the call, he was willing to answer our question, and Mr. Schiff allowed -- Chairman Schiff allowed him to answer our question.

But when we asked you, you first told us three individuals at the NSC, your brother and the two lawyers. And then you said there was a group of other people you communicated with, but you would only give us one individual in that group, Secretary Kent. And the chairman would only allow you to give us that name. When we asked you who else you communicated with, you would not tell us.

So I want to know, first, how many other people are in that group of people you communicated with outside the four individuals I just named?

Lieutenant Colonel Vindman. So, Mr. Jordan, on a call readout, certainly after the first call, there were probably half a dozen or more people I read out. Those are people with the proper clearance and the need to know.

In this case, because of the sensitivity of the call and Mr. Eisenberg told me not to speak to anybody else, I only read out, outside of the NSC, two individuals.

Mr. Jordan. Two individuals.

Lieutenant Colonel Vindman. DAS Kent and one other person.

Mr. Jordan. And you're not willing to tell us who that other individual is?

Mr. Swalwell. Mr. Chairman, point of order.

Mr. Volkov. Mr. Chairman --

Mr. Swalwell. Mr. Chairman, point of order.

The Chairman. The gentleman will suspend.

Counsel?

Mr. Volkov. Mr. Chairman, I would ask you to enforce the rule with regard to the disclosure with regard to the intelligence --

The Chairman. Thank you, Counsel.

You know, as I indicated before, this committee will not be used to out the whistleblower. That same necessity of protecting the whistleblower --

Mr. Jordan. Mr. Chairman, can you please stop the time so I don't lose the time?

The Chairman. -- will persist.

You are recognized again, Mr. Jordan.

Mr. Jordan. Mr. Chairman, I don't see how this is outing the whistleblower. The witness has testified in his deposition that he doesn't know who the whistleblower is. You have said -- even though no one believes you -- you have said you don't know who the whistleblower is.

So how is this outing the whistleblower, to find out who this individual is?

The Chairman. Mr. Jordan, this is your time for questioning. You can use it any way you like, but your question should be addressed to the witness, and your question should not be addressed to trying to out the whistleblower.

Mr. Jordan. Well, okay. Okay.

Colonel Vindman, there's another thing Mr. Morrison told us in his deposition. He said he was not concerned about the call itself. He said there was nothing illegal or improper on the call. But he was concerned about the call leaking, the contents of the call leaking.

Mr. Volkov. Excuse me --

Mr. Jordan. He said this. He was concerned how it would play out in Washington's polarized environment, how the contents would be used in Washington's political process.

Mr. Volkov. Excuse me --

Mr. Jordan. Mr. Morrison was right.

Mr. Volkov. Excuse me, Mr. Jordan. Could I get a page?

Mr. Jordan. Mr. Morrison was right. The call leaks. The whistleblower goes to Chairman Schiff's staff. Then he runs off to the lawyer, the same lawyer who said in January of 2017 the coup has started against President Trump.

The one thing the Democrats didn't -- the one thing they didn't count on -- one thing they didn't count on was the President releasing the call transcript and letting us all see what he said. They didn't count on that.

The transcript shows no linkage. The two individuals on the call have both said no pressure, no pushing, no linkage of the security assistance dollars to an investigation.

Ms. Williams, after the call on the 25th, we know that Colonel Vindman talked to several people. After the call on the 25th, how many people did you talk to about the call?

Ms. Williams. I did not speak to anybody about the call.

Mr. Jordan. You didn't speak to anybody.

Ms. Williams. No.

Mr. Jordan. I yield back.

The Chairman. Mr. Himes.

Mr. Himes. Thank you, Mr. Chairman.

Mr. Chairman, I ask unanimous consent to enter the lieutenant colonel's performance review into the record.

The Chairman. May I inquire of Colonel Vindman whether you would like us to do that? If you would, we're happy to. If you would prefer it not be in the record, I'd leave that to you.

Lieutenant Colonel Vindman. I guess with redactions. It has PII in it that should be protected. And maybe the only elements that are relevant are the actual narrative, Chairman.

The Chairman. Did you read the relevant portions?

Lieutenant Colonel Vindman. I mean, that was the short version. There were some other paragraphs in there, but --

Mr. Himes. Mr. Chairman, I'll withdraw my request.

The Chairman. Okay. Thank you.

Mr. Himes. Thank you both for your testimony.

Ms. Williams, you joined the Foreign Service in 2006, correct?

Ms. Williams. Correct.

Mr. Himes. Prior to becoming a nonpartisan career official, you worked as a field representative for the Bush-Cheney campaign in 2004, and then you held a political appointment in the Department of Homeland Security under Secretary Chertoff. Is that correct?

Ms. Williams. That's correct, sir.

Mr. Himes. And, now, as a Foreign Service officer, you have served three Presidents, two Republicans and one Democrat, in a variety of roles, correct?

Ms. Williams. Yes, sir.

Mr. Himes. And in your current position, you're detailed from State to advise the Vice President on foreign policy towards Europe and Russia, correct?

Ms. Williams. That's right.

Mr. Himes. Ms. Williams, on Sunday, the President personally targeted you in a tweet. This is after he targeted Ambassador Yovanovitch during her hearing testimony. I'd like to show and read you the tweet.

It reads, "Tell Jennifer Williams, whoever that is, to read BOTH transcripts of the presidential calls, & see the just released statement from Ukraine. Then she should meet with the other Never Trumpers, who I don't know & mostly never even heard of, & work out a better presidential attack!"

Ms. Williams, are you engaged in a Presidential attack?

Ms. Williams. No, sir.

Mr. Himes. Ms. Williams, are you a Never Trumper?

Ms. Williams. I'm not sure I know an official definition of a Never Trumper, but --

Mr. Himes. Would you describe yourself that way?

Ms. Williams. I would not, no.

Mr. Himes. Did that make -- did that tweet make an impression on you when you read it?

Ms. Williams. It certainly surprised me. I was not expecting to be called out by name.

Mr. Himes. It surprised me too. And it looks an awful lot like witness intimidation and tampering and an effect -- an effort to try to get you to perhaps shape your testimony today.

Lieutenant Colonel, you previously testified that you've dedicated your entire professional life to the United States of America. Colonel, above your left breast, you are wearing a device which is a Springfield musket on a blue field. What is that device?

Lieutenant Colonel Vindman. It's a Combat Infantryman's Badge.

Mr. Himes. How do you get the Combat Infantryman's Badge?

Lieutenant Colonel Vindman. You have to be serving in a brigade and below a tactical unit -- that means a fighting unit, frontline unit -- in combat.

Mr. Himes. Under fire.

Lieutenant Colonel Vindman. Correct.

Mr. Himes. You're also wearing a Purple Heart. Can you tell us in 20 or 30 seconds why you're wearing a Purple Heart?

Lieutenant Colonel Vindman. In 2014, in the ramp-up to probably the largest urban operations -- urban operation in decades, outside of Fallujah, we were conducting a reconnaissance patrol in conjunction with the Marines, and my vehicle was struck by an improvised explosive device that penetrated the armor.

Mr. Himes. Were you injured?

Lieutenant Colonel Vindman. I was.

Mr. Himes. The day after you appeared for your deposition, Lieutenant Colonel, President Trump called you a Never Trumper. Colonel Vindman, would you call yourself a Never Trumper?

Lieutenant Colonel Vindman. Representative, I'd call myself "never partisan."

Mr. Himes. Thank you.

Colonel Vindman, in your military career, you've served under four Presidents, two Democrats and two Republicans. Have you ever wavered from the oath you took to support and defend the Constitution?

Lieutenant Colonel Vindman. Never.

Mr. Himes. Do you have any political motivations for your appearance here today?

Lieutenant Colonel Vindman. None.

Mr. Himes. Colonel Vindman, multiple right-wing conspiracy theorists, including Rudy Giuliani, have accused you of harboring loyalty towards Ukraine. They make these accusations based only on the fact that your family, like many American families, immigrated to the United States. They've accused you of espionage and dual loyalties.

We've seen that in this room this morning. The three minutes that were spent asking you about the offer made to make you the Minister of Defense, that may have come cloaked in a Brooks Brother suit and in parliamentary language, but that was designed exclusively to give the right-wing media an opening to question your loyalties. And I want people to understand what that was all about.

It's the kind of attack -- it's the kind of thing you say when you're defending the indefensible. It's what you say when it's not enough to attack the media, the way the ranking member gave over his opening statement, or to attack the Democrats, but it's what you stoop to when the indefensibility of your case requires that you attack a man who is wearing a Springfield rifle on a field of blue above a Purple Heart.

I, sir, thank you for your service and yield back the balance of my time.

The Chairman. Mr. Conaway.

Mr. Conaway. Thank you, Mr. Chairman.

I yield my 5 minutes to Mr. Ratcliffe.

Mr. Ratcliffe. I thank the gentleman for yielding.

In a press conference last Thursday, Speaker of the House Nancy Pelosi said that President Trump committed the impeachable offense of bribery, evidenced in his July 25th call transcript with President Zelensky.

In concert with that, multiple Democratic members of this committee gave TV and radio interviews over this past week discussing how the President's conduct supported his impeachment for committing bribery, all of which struck me as very odd, because for the longest time this was all about quid pro quo, according to the whistleblower complaint.

But after witness after witness began saying there was no quid pro quo or even that quid pro quo was not even possible, we saw a shift from the Democrats. They briefly started to refer to the President's conduct on the July 25th call as extortion, and

now it shifted again last week to bribery.

Ms. Williams, you used the word "unusual" to describe the President's call on July 25th.

Lieutenant Colonel Vindman, you used the word "inappropriate" and "improper."

Now, I've word-searched each of your transcripts, and the word "bribery" or "bribe" doesn't appear anywhere in that.

Ms. Williams, you've never used the word "bribery" or "bribe" to explain President Trump's conduct, correct?

Ms. Williams. No, sir.

Mr. Ratcliffe. Colonel Vindman, you haven't either?

Lieutenant Colonel Vindman. That is correct.

Mr. Ratcliffe. The problem is, in an impeachment inquiry that the Speaker of the House says is all about bribery, where bribery is the impeachable offense, no witness has used the word "bribery" to describe President Trump's conduct. None of them.

These aren't all of the deposition transcripts; these are just the 10 that have been released. Six weeks of witness interviews in this impeachment inquiry, hundreds of hours of testimony, thousands of questions asked, thousands of answers given. The number of times that witnesses have been asked any question about whether or not President Trump's conduct constituted bribery, before Ambassador Yovanovitch was asked by my colleague Congressman Stewart last Thursday, is zero.

The number of times witnesses have used the word "bribery" or "bribe" to describe President Trump's conduct in the last 6 weeks of this inquiry is zero. In fact, in these 3,500 pages of sworn deposition testimony in just these 10 transcripts released thus far, the word "bribery" appears in these 3,500 pages exactly 1 time. And, ironically it appears not in a description of President Trump's alleged conduct; it appears in a

description of Vice President Biden's alleged conduct.

This is important, because as early as next week my Democratic colleagues are going to say, we need to vote on the evidence from this impeachment inquiry on the impeachment of the President for bribery, and they're going to send a report to the Judiciary Committee, and because there's more Democrats than Republicans, it's going to likely pass. And when that happens, the American people need to be clear that when the Democrats -- what they are describing as bribery, not a single witness is describing as bribery.

We've heard many times in the course of this proceeding that the facts of the President are not in dispute. But the American people are asking, if the facts are the same, why do the crimes that the President is being accused of keep changing? Why do we go from quid pro quo to extortion, now to bribery?

Chairman Nunes told you the answer. The answer is: polling. The Washington Times asked Americans, what would be the most damning accusation? And it didn't come back "quid pro quo," it didn't come back "extortion," it came back "bribery," so this case is all about bribery.

Look, it's bad enough that the Democrats have forbidden White House lawyers from participating in this proceeding. It's hard enough to defend yourself without your lawyers present. But what's even worse is trying to defend yourself against an accusation that keeps changing in the middle of the proceeding.

If Democrats accuse the President of a high crime or impeachable offense, he at least ought to know which one it is. And when Speaker Pelosi says this is all about bribery, she's promised us evidence of bribery that would be compelling and overwhelming, and, instead, it's invisible.

I yield back.

The Chairman. Ms. Sewell.

Ms. Sewell. Mr. Chairman, I'd like to join everyone in thanking both of our witnesses for your service.

Lieutenant Colonel Vindman, as part of your policy portfolio in the White House, you maintain a relationship with Ukrainian officials, do you not?

Lieutenant Colonel Vindman. That is correct.

Ms. Sewell. You explained earlier in your testimony that your job within the White House was to coordinate United States and Ukraine policy. Is that right?

Lieutenant Colonel Vindman. It is to coordinate United States policy vis-à-vis Ukraine, correct.

Ms. Sewell. You testified in the spring of this year that these officials, these Ukrainian officials, began asking you, quote, "advice on how to respond to Mr. Giuliani's advances," end quote. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Ms. Sewell. What do you understand they meant by "Mr. Giuliani's advances"?

Lieutenant Colonel Vindman. I understood that to mean both his public commentary, so publicly calling for investigations into 2016, Burisma, and Hunter Biden, as well as his direct overtures to the Government of Ukraine, directly and through proxies. That's what I understood.

Ms. Sewell. And, as you understand it, under whose authority do you think Mr. Giuliani was acting under?

Lieutenant Colonel Vindman. Congresswoman, I don't know.

Ms. Sewell. Did the Ukrainian officials you spoke to understand that Mr. Giuliani was telling them to investigate Vice President Biden's son and debunk the 2016 conspiracy theories?

Lieutenant Colonel Vindman. I'm sorry. Can you say that again, ma'am?

Ms. Sewell. Do you think that the Ukrainians officials that you spoke to understood the underlying meaning of Mr. Giuliani's advances to be both investigating the Bidens as well as debunking the 2016 conspiracy theories?

Lieutenant Colonel Vindman. Yes, I think -- to be clear, I think you're referring to debunking that it was Russian interference --

Ms. Sewell. Exactly. Now, was this --

Lieutenant Colonel Vindman. -- and somehow implicating themselves, that it was Ukrainian interference. I'm not sure.

Ms. Sewell. Exactly.

Now, was this official U.S. foreign policy, to push for investigation into the Bidens?

Lieutenant Colonel Vindman. It was not part of any process that I participated in.

Ms. Sewell. Now, Ms. Williams, do you agree that pressing these two investigations was inconsistent with official U.S. Ukraine policy?

Ms. Williams. Obviously, anticorruption reforms is a big part of our policy --

Ms. Sewell. I --

Ms. Williams. I understand. I was not in a position to determine whether these particular investigations were appropriate.

Ms. Sewell. That's fair.

Colonel, is it true that President Trump directed the Ukrainian President on the call on July 25th to work with Mr. Giuliani on these investigations?

Lieutenant Colonel Vindman. That is correct.

Ms. Sewell. In fact, Mr. Giuliani has made no secret of the fact that he is acting on behalf of President Trump. As Mr. Giuliani told The New York Times -- and I'm going

to put this on the screen -- he told them, quote, "My only client is the President of the United States. He's the one I have the obligation to report to and to tell him what happens."

He added that the investigations would be, quote, "very, very helpful to my client and may turn out to be helpful to my government," end quote.

Colonel, is it fair to say that the Ukrainian officials that you are on a daily basis -- well, you are in contact with, given your portfolio, were concerned about Mr. Giuliani's advances?

Lieutenant Colonel Vindman. Yes, they were.

Ms. Sewell. In your assessment, did they understand the political nature of the requests being asked of them?

Lieutenant Colonel Vindman. I believe they did.

Ms. Sewell. Did they understand that it was affecting U.S. domestic policy?

Lieutenant Colonel Vindman. I'm not sure what they, frankly, understood about U.S. --

Ms. Sewell. And you --

Lieutenant Colonel Vindman. I think they understood the implications, yes.

Ms. Sewell. Now, you testified earlier that you warned the Ukrainians not to get involved in U.S. domestic policy. Is that right?

Lieutenant Colonel Vindman. I counseled them, yes.

Ms. Sewell. Counseled them. In fact, you testified that you felt like it was important, that you were espousing not just what you thought but tradition and policy of the United States to say that.

Lieutenant Colonel Vindman. It is what I knew for a fact to be U.S. policy.

Ms. Sewell. Now, why do you think it's important for foreign governments not to

get involved in political affairs of a nation like the United States?

Lieutenant Colonel Vindman. Congresswoman, the first thought that comes to mind is Russian interference in 2016, the impact that had on internal politics and the consequences it had for Russia itself.

Ms. Sewell. Exactly.

Lieutenant Colonel Vindman. This administration enforced sanctions, heavy sanctions, against Russia for their interference. And that would not be in U.S. policy to --

Ms. Sewell. And so, Colonel -- I'm running out of time.

Lieutenant Colonel Vindman. I understand, ma'am.

Ms. Sewell. Is it normal for a private citizen, a non-U.S. Government official, to get involved in foreign policy and foreign affairs, like Mr. Giuliani?

Lieutenant Colonel Vindman. I don't know if I have the experience to say that, but it certainly wasn't helpful, and it didn't help advance U.S. national security interests.

Ms. Sewell. Thank you, Mr. Chairman. I yield back.

The Chairman. Mr. Turner.

Mr. Turner. Ms. Williams, Lieutenant Colonel Vindman, I want to thank you also for your service. Your knowledge and expertise is incredibly important as we look to formulating policy with both our allies and to try to counter those who are not our allies.

I think we're all very concerned about our European policy and how it can thwart Russian aggression.

Ms. Williams, you are responsible -- as you said, as part of your portfolio you advise the Vice President about Ukraine, correct?

Ms. Williams. Correct.

Mr. Turner. Lieutenant Colonel Vindman, you said that you are the principal -- in

your opening, you say you are the principal advisor to the President on Ukraine and you coordinate U.S. Ukraine policy, correct?

Lieutenant Colonel Vindman. Congressman, in this statement I issued this morning, I probably eased that back. I took that off my job description that I have on my eval. But I certainly spent much more time advising the Ambassador than I did the President.

Mr. Turner. But your statement, as you submitted it and read it today, says, "At the NSC, I am the principal advisor to the National Security Advisor and the President on Ukraine," correct?

Lieutenant Colonel Vindman. That is not what I read into the transcript. That might have been what I had in there yesterday when I was drafting it, but I chose to ease back on that language, even though it was in my evaluation, just because I didn't want to overstate my role.

Mr. Turner. But you wrote what I just read.

Lieutenant Colonel Vindman. But, Congressman, what I'm saying is, what I read into the record this morning didn't say that.

Mr. Turner. Okay. Noted.

Because you know Ukraine, you know that we work through our allies and our multilateral relations, and you know that the Ukraine is an aspiring member of the EU and NATO.

Right, Ms. Williams?

Ms. Williams. Yes, that's correct.

Mr. Turner. Lieutenant Colonel Vindman?

Lieutenant Colonel Vindman. Yes, correct.

Mr. Turner. And you know, probably, that the EU and NATO both have offices in

the Ukraine and that we try to advance our policy with the EU and NATO. And you would agree that our Ambassador Kay Bailey Hutchison and Ambassador Sondland would be responsible for advancing our policy interests with Ukraine at the EU and at NATO.

Right, Ms. Williams?

Ms. Williams. I would say that, certainly, in terms of the specific relationship between NATO and Ukraine, that would fall to Ambassador Hutchison, and between the EU and Ukraine to Ambassador Sondland. But, obviously, we have an Ambassador in Ukraine as well.

Mr. Turner. Right.

Lieutenant Colonel Vindman, you would agree?

Lieutenant Colonel Vindman. I agree with Ms. Williams.

Mr. Turner. Great.

Now, Lieutenant Colonel, you said in your written statement that Mayor Rudolph Giuliani promoted false information that undermined the United States Ukraine policy. Have you ever met Giuliani?

Lieutenant Colonel Vindman. Just to be, again, accurate, I said "false narrative," just because that's what I said in the record this morning.

Mr. Turner. Okay.

Lieutenant Colonel Vindman. But I have not met him.

Mr. Turner. And so you've never had a conversation with him about Ukraine or been in a meeting with him where he has spoken to others about Ukraine?

Lieutenant Colonel Vindman. No. Just what I saw him -- you know, his comments on TV and --

Mr. Turner. So news reports.

Lieutenant Colonel Vindman. -- news. Yes.

Mr. Turner. And, similarly, you've never met the President of the United States, right?

Lieutenant Colonel Vindman. That is correct.

Mr. Turner. So you've never advised the President of the United States on Ukraine.

Lieutenant Colonel Vindman. I advised him indirectly. I made all his preparations for the calls and --

Mr. Turner. But you've never spoken to the President and told him advice on Ukraine.

Lieutenant Colonel Vindman. That is correct.

Mr. Turner. So, in your written statement, you said, "In May, I attended the inauguration of President Zelensky as part of the Presidential delegation led by Secretary Perry. Following the visit, the members of the delegation provided President Trump a debriefing."

Well, that's not really accurate, right? Because the members didn't, because you were a member, but you weren't in that meeting, were you?

Lieutenant Colonel Vindman. That is correct.

Mr. Turner. Okay. So we'll just have a note there that that meeting occurred without you.

Now, you do know that this impeachment inquiry is about the President of the United States, don't you, Lieutenant Colonel Vindman?

Lieutenant Colonel Vindman. I do, Representative.

Mr. Turner. Excellent.

Now, you've said that you're responsible for coordinating U.S. Ukrainian policy.

Lieutenant Colonel Vindman. Correct.

Mr. Turner. Does the Secretary of State Pompeo report to you?

Lieutenant Colonel Vindman. He does not.

Mr. Turner. Ambassador Volker?

Lieutenant Colonel Vindman. He does not. We coordinate.

Mr. Turner. Ambassador of Ukraine, EU, NATO, Assistant Secretary for Europe, anyone at DOD report to you with respect to your responsibilities of coordinating U.S. policy with Ukraine?

Lieutenant Colonel Vindman. Congressman, at my level, I convene what's called a Sub-Policy Coordinating Committee. That's Deputy Assistant Secretary. I coordinate with -- I chair those meetings. And --

Mr. Turner. Does anybody need your approval, in your role on Ukraine policy, to formulate Ukraine policy? Do they seek your approval?

Lieutenant Colonel Vindman. According to the NSPM-4, the policy signed by the President --

Mr. Turner. So he gets to do it.

Lieutenant Colonel Vindman. -- policy should be coordinated by the NSC.

Mr. Turner. He gets to do it.

Lieutenant Colonel Vindman. Correct. We help advise him.

Mr. Turner. Ms. Williams, do you have any information that any person who has testified as part of this impeachment inquiry, either in secret or in public, has either perjured themselves or lied to this committee?

Ms. Williams. I have not read the other testimonies, and I --

Mr. Turner. So you do not -- do you have any evidence, though, that they have perjured themselves or lied?

Ms. Williams. No, because I have not read them.

Mr. Turner. Lieutenant Colonel Vindman, do you have any evidence that anyone who has testified before this committee in the impeachment inquiry has perjured themselves or lied to this committee?

Lieutenant Colonel Vindman. Not that I'm aware of.

Mr. Turner. Thank you.

I yield back.

The Chairman. Mr. Carson.

Mr. Carson. Thank you, Chairman Schiff.

I yield to the chairman.

The Chairman. I thank the gentleman for yielding.

I wanted to just make one point clear for folks that are watching the hearing today. Bribery does involve a quid pro quo. Bribery involves the conditioning of an official act for something of value. An official act may be a White House meeting. An official act may be \$400 million in military aid. And something of value to a President might include investigations of their political rival.

The reason we don't ask witnesses that are fact witnesses to make the judgment about whether a crime of bribery has been committed or whether, more significantly, what the Founders had in mind when they itemized bribery or other high crimes and misdemeanors is, you're fact witnesses. It will be our job to decide whether the impeachable act of bribery has occurred. That's why we don't ask you those questions. For one thing, you're also not aware of all the other facts that have been educed during the investigation.

With that, I yield back to Mr. Carson.

Mr. Carson. Thank you, Chairman.

Thank you both for your service.

Colonel Vindman, you were in a July 10th White House meeting in Ambassador Bolton's office. Isn't that right, sir?

Lieutenant Colonel Vindman. I'm sorry. Could you say that again?

Mr. Carson. You were in a July 10th White House meeting with Ambassador Bolton?

Lieutenant Colonel Vindman. Correct.

Mr. Carson. In that meeting, the Ukrainians asked about when they would get their Oval Office meeting, and Ambassador Sondland replied that they need to, quote, "speak about Ukraine delivering specific investigations in order to secure a meeting with the President," end quote.

Is that correct, sir?

Lieutenant Colonel Vindman. That is correct.

Mr. Carson. Colonel Vindman, did you later learn why Ambassador Bolton cut the meeting short?

Lieutenant Colonel Vindman. I did.

Mr. Carson. After Ambassador Bolton ended that meeting, sir, some of the group then attended a follow-on meeting in a different room in the White House called the Ward Room. Is that correct, sir?

Lieutenant Colonel Vindman. That is correct.

Mr. Carson. And Ambassador Sondland was there with the senior Ukrainian officials. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Carson. Did NSC lawyers tell you to come directly to them, sir, if you had any other concerns after July 10th?

Lieutenant Colonel Vindman. They said that -- I believe the words were

something to the effect of, "If you have any other concerns, feel free to come back."

Mr. Carson. In this follow-on meeting, sir, Ambassador Sondland left, in your words, "no ambiguity" about what specific investigations he was requesting.

Ambassador Sondland made clear that he was requesting an investigation of Vice President Joe Biden's son.

Isn't that correct, sir?

Lieutenant Colonel Vindman. That is correct.

Mr. Carson. And he stated that he was asking these requests in coordination with Chief of Staff -- White House Chief of Staff Mick Mulvaney, correct, sir?

Lieutenant Colonel Vindman. That is what I heard him say.

Mr. Carson. Colonel, in your career, had you ever before witnessed an American official request that a foreign government investigate a U.S. citizen who was related to the President's political opponent?

Lieutenant Colonel Vindman. I have not.

Mr. Carson. And, Colonel, you immediately raised concerns about this, correct, sir?

Lieutenant Colonel Vindman. That is correct.

Mr. Carson. What exactly happened?

Lieutenant Colonel Vindman. After I reported it to the -- I'm sorry. Could you say that again? I apologize.

Mr. Carson. You raised concerns about this, correct, sir?

Lieutenant Colonel Vindman. Correct.

Mr. Carson. What happened?

Lieutenant Colonel Vindman. To Ambassador Sondland, if I understood you correctly, I stated that it was inappropriate and had nothing to do with national security

policy.

Mr. Carson. Did you also raise concern that day with White House lawyers?

Lieutenant Colonel Vindman. I did.

Mr. Carson. What did you tell them?

Lieutenant Colonel Vindman. I reported the same thing that -- I reported the content of the conversation with Ambassador Sondland. At that point, I wasn't aware that Dr. Hill had had a conversation with Ambassador Bolton, so I just relayed what I had -- what I experienced to the attorney, lead legal counsel.

Mr. Carson. As we are now aware, sir, Ambassador Bolton expressed his concerns and instructed Dr. Fiona Hill, your supervisor, to also meet with the same White House lawyers to tell them what happened.

Colonel Vindman, I agree that there is no question that Ambassador Sondland was proposing a transaction to Ukrainian officials, trading White House meetings for specific investigations, with the full awareness of the President's Chief of Staff, White House attorneys, and his National Security Advisor. In my view, sir, that is appalling.

Thank you both for your service.

I yield back to the chairman.

The Chairman. I thank the gentleman.

I would just point out, as well, that when the matter does move to the Judiciary Committee -- and no decision has been made about the ultimate resolution -- the White House, through its counsel, will have the opportunity to make a submission to the Judiciary Committee.

I now turn to Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

Lieutenant Colonel Vindman, thank you very much for being here.

As an Army colonel who served a year in Iraq, I appreciate your service and the sacrifice that you made during that time, and I know the environment, and I understand and appreciate the importance of chain of command. In your deposition, you emphasize the importance of chain of command.

You were a direct report to Dr. Fiona Hill and then Mr. Tim Morrison, and they were your seniors, correct?

Lieutenant Colonel Vindman. That is correct.

Dr. Wenstrup. When you had concerns about the 7/25 call between the two Presidents, you didn't go to Mr. Morrison about that, did you?

Lieutenant Colonel Vindman. I immediately went to John Eisenberg, the lead legal counsel.

Dr. Wenstrup. So that doesn't seem like chain of command.

Lieutenant Colonel Vindman. That's not --

Dr. Wenstrup. So, in the deposition with Mr. Morrison --

Lieutenant Colonel Vindman. I'm sorry. You said --

Dr. Wenstrup. -- page 58 to 60 --

Mr. Volkov. Could he answer the question, please?

The Chairman. Excuse me. Please allow Colonel Vindman to answer.

Lieutenant Colonel Vindman. So I reported it to John Eisenberg. I attempted to report it to Mr. Morrison. I --

Dr. Wenstrup. Okay. Thank you.

Lieutenant Colonel Vindman. He didn't avail himself. And, at that point, I was told not to speak to anybody else by --

Dr. Wenstrup. Well, he did avail himself, and I'll get into that.

The Chairman. Please allow the witness to finish.

Colonel, are you finished with your answer?

Lieutenant Colonel Vindman. Yes. Thank you.

Dr. Wenstrup. In the Morrison deposition, on page 58 to 60, the question was: Do you know if anyone else on the call went to Eisenberg to express concerns? And the answer was: I learned, based on today's proceedings, based on open-source reporting, which I have no firsthand knowledge, that other personnel did raise concerns.

Question: Who?

Based on open source, without firsthand knowledge, Alex Vindman on my -- Alex Vindman on my staff.

The question then: And he reports to you, correct?

Answer: He does. Lieutenant Colonel Vindman's direct report was Mr. Morrison, and it didn't happen.

Lieutenant Colonel Vindman, in your deposition, page 96, the question was: Okay. After the call on 7/25, did you have any discussions with Mr. Morrison about your concerns?

Answer: After the call, I -- well, per the -- per the exercise in the chain of command and expressing -- I immediately went to the senior NSC legal counsel and shared those concerns.

That would be Mr. Eisenberg, correct?

Lieutenant Colonel Vindman. I'm sorry. My lawyer was talking. Could you say that again, please, Doctor?

Dr. Wenstrup. You went to Mr. Eisenberg. You've already said that, so we can go on.

Lieutenant Colonel Vindman. Yes.

Dr. Wenstrup. And you were not a JAG officer, you're not a lawyer. And on

page 153 of your testimony, deposition, in reference to that meeting with Mr. Eisenberg, you said, "I was not making a legal judgment. All I was doing is sharing my concerns with my chain of command." Yet we've established that your direct report is to Mr. Morrison.

So let's establish your role and your title. In your deposition, Lieutenant Colonel Vindman, page 200, 201, in a colloquy with Mr. Stewart, you said: I would say, first of all, I'm the director for Ukraine. I'm responsible for Ukraine. I'm the most knowledgeable. And I'm -- for the National Security Council and the White House.

Are you the only one of the entire universe of our government or otherwise that can advise the President on Ukraine? Couldn't someone like Ms. Williams also advise on Ukraine? It's in her portfolio.

Lieutenant Colonel Vindman. That's not typically what would happen. It would be -- frankly, it would be Ambassador Bolton's --

Dr. Wenstrup. So other people can advise on Ukraine besides you.

Going on in your testimony, you said: I understand all the nuances, the context, and so forth surrounding these issues. I, on my judgment, went -- I expressed concerns within the chain of command, which I think, to me, as a military officer, is completely appropriate, and I exercised that chain of command.

Lieutenant Colonel Vindman, in your deposition, page 259, you said: I forwarded my concerns through the chain of command, and the seniors then decide the action to take.

Mr. Morrison's your senior. He didn't know about it. How can he decide an action to take? But that's what you said.

In Mr. Morrison's deposition, page 60, the question is: At what point did you learn that Lieutenant Colonel Vindman went to Eisenberg? About the 25th phone call?

He said, yes. In the course of reviewing for this proceeding, reviewing the open record.

So the next question: So Eisenberg never came to you and relayed to you the conversation? He said: No. He said, Ellis never did either? Not to the best of my recollection.

So Mr. Morrison was skipped in your chain of command about your other concerns.

So Mr. Morrison said he's the final clearing authority. He said he saw your edits. Do you remember if all of the edits were incorporated? And he said, "Yes, I accepted all of them." That's on page 61, 62. So he believes all your edits were accepted.

Let me ask you, in your edits, did you insist that the word "demand" be put into the transcription between the conversation of the two Presidents?

Lieutenant Colonel Vindman. I did not.

Dr. Wenstrup. But you did say that in your opening statement today.

Thank you, and I yield back.

The Chairman. Ms. Speier.

Ms. Speier. Thank you, Mr. Chairman.

And thank you both for your testimony and your service.

Colonel Vindman, wasn't it the case that Mr. Eisenberg, the attorney, had said to you after the July 5th meeting that you should come to him if you have any other concerns?

Lieutenant Colonel Vindman. After the July 10th meeting, yes, ma'am, that is correct.

Ms. Speier. And it is not going outside the chain of command to speak to a lawyer within the institution. Is that correct?

Lieutenant Colonel Vindman. No. He is the senior between the two, certainly.

Ms. Speier. All right.

Our colleagues on the other side of the aisle have been complaining about other witnesses having only secondhand information, but, in both your cases, you have firsthand information, because you were on the July 25th phone call. Is that correct?

Ms. Williams. That's correct.

Lieutenant Colonel Vindman. That is correct.

Ms. Speier. Now, Colonel, you in your comments today said, "I want to state that the vile character attacks on these distinguished and honorable public servants is reprehensible." Would you like to expand on that at all?

Lieutenant Colonel Vindman. Ma'am, I think they stand on their own. I don't think it's necessary to expand on them.

Ms. Speier. So, in both your situations, since you have given depositions, since those depositions have been made public, have you seen your experience in your respective jobs change or have you been treated any differently?

Ms. Williams. I have not, no.

Lieutenant Colonel Vindman. Since the report on the July 25th, as I stated, I did notice I was being excluded from several meetings that would have been appropriate for my position.

Ms. Speier. So, in some respects, then, there have been reprisals.

Lieutenant Colonel Vindman. I'm not sure if I could make that judgment. I could say that it was out of the course of normal affairs to not have me participate in some of these events.

Ms. Speier. Thank you.

In preparation for the July 25th phone call, it's standard for the National Security Council to provide talking points. Is that correct?

Lieutenant Colonel Vindman. Correct.

Ms. Speier. Because the words of the President carry incredible weight. Is that not correct?

Lieutenant Colonel Vindman. That is correct.

Ms. Speier. So it's important to ensure that everyone has carefully considered the implications of what the President might say to a foreign leader.

Lieutenant Colonel Vindman. That is correct.

Ms. Speier. Colonel Vindman, you are the National Security Council's director for Ukraine. Did you participate in preparing the talking points for the President's call?

Lieutenant Colonel Vindman. I did. I prepared them.

Ms. Speier. So you prepared them. They were then reviewed and edited by multiple senior officers at the NSC and the White House. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Ms. Speier. Did the talking points for the President contain any discussion of investigations into the 2016 election, the Bidens, or Burisma?

Lieutenant Colonel Vindman. They did not.

Ms. Speier. Are you aware of any written product from the National Security Council suggesting that investigations into the 2016 election, the Bidens, or Burisma are part of the official policy of the United States?

Lieutenant Colonel Vindman. No, I am not.

Ms. Speier. Some of President Trump's allies have suggested that the President requested these investigations for official policy reasons as part of some plan to root out corruption in Ukraine.

In your experience, did the official policies of the United States include asking Ukraine to specifically open investigations into the Bidens and interference by Ukraine in

the 2016 election?

Lieutenant Colonel Vindman. Nothing that we prepared or had discussed up until that point included any of these elements.

Ms. Speier. Would it ever be U.S. policy, in your experience, to ask a foreign leader to open a political investigation?

Lieutenant Colonel Vindman. There are proper procedures in which to do that. Certainly, the President is well within his right to do that. It is not something the NSC, certainly a director at the NSC, would do. As a matter of fact, we are prohibited from being involved in any transaction between the Department of Justice and a foreign power to ensure that there is no perception of manipulation from the White House. So it is not something that we'd participate in.

Ms. Speier. Ms. Williams, in your experience, did the official policies of the United States include asking Ukraine to open investigations into the Bidens?

Ms. Williams. I had not seen any reference to those particular cases in our policy formulation process.

Ms. Speier. All right.

Let me just say to you, Lieutenant Colonel Vindman, that, in listening to your opening statement, I had chills up and down my spine. And I think most Americans recognize what an extraordinary hero you are to our country. And I would say to your father he did well.

I yield back.

RPTR FORADORI

EDTR ROSEN

[12:24 a.m.]

The Chairman. Mr. Stewart. Thank you.

Mr. Stewart. Ms. Williams and Lieutenant Colonel Vindman, I thank both of you for being here today. Lieutenant Colonel Vindman, I see you're wearing your dress uniform. Knowing that's not the uniform of the day, you normally wear a suit to the White House, I think it's a great reminder of your military service.

I, too, come from a military family. These are my father's Air Force wings. He was a pilot in World War II. Five of his sons served in the military. So as one military family to another, thank you and your brothers for your service. You're an example here.

Very quickly, I'm curious, when Ranking Member Nunes referred to you as Mr. Vindman, you quickly corrected and wanted to be called Lieutenant Colonel Vindman. Do you always insist on civilians calling you by your rank?

Lieutenant Colonel Vindman. Mr. Stewart -- Representative Stewart, I'm in uniform wearing my military rank. I just thought it was appropriate to stick with that. I'm sorry, Mr. Stewart --

Mr. Stewart. I'm sure he meant no disrespect.

Lieutenant Colonel Vindman. I don't believe he did. But the attacks that I've had in the press, in Twitter, have kind of eliminated the fact that -- either marginalized me as a military officer or --

Mr. Stewart. Listen, I'm just telling you that the ranking member meant no disrespect to you.

Lieutenant Colonel Vindman. I believe that.

Mr. Stewart. I'd like to go back to your previous testimony earlier today. Much has been talked about, as we have discussed, between President Trump and President Zelensky and the word "favor," and this being interpreted as a basis for impeachment. And your interpretation of the word favor, and I'll paraphrase, feel free to correct me. You said, In the military culture, which you and I are both familiar with, when a superior officer asks for a favor of a subordinate, they will interpret that as a demand.

Is that a fair synopsis of what you had previously stated?

Lieutenant Colonel Vindman. Representative, when a superior makes a request, that's an order.

Mr. Stewart. Okay. In short, then, you think your interpretation of a favor is a demand based on your military experience and the military culture?

Lieutenant Colonel Vindman. I think that is correct.

Mr. Stewart. I think that is correct. Is President Trump a member of the military?

Lieutenant Colonel Vindman. He is not.

Mr. Stewart. Has he ever served in the military?

Lieutenant Colonel Vindman. Not that I'm aware of.

Mr. Stewart. Is President Zelensky a member of the military?

Lieutenant Colonel Vindman. I don't believe so. I don't know.

Mr. Stewart. He's not. Would it be fair, then, to take a person who has never served in the military, and to take your reevaluation of their words, based on your military experience, and your military culture, and to attach that culture and that meaning of those words to someone who has never served?

Lieutenant Colonel Vindman. Representative, I made that judgment. I stick by that judgment.

Mr. Stewart. Okay. Well, I got to tell you, I think it's nonsense. Look, I was in the military, I could distinguish between a favor, and an order, and a demand, and so could my subordinates. And I think President Zelensky did as well. He never initiated an investigation. In fact, he's been very clear, he said: I never felt any pressure at all. So you interpreted the word "favor," but the two people who were speaking to each other did not interpret that as a demand, it was your interpretation. Is that fair?

Lieutenant Colonel Vindman. The context of this call, consistent with a July 10th meeting, with the reporting that was going on, including the President's personal attorney, made it clear that this was not simply a request.

Mr. Stewart. Well, that's not true at all. It's not clear at all. You say it makes it clear. It's not clear at all. And the two individuals who were talking to each other didn't interpret it that way. I'd like to go on to discuss your reaction to the phone call, and again, your previous testimony. And for brevity, and for clarity, I'm going to refer to your previous testimony. Page 155. Your attorney is welcome to follow along.

Quoting you, Lieutenant Colonel Vindman: I did not know whether this was a crime or anything of that nature. I thought it was wrong. And I'd like to key on the word wrong here, because we're going to come back to that. In my mind, did I consider this factor that could have been other implications? Yes, but it wasn't the basis of, I don't know, lodging a criminal complaint or anything like that. Then you got on to talk about policy concerns and moral and ethical judgments. So your concerns regarding this phone call were not legal, they were based on moral, ethical, and policy differences.

Let me ask you then. And what you thought were wrong, to use your word, you said this was wrong. Not illegal, but wrong. There are, as I've stated previous, sitting here a couple days ago, there are dozens of corrupt nations in the world, hundreds of corrupt government officials. Exactly one time did a Vice President go to a nation and

demand the specific firing of one individual and give a 6-hour time limit and withhold or threaten to withhold \$1 billion in aid if not -- it was the one individual who was investigating a company that was paying his son. So I'll ask you, was that also wrong?

Lieutenant Colonel Vindman. That is not what I understand. I, frankly, don't have any firsthand knowledge of that.

Mr. Stewart. You've not seen the video?

Lieutenant Colonel Vindman. I've seen the video.

Mr. Stewart. That's all I've described was the video. Everything I said to you was in the video. Was that wrong as well?

Lieutenant Colonel Vindman. Congressman, this is something I actually participated in, and I witnessed.

Mr. Stewart. I think you can still make a judgment.

The Chairman. The time of the gentleman has expired. Lieutenant Colonel Vindman, if you'd like to answer the question, you're more than welcome to.

Lieutenant Colonel Vindman. I frankly don't know that much more about that particular incident. I saw the snippet of the video, but I don't know if I can make a judgment off of that.

The Chairman. Thank you. Mr. Quigley.

Mr. Quigley. Thank you, Mr. Chairman. Colonel, it's one thing to ask somebody a favor like, Hey, go pick up my dry cleaning. And it's another when the Commander in Chief of the most powerful Army in the world asks an ally who's in a vulnerable position to do him a favor, is it not?

Lieutenant Colonel Vindman. Yes.

Mr. Quigley. Let me go back to that military assistance, if I could. Ms. Williams again, when did you first learn that the security assistance was being held up, the nearly

\$400 million that was referenced?

Ms. Williams. July 3rd.

Mr. Quigley. And were you aware of any additional, or did you attend any additional meetings in which that military assistance being withheld was discussed?

Ms. Williams. I did. I attended meetings on July 23rd and July 26th, where the security assistance hold was discussed. I believe it may have also been discussed on July 31st.

Mr. Quigley. And at that point, did anyone provide a specific reason for the hold?

Ms. Williams. In those meetings the OMB representative reported that the assistance was being held at the direction of the White House chief of staff.

Mr. Quigley. And did they give reasons beyond that it was being withheld by the White House chief of staff?

Ms. Williams. Not specifically. The reason given was that there was an ongoing review whether the funding was still in line with administration priorities.

Mr. Quigley. Did anyone in any of those meetings, or in any other subsequent discussion you had discuss the legality of withholding that aid?

Ms. Williams. There were discussions, I believe, in the July 31st meeting, and possibly prior as well, in terms of -- Defense and State Department officials were looking into how they would handle a situation in which earmarked funding from Congress that was designated for Ukraine would be resolved if the funding continued to be held as we approached the end of the fiscal year.

Mr. Quigley. And from what you witnessed, did anybody in the National Security community support withholding the assistance?

Ms. Williams. No.

Mr. Quigley. Colonel, again, just for the record, when did you learn that the security assistance was being withheld?

Lieutenant Colonel Vindman. On or about July 3rd.

Mr. Quigley. And what exactly had you learned from the State Department, I believe, that prompted you to draft the notice on July 3rd?

Lieutenant Colonel Vindman. So on or about July 3rd, I became aware of inquiries into security assistance funding in general. There are two typical pots, State Department and DOD. And I believe it was around that date that OMB put a hold on congressional notification.

Mr. Quigley. Had you had any earlier indications that this might be the case?

Lieutenant Colonel Vindman. Prior to that, there were some general inquiries on how the funds were being spent, things of that nature, nothing specific. No hold, certainly.

Mr. Quigley. Were you aware of anyone in the National Security community who supported withholding the aid?

Lieutenant Colonel Vindman. No.

Mr. Quigley. No one from the National Security?

Lieutenant Colonel Vindman. None.

Mr. Quigley. No one from the State Department?

Lieutenant Colonel Vindman. Correct.

Mr. Goldman. No one from the Department of Defense?

Lieutenant Colonel Vindman. Correct.

Mr. Quigley. Did anyone to your understanding raise the legality of withholding this assistance?

Lieutenant Colonel Vindman. It was raised on several occasions.

Mr. Quigley. And who raised those concerns?

Lieutenant Colonel Vindman. Following the July 18th sub-PCC, which is, again, what I coordinate, or convene at my level, there was a July 23rd PCC that would have been conducted by Mr. Morrison. There were questions raised as to the legality of the hold. Over the subsequent week, the issue was analyzed, and during July 26th deputies -- so the deputies from all the departments and agencies, there was an opinion rendered that it was -- it was legal to put the hold.

Mr. Quigley. It was -- excuse me?

Lieutenant Colonel Vindman. There was an opinion, a legal opinion rendered, that it was okay, that the hold was legal.

Mr. Quigley. From a purely legal point of view?

Lieutenant Colonel Vindman. Correct.

Mr. Quigley. Very good. I yield back to the chairman.

The Chairman. I thank the gentleman for yielding. Ms. Stefanik.

Ms. Stefanik. Ms. Williams, Lieutenant Colonel Vindman, thank you for being here, and thank you both for your service. As millions of Americans are watching, throughout the hysteria and frenzied media coverage, two key facts have not changed that are critical to these impeachment proceedings. One, Ukraine, in fact, received the aid; and, two, there was no investigation into the Bidens. My question to both of you today will focus on the following: Systemic corruption in Ukraine; two, highlighting for the public that by law, aid to Ukraine requires anti-corruption efforts; and, three, who in our government has the decisionmaking authority when it comes to foreign policy and national security matters?

So on corruption in Ukraine, as Ambassador Yovanovitch testified, one of the key reasons why President Zelensky was overwhelmingly elected by the Ukrainian people was

that they were finally standing up to rampant corruption in their country. Would you both agree with the Ambassador's assessment?

Lieutenant Colonel Vindman. Yes.

Ms. Williams. Yes.

Ms. Stefanik. And, Ms. Williams, corruption was such a critical issue from your perspective, that when you prepared the Vice President for his congratulatory call with President Zelensky, you testified that the points you wanted to communicate on the call were the following: Quote: Looked forward to seeing President Zelensky really implement the agenda on which he had run related to anti-corruption reforms. That's correct?

Ms. Williams. That is. Yes.

Ms. Stefanik. And, Lieutenant Colonel Vindman, would you agree that this focus on anti-corruption is a critical aspect of our policy towards the Ukraine?

Lieutenant Colonel Vindman. I would.

Ms. Stefanik. And, Lieutenant Colonel Vindman, you are aware that in 2014, during the Obama administration, the first anti-corruption investigation partnered between the U.S., the U.K., and Ukraine, was into the owner of the company, Burisma.

Lieutenant Colonel Vindman. I'm aware of it now.

Ms. Stefanik. And, Lieutenant Colonel Vindman, you testified that you were aware that Burisma had questionable business dealings, that's part of its track record?

Lieutenant Colonel Vindman. That is correct.

Ms. Stefanik. You also testified that, regarding Burisma, money laundering, tax evasion, comports with your understanding of how business is done in Ukraine. Is that correct?

Lieutenant Colonel Vindman. I'm not aware of specific incidents, but my

understanding is that it would not be out of the realm of the possible for Burisma.

Ms. Stefanik. Well, that's page 207 from your testimony, but I'll move on. You are aware that Hunter Biden did sit on the board of Burisma at this time?

Lieutenant Colonel Vindman. I am.

Ms. Stefanik. Well, I know that my constituents in New York 21 have many concerns about the fact that Hunter Biden, the son of the Vice President, sat on the board of a corrupt company like Burisma. The Obama administration State Department was also concerned, but yet, Adam Schiff refuses to allow this committee to call Hunter Biden despite our requests. Every witness who has testified and has been asked this has answered yes. Do you agree that Hunter Biden, on the board of Burisma, has the potential for the appearance of a conflict of interest?

Lieutenant Colonel Vindman. Certainly the potential, yes.

Ms. Stefanik. And Ms. Williams?

Ms. Williams. Yes.

Ms. Stefanik. Now, shifting to the legal requirements that our aid to Ukraine is conditioned on anti-corruption. Lieutenant Colonel Vindman, you testified that you understood that Congress had passed, under the Ukrainian Security Assistance Initiative, a legal obligation to certify that corruption is being addressed?

Lieutenant Colonel Vindman. That is correct.

Ms. Stefanik. And you also testified that it is required by the National Defense Authorization Act.

Lieutenant Colonel Vindman. That is correct.

Ms. Stefanik. So for the public listening, we are not just talking about President Trump focusing on anti-corruption in Ukraine, but it is so critical, so important, that hard-earned taxpayer dollars, when given to foreign nations that, by law, overwhelmingly

bipartisan support requires anti-corruption in Ukraine in order to get U.S. taxpayer funded aid.

Lieutenant Colonel Vindman, you spoke extensively about the importance of defensive lethal aid to Ukraine, especially Javelins. This was in your deposition.

Lieutenant Colonel Vindman. Correct.

Ms. Stefanik. And you testified that the Javelin, in particular, because of its effectiveness in terms of influencing the Russian decision calculus for aggression, it is one of the most important tools we have when it comes to providing defensive lethal aid?

Lieutenant Colonel Vindman. The system itself and the signaling of U.S. support, yes.

Ms. Stefanik. And it is a fact that that aid was provided under President Trump and not President Obama?

Lieutenant Colonel Vindman. That is correct.

Ms. Stefanik. And my last question, Lieutenant Colonel Vindman, I know you serve at the NSC and the White House, I served in the West Wing of the White House for President Bush on the Domestic Policy Council, and in the chief of staff's office, so I'm very familiar with the policy process. I also know that as a staff member, the person who sets the policy of the United States is the President, not the staff. And you testified that the President sets the policy, correct?

Lieutenant Colonel Vindman. That is correct.

Ms. Stefanik. And I respect your deep expertise, your tremendous service to our country. We can never repay those that have worn the military uniform and served our Nation, but I was struck when you testified in your deposition. I would say, first of all, I'm the director for Ukraine. I'm responsible for Ukraine. I'm the most knowledgeable I am the authority for Ukraine for the National Security Council and the White House. I

just want to clarification, you report to Tim Morrison, correct?

Lieutenant Colonel Vindman. In my advisory --

Ms. Stefanik. Your direct report is Tim Morrison?

Lieutenant Colonel Vindman. Yes, in my advisory -- just to clarify. In my -- only in my advisory capacity, I advise up through the chain of command, that's what I do.

Ms. Stefanik. And the chain of command is Tim Morrison to Ambassador John Bolton, the National Security Advisor, to the President of the United States?

Lieutenant Colonel Vindman. Correct.

Ms. Stefanik. And do you agree that the President sets the policy as Commander in Chief, as you testified previously?

Lieutenant Colonel Vindman. Absolutely.

Ms. Stefanik. Thank you. My time has expired.

The Chairman. Mr. Swalwell.

Mr. Swalwell. Thank you both. Lieutenant Colonel Vindman, I think the follow-up question that my colleague from New York did not ask you, but is relevant for everyone at home: Isn't it true that the Department of Defense had certified that the anti-corruption requirements of Ukraine had been met when the hold was put on by the President?

Lieutenant Colonel Vindman. That is correct.

Mr. Swalwell. Now, Mr. Jordan suggested that the President did something none of us expected by releasing that call transcript. You listened to the call. Is that right, Lieutenant Colonel?

Lieutenant Colonel Vindman. That is.

Mr. Swalwell. Ms. Williams, you also listened to the call. Is that right?

Ms. Williams. Yes.

Mr. Swalwell. Fair to say, Ms. Williams, a lot of other people at the White House listened to the call or read the transcript?

Ms. Williams. I can't characterize how many. I believe there were four or five or six of us in the listening room at the time.

Mr. Swalwell. And the transcript was distributed to others. Is that right?

Ms. Williams. I wasn't part of that process, but that's my understanding.

Mr. Swalwell. So the President is asking for us and his defenders to give him a gold star because a number of people listened to the call or saw the call transcript, and then he released it. The difference, of course, between this and, say, his one-on-one meeting in Helsinki with Vladimir Putin, was there it was a one-on-one meeting, and he took the notes from the interpreter so none of us could see it. The point being, the President had no choice but to release a call that everyone had seen.

Now, you have been asked to also characterize what exactly legally all of this means. And Mr. Ratcliffe pointed out that no one had used the term "bribery" in our depositions. And, Ms. Williams, you're not a lawyer, are you?

Ms. Williams. I'm not, no.

Mr. Swalwell. Lieutenant Colonel Vindman, are you a lawyer?

Lieutenant Colonel Vindman. The lawyer is back there.

Mr. Swalwell. The lawyer is your brother?

Lieutenant Colonel Vindman. Right.

Mr. Swalwell. Born 20 seconds after you. Is that what you said?

Lieutenant Colonel Vindman. Nine minutes.

Mr. Swalwell. Nine minutes after you. You're the older brother?

Lieutenant Colonel Vindman. Yeah. A lifetime of wisdom there.

Mr. Swalwell. I want to give you a hypothetical here. Suppose you have a

shooting victim, and the police respond after the victim is doing a little bit better, and they ask the victim, well, tell us what happened. And the victim says, Well, someone came up to my car, shot into the car, hit me in the shoulder, hit me in the back, hit me in the neck. Miraculously, I survived, but I can identify who the person is that pulled the trigger. And the police say, Okay, you were shot. You know who it is. But, shucks, you didn't tell us that this was an attempted murder, so we're going to have to let the person go.

Is that how it works in our justice system? That unless victims or witnesses identify the legal theories of a case, we just let people off the hook? Is that how it works, Lieutenant Colonel Vindman?

Lieutenant Colonel Vindman. I'm not an attorney, but it doesn't seem so.

Mr. Swalwell. I don't think your brother would think so either. Ms. Williams, Vice President Pence was described to our committee by Mr. Morrison as a, quote, voracious reader of his intelligence read book. And after the April 21 call with President Zelensky, you put a transcript of that call in the Vice President's read book. Is that right?

Ms. Williams. That's correct.

Mr. Swalwell. And then the Vice President called President Zelensky 2 days later. Is that right?

Ms. Williams. That's correct.

Mr. Swalwell. And you told us in the deposition that he stuck pretty faithfully to what President Trump had said in the April 21 call. Is that right?

Ms. Williams. I believe his remarks were consistent, but he also spoke on other issues as well, including anti-corruption.

Mr. Swalwell. And you would describe the Vice President as somebody who would make follow-up calls to world leaders after the President had done so. Is that

right?

Ms. Williams. He has on occasion, it's not a normal practice, it depends on the situation.

Mr. Swalwell. And in that case, he stuck to President Trump's talking points?

Ms. Williams. I would say that I provided talking points for the April 23rd call for the Vice President, which included discussion of President Zelensky's inauguration, which President Trump had also discussed with President Zelensky. But I would say the Vice President discussed other issues with President Zelensky as well.

Mr. Swalwell. And as was stated earlier, the President sets the foreign policy for the United States. Is that right?

Ms. Williams. Absolutely.

Mr. Swalwell. And you told us after the July 25 call between President Trump and President Zelensky, that you put the call transcript in Vice President's intelligence briefing book. Is that right?

Ms. Williams. I ensured it was there. My colleagues prepare the book, but yes.

Mr. Swalwell. So let's flash forward to September 1. Vice President Pence meets with President Zelensky. Is that right?

Ms. Williams. That's correct.

Mr. Swalwell. You're there?

Ms. Williams. Yes.

Mr. Swalwell. And President Zelensky, with Vice President Pence, they talk about a lot of things, but you will agree that Vice President Pence did not bring up the Bidens. Is that correct?

Ms. Williams. That's correct. He did not.

Mr. Swalwell. He did not bring up investigations?

Ms. Williams. No.

Mr. Swalwell. Is one reasonable explanation that, although Vice President Pence will do a lot of things for President Trump, that he was not willing to bring up investigations on Bidens because he thought it was wrong?

Ms. Williams. I'm not in a position to speculate. We had not discussed those particular investigations in any of the preparatory sessions with the Vice President.

Mr. Swalwell. But you didn't bring it up with the Ukrainians after the July 25 call, right?

Ms. Williams. He did not in that meeting, no.

Mr. Swalwell. And you did not either?

Ms. Williams. No.

Mr. Swalwell. And, Lieutenant Colonel Vindman, did you ever ask the Ukrainians to do what President Trump was asking them to do after the July 25 phone call?

Lieutenant Colonel Vindman. I didn't render any opinion on what was asked in the 25.

Mr. Swalwell. Thank you. Yield back.

The Chairman. Mr. Hurd.

Mr. Hurd. Ms. Williams, I want to join my colleagues in thanking you for your service. We share a personal hero in Dr. Rice, great minds think alike. Did you participate in or overhear any conversations about how potential information collected from the Ukrainians on the Bidens would be used for political gain?

Ms. Williams. No, I did not participate or overhear any conversations along those lines.

Mr. Hurd. Thank you. Lieutenant Colonel Vindman, I think all of us would agree that your father made the right move to come here, and we're glad that he did.

You've talked about how part of your responsibilities is developing talking points for your principals. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Hurd. The President, and I'm assuming you also do that for your direct supervisor currently right now, Mr. Morrison. Is that correct?

Lieutenant Colonel Vindman. Mr. Morrison has left the position some time ago, at least 3 weeks ago.

Mr. Hurd. But you prepare talking points for your supervisors. Is that correct?

Lieutenant Colonel Vindman. Typically, frankly, at that level they don't really take talking points, especially if they have expertise. The talking points are more intended for the National Security Advisor, although Ambassador Bolton didn't really require them because of his deep expertise.

Mr. Hurd. Sure.

Lieutenant Colonel Vindman. The next level up, the President --

Mr. Hurd. But, traditionally, I'm just trying to establish his position is somebody that makes talking points for a number of people. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Hurd. Do they always use them?

Lieutenant Colonel Vindman. No.

Mr. Hurd. Is President Trump known to stick to a script?

Lieutenant Colonel Vindman. I don't believe so.

Mr. Hurd. So is it odd that he didn't use your talking points?

Lieutenant Colonel Vindman. No, it is not.

Mr. Hurd. In your deposition, if your lawyer wants to follow on, it's page 306. You were asked about events during the temporary holds on U.S. assistance to Ukraine,

this is that 55-day period or so. And you testified that the U.S. administration did not receive any new assurances from Ukraine about anti-corruption efforts, and the facts on the ground did not change before the hold was lifted. Is that accurate in recounting your testimony?

Lieutenant Colonel Vindman. That is accurate.

Mr. Hurd. When was President Zelensky sworn in?

Lieutenant Colonel Vindman. He was sworn in on May 20th, 2019.

Mr. Hurd. And then, he had a new parliament, too, elected after he was. Is that correct?

Lieutenant Colonel Vindman. He did.

Mr. Hurd. And when was that parliament seated?

Lieutenant Colonel Vindman. That was, I'm sorry, July 21st, 2019.

Mr. Hurd. That was when they won. They weren't properly seated until August?

Lieutenant Colonel Vindman. That's right. They won and weren't seated until August.

Mr. Hurd. Your boss's boss, Ambassador Bolton, traveled to Ukraine in late August, August 27, 28. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Hurd. Did he take you with him?

Lieutenant Colonel Vindman. He didn't.

Mr. Hurd. We know from other witnesses that when Ambassador Bolton was there, he met with President Zelensky and his staff, and they talked about how they were visually exhausted, because one of the things that President Zelensky did during that time period was change the Ukrainian Constitution to remove absolute immunity from Rada

deputies, right, someone of their parliamentarians, because that had been the source of raw corruption for a number of years. Is that accurate?

Lieutenant Colonel Vindman. That is accurate.

Mr. Hurd. Were you aware of this important change to Ukrainian law?

Lieutenant Colonel Vindman. Of course.

Mr. Hurd. And you don't believe that's a significant anti-corruption effort?

Lieutenant Colonel Vindman. No, it is significant.

Mr. Hurd. It's pretty significant, correct? Also, Ambassador Taylor testified that President Zelensky, with this new parliament, opened Ukraine's high anti-corruption court, right? This had been an initiative that many folks in our State Department had been pushing to happen, and that was established in that timeframe. Were you aware of this?

Lieutenant Colonel Vindman. Yes.

Mr. Hurd. Do you think this is a significant anti-corruption?

Lieutenant Colonel Vindman. I do.

Mr. Hurd. When you talked about -- how many times have you met President Zelensky?

Lieutenant Colonel Vindman. I think it was just the one time from the Presidential delegation, multiple engagements, but just the one trip.

Mr. Hurd. And that's a one-on-one meeting?

Lieutenant Colonel Vindman. That was in a larger bilateral format, then there were a couple of smaller venues. They were all in -- there was never a one-on-one, but there were a couple of, again, touch points. So the bilateral meeting, handshake meet and greet, he had a short --

Mr. Hurd. So there were a lot of people in the room?

Lieutenant Colonel Vindman. Yeah. Yes.

Mr. Hurd. When you met with them?

Lieutenant Colonel Vindman. Yes, Congressman.

Mr. Hurd. But you still advised the Ukrainian President to watch out for the Russians?

Lieutenant Colonel Vindman. Yes.

Mr. Hurd. And everybody else in the room, I'm assuming the national security advisor was there, I believe, in this case, you had other members of the administration. Was that -- were your points preapproved? Did they know you were going to bring up those points?

Mr. Hurd. We had did have a huddle beforehand, and it's possible that I flagged them, but I don't recall specifically. It's possible that I didn't.

Mr. Hurd. And you counseled the Ukrainian President to stay out of U.S. politics?

Lieutenant Colonel Vindman. Correct.

Mr. Hurd. Mr. Chairman, I yield back the time I do not have.

The Chairman. The gentleman yields back. Mr. Castro.

Mr. Castro. Thank you, Chairman. Ms. Williams, thank you for your service to the country. Colonel Vindman, thank you for your service, and it's great to talk to a fellow identical twin. I hope that your brother is nicer to you than mine is to me. He doesn't make you grow a beard.

You both listened in real time to the July 25th call. In particular, you would have heard President Trump ask the President of Ukraine, quote: "I'd like you to find out what happened with this whole situation with Ukraine. They say CrowdStrike," end quote. The server, they say Ukraine has it. This is a debunked conspiracy theory that has no basis in fact.

President Trump's own former Homeland Security Advisor, Thomas B. Bossert, called the President's assertion that Ukraine intervened in the 2016 elections, quote, "not only a conspiracy theory," but, quote, "completely debunked," unquote. Colonel Vindman, are you aware of any evidence to support the theory that the Ukrainian government interfered in the 2016 election?

Lieutenant Colonel Vindman. Congressman, I am not. And, furthermore, I would say that this is a Russian narrative that President Putin has promoted.

Mr. Castro. And are you aware of any part of the U.S. Government, its foreign policy or intelligence apparatus that supports that theory?

Lieutenant Colonel Vindman. No, I'm not aware.

Mr. Castro. You are aware that other parts of the U.S. Government, our Intelligence Community, for example, have said definitively that it was the Russians who interfered in the 2016 elections?

Lieutenant Colonel Vindman. That is correct.

Mr. Castro. It seems incredibly odd, though, unfortunately, but not inconsistent to me that President Trump would be giving credence to a conspiracy about Ukraine that helps Russia really in at least two ways: First, it ignores and frankly undermines the assessment of the U.S. Intelligence Community, and seeks to weaken a state dependent on the United States' support to fight Russian aggression. It also, for the United States, hurts our national security and emboldens Russia.

And I want to look at what President Trump was doing on his call, instead of pushing back against Russian hostility. He was pressuring Ukraine to do his political work. President Trump stated on that July 25th call, quote, "There's a lot of talk about Biden's son that Biden stopped the prosecution, and a lot of people want to find out about that. So whatever you can do with the Attorney General would be great. Biden

went around bragging that he stopped the prosecution, so if you can look into it, it sounds horrible to me."

Colonel Vindman, when you hear those words, do you hear the President requesting a thoughtful and well-calibrated anti-corruption program consistent with U.S. policy?

Lieutenant Colonel Vindman. I do not.

Mr. Castro. In fact, it sounds like President Trump was encouraging the Ukrainian President to engage in precisely the same type of behavior for President Trump's own political benefit that we discourage foreign leaders from undertaking in their own countries, and discouraging other countries from undertaking politically motivated investigation is, in fact, a major part of official U.S. anti-corruption policy. Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Castro. And are you, in fact, aware of any evidence that Vice President Biden improperly interfered in investigation of his family members?

Lieutenant Colonel Vindman. I am not.

Mr. Castro. These false narratives, it should be said, are damaging our country. They poison our politics and distract from the truth. And pressing another country to engage in corruption is antithetical to who we are as a Nation. You also mentioned that this request, you felt this request was wrong. And you've also said that corruption in Ukraine is endemic to Ukraine, just as it is in other places around the world.

What is the -- can you speak to -- what is the danger of a President of the United States, whether it's Donald Trump or any future President, asking another nation, where there's rampant corruption, to investigate a political rival or just any other American citizen? What would be the danger to that American?

Lieutenant Colonel Vindman. Congressman, the Ukrainian judiciary is imperfect at the moment. And the reliance on U.S. support could conceivably cause them to tip the scales of justice in favor of finding a U.S. citizen guilty if they thought they needed to do that in their --

Mr. Castro. So they could trump up charges, if they wanted to, in a corrupt system like that?

Lieutenant Colonel Vindman. They could. Ukraine is making progress, certainly, more broadly in Russia, that is likely to happen where the state will be involved in judicial outcomes and drive them.

Mr. Castro. Thank you. I yield back, Chairman.

The Chairman. Mr. Ratcliffe.

Mr. Ratcliffe. Thank you, Chairman. Ms. Williams, you testified that what you noted as being unusual about the call that took place on July 25th was that the President raised what appeared to be a domestic political issue, correct?

Ms. Williams. Correct.

Mr. Ratcliffe. But raising an issue, even one that you thought was unusual is different than making a demand. Would you agree?

Ms. Williams. Yes.

Mr. Ratcliffe. And as I read your deposition, it didn't sound like, from your testimony, that you heard what took place on that call as a demand for investigations. Is that fair?

Ms. Williams. I don't believe I'm in a position to characterize it further than the President did in terms of asking for a favor.

Mr. Ratcliffe. You didn't hear a demand?

Mr. Ratcliffe. Again, I would just refer back to the transcript itself.

Mr. Ratcliffe. Lieutenant Colonel Vindman, you have testified and explained to us why, in your mind, it was a demand, and you've given us reasons: disparity of power between the two Presidents. And because you did feel that way, you also felt that you had a duty to report what you thought was improper. Is that correct?

Lieutenant Colonel Vindman. That's correct.

Mr. Ratcliffe. Okay. So two different people, two impartial observers, one felt the need to report the call because there was a demand that was improper, and one that didn't report it to anyone. You didn't report it to anyone, right, Ms. Williams?

Ms. Williams. I ensured that the information was available to my superiors.

Mr. Ratcliffe. So while all this might seem as clear as mud, I think your honest and candid assessments of what you heard on the call tells us what we need to know. We have two independent folks, non-partisans, and I'm not hearing a consensus between the two of you about what exactly you both heard on the call that you heard at the exact same time. And if you can't reach an agreement with regard to what happened on the call, how can any of us?

An impeachment inquiry is supposed to be clear. It's supposed to be obvious. It's supposed to be overwhelming and compelling. And if two people on the call disagree honestly about whether or not there was a demand and whether or not anything should be reported on a call, that is not a clear and compelling basis to undo 63 million votes and remove a President from office.

I yield by remaining time to Mr. Jordan.

Mr. Jordan. I thank the gentleman for yielding. Colonel Vindman, why didn't you go -- after the call, why didn't you go to Mr. Morrison?

Lieutenant Colonel Vindman. I went immediately -- per the instructions from the July 10th incident, I went immediately to Mr. Eisenberg. After that -- once I made

my -- expressed my concerns, it was an extremely busy week. We had a PCC just finish, we had the call, and then we had a deputies' meeting, which consumed all of my time. I was working extremely long days. I attempted to try to communicate -- I managed to speak to two folks in the interagency. I attempted to try to talk to Mr. Morrison. That didn't happen before I received instructions from John Eisenberg to not talk to anybody else any further.

Mr. Jordan. So the lawyer -- you not only didn't go to your boss, you said you tried, but you didn't go to your boss. You went straight to the lawyer and the lawyer told you not to go to your boss?

Lieutenant Colonel Vindman. No, he didn't tell me until -- what ended up unfolding is, I had the conversation with the attorney, I did my coordination, my core function, which is coordination. I spoke to the appropriate people within the interagency. And then circling back around, Mr. Eisenberg came back to me and told me not to talk to anyone else.

Mr. Jordan. I'm going to read from the transcript here. Why didn't you go to your direct report, Mr. Morrison? Your response was -- this is page 102 -- because Mr. Eisenberg had told me to take my concerns to him. Then I asked you: Did Mr. Eisenberg tell you not to report, to go around Mr. Morrison? And you said: Actually, he did say that I shouldn't talk to any other people. Is that right?

Lieutenant Colonel Vindman. Yes, but there's a whole -- there's a period of time in there between when I spoke to him and when he circled back around. It wasn't that long a period of time, but it was enough time for me to --

Mr. Jordan. Enough time to go talk to someone who you won't tell us who it is, right?

Lieutenant Colonel Vindman. I've been instructed not to, Representative Jordan.

Mr. Jordan. Here's what I'm getting -- the lawyer told you, don't talk to any other people. And you interpret that as not talking to your boss, but you talked to your brother, you talked the lawyers, you talked to Secretary Kent, and you talked to the one guy Adam Schiff won't tell you -- won't let you tell us who he is. Is that right?

Lieutenant Colonel Vindman. Representative Jordan, I did my job.

Mr. Jordan. I'm not saying you didn't. All I'm saying is, your instructions from the lawyer was you shouldn't talk to anybody, and you interpret that as, don't talk to my boss, but I'm going to go talk to someone that we can't even ask you who that individual is.

Lieutenant Colonel Vindman. That is incorrect.

Mr. Jordan. Well, I just read what you said.

Lieutenant Colonel Vindman. That is incorrect.

Mr. Jordan. You didn't talk to any other people.

The Chairman. The time of the gentleman has expired.

Lieutenant Colonel Vindman. I'm sorry, Chairman, but that sequence is not the way it played out.

Mr. Jordan. I'm reading from the transcript, Colonel Vindman.

The Chairman. Mr. Jordan, please let Colonel Vindman --

Lieutenant Colonel Vindman. The sequence played out where immediately afterwards, I expressed my concerns. I did my coordination function. Mr. Eisenberg circled back around and told me not to talk to anybody else. In that period of time, I did not --

Mr. Jordan. So that's when it happened. That's when you talked to someone?

The Chairman. Mr. Heck.

Lieutenant Colonel Vindman. That's right.

Mr. Heck. Colonel Vindman, let's go back to that pair of meetings on July 10th in Ambassador Bolton's office and down in the Ward Room where you witnessed Ambassador Sondland inform the Ukrainian officials that as a prerequisite to a White House meeting between the two Presidents, quote, "The Ukrainians would have to deliver an investigation into the Bidens," end quote. You said that Ambassador Sondland was quote, "calling for an investigation that didn't exist into the Bidens and Burisma." Is that correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Heck. It's that same afternoon you went to Mr. Eisenberg, the counsel, correct?

Lieutenant Colonel Vindman. That meeting occurred in the afternoon and within -- I'm sure it was within a couple hours I spoke to Mr. Eisenberg.

Mr. Heck. How did he react?

Lieutenant Colonel Vindman. He was cool, calm, and collected. He took notes and he said he would look into it.

Mr. Heck. And did he not also tell you to feel free to come back if you had additional concerns?

Lieutenant Colonel Vindman. He did, Congressman.

Mr. Heck. Ambassador Sondland had told you that his request to the Ukrainians had been coordinated with the Chief of Staff, Acting Chief of Staff, Mick Mulvaney. Did you report that to Mr. Eisenberg?

Lieutenant Colonel Vindman. I did.

Mr. Heck. And what was his reaction?

Lieutenant Colonel Vindman. He took notes, and he said he was going to -- he'll follow up or look into it. I don't recall exactly what he said.

Mr. Heck. Colonel, you also testified that on the July 25th call now between the two Presidents. Quote: There was no doubt, end quote, that President Trump asked for investigations into the 2016 election and Vice President Biden's son in return for a White House meeting. Within an hour of that call you reported that to Mr. Eisenberg, did you not?

Lieutenant Colonel Vindman. I did.

Mr. Heck. Went back to him just to see if he suggested it would be appropriate?

Lieutenant Colonel Vindman. He is an assistant to the President, it was less a suggestion and more of an instruction.

Mr. Heck. Did you tell the lawyers that the President Trump asked President Zelensky to speak to Mr. Giuliani?

Lieutenant Colonel Vindman. Yes.

Mr. Heck. And the lawyers, it was at this point, told you not to talk to anyone else?

Lieutenant Colonel Vindman. That is not correct with regards to timing. They didn't follow back -- they didn't circle back around. What ended up happening is, in my coordination role, I spoke to State, I spoke to a member of the Intelligence Community, and the general counsel from one of the intelligence bodies notified Mr. Eisenberg that there was -- that there was information on the call, on the July 25th call. At that point, Mr. Eisenberg told me I shouldn't talk to anybody else about it.

Mr. Heck. Colonel, I want to go back to 2014 in Iraq when you were blown up. I presume that given the point in your military career and what else was going on in the world, that upon recovery, there was the very real prospect or possibility that you might, once again, find yourself in harm's way. Is that correct?

Lieutenant Colonel Vindman. Yes, Congressman, it happened in 2004, but yes.

Mr. Heck. Four, excuse me. Thank you. Did you consider leaving the military service at that point?

Lieutenant Colonel Vindman. No. Frankly, Congressman, I suffered light wounds. I was fortunate compared to my counterparts in the same vehicle, and I returned to duty, I think it may have been that same day.

Mr. Heck. But you could have been subjected to additional harm, you chose to continue service in uniform?

Lieutenant Colonel Vindman. I continued to serve in combat for the remaining 10 or 11 months of the tour.

Mr. Heck. You know, Colonel, I have to say, I find it a rich but incredibly painful irony that within a week of the President, contrary to all advice of the senior military officials, he pardons those who were convicted of war crimes, which was widely decried in the military community. Within the week of him doing that, is engaged in an effort and allies on his behalf, including some here today, to demean your record of service, and the sacrifice and the contribution you have made.

Indeed, sir, less than 20 minutes ago, the White House officially quoted out, out of context, the comments referred to earlier by Mr. Morrison in your judgment. I can only conclude, sir, that what we thought was just the President as the subject of our deliberations in this inquiry, isn't sufficient to capture what's happening here. Indeed, what subject of this inquiry, and what is at peril is our Constitution and the very values upon which it is based.

I want to say, thank you for your service, but, you know, thank you doesn't cut it. Please know, however, that it comes from the bottom of my heart, and I know on the bottoms of the heart of countless other Americans, thank you for your service, sir.

Lieutenant Colonel Vindman. Thank you.

Mr. Heck. I yield back.

The Chairman. Mr. Jordan.

Mr. Jordan. Thank you, Mr. Chairman. Sunday, the Speaker of the United States House of Representatives called the President of the United States an imposter. The Speaker of the House called the President an imposter. The guy 63 million people voted for. The guy who won an electoral college landslide, the Speaker calls an imposter. That's what happened to our country, to this Congress. The Speaker's statement says it all.

The Democrats have never accepted the will of the American people. The Democrats don't trust the American people. The American people who wanted to send someone to this town who was willing to shake it up a bit, they don't trust that. And they have tried to do everything they can to undo what the American people decided on November 8th, 2016. They have been out to get the President since the day he was elected.

The whistleblower's lawyer, the whistleblower's legal team, said this: January 30th, 2017, the President had been in office about a week. Coup has started. First of many steps. Next sentence, impeachment will follow ultimately. I guess we are in the final step, started 3-1/2 years ago. Congressman Tlaib started this Congress, the first day of Congress said: Impeachment the President. Representative Green said: If we don't impeach him, the President is going to win reelection. We got to do it.

Most importantly, most importantly, five Democrat members of this committee voted to move forward with impeachment before the phone call ever happened. The truth is, the attacks actually started before -- before the inauguration, even before the election. The ranking member talked about this in his opening statement.

July 2016, FBI opens an investigation, the so-called Trump-Russia coordination, collusion, which was never there. Opened an investigation, spied on two American citizens associated with the Presidential campaign. My guess is that's probably never happened in American history, but they did it.

And for 10 months, Jim Comey's FBI investigated the President. Guess what, after 10 months, they had nothing. And you know why we know that, because when we deposed Mr. Comey last Congress, he told us they didn't have a thing. No matter, Special Counsel Mueller gets appointed, and they do a 2-year, \$40 million, 19-lawyer unbelievable investigation, and guess what, they come back and they got nothing. But the Democrats don't care. So now we get this.

A bunch of depositions in the bunker in the basement of the Capitol. Witnesses who are not allowed to answer questions about who they talked to about the phone call. We get this. All based on some anonymous whistleblower. No firsthand knowledge. Bias against the President. These facts have never changed. We learned these right away. Who worked with Vice President Biden, who wrote a memo the day after somebody talked to him about the call, but waited 18 days to file a complaint. Eighteen days to file a complaint. What did he do in those 18 days? We all know. Ran off and talked with Chairman Schiff's staff.

And then, hired the legal team that I just talked about, that I just talked about, one of the steps in the whole impeachment coup, as his legal team has said.

This is scary what these guys are putting our country through. It is sad. It is scary. It is wrong. And the good news is, the American people see through it all, they know the facts are on the President's side. As Representative Stefanik said, four facts will never change. We got the transcript, which they never thought the President would release. Shows no coordination. No conditionality. No linkage. We got the two

guys on the call. President Trump and President Zelensky who have said, nothing wrong, no pressure, no pushing here. We got the fact that the Ukrainians didn't even know aid was held up at the time of the call, and most importantly, we have yet to have one witness tell us that any evidence from anyone that President Zelensky did anything on investigations to get the aid released. Those facts will never change. The facts are on the President's side, the process is certainly not.

It has been the most unfair process we have ever seen, and the American people understand. Those 63 million Americans, they understand it. And, frankly, I think a lot of others do as well. They see this for what it is, and they know this is wrong, especially wrong just 11 months before the next election.

I yield back.

The Chairman. Mr. Welch.

Mr. Welch. Thank you. What this hearing is about, I think, was best stated by Colonel Vindman's opening statement. The question before us is this: Is it improper for the President of the United States to demand a foreign government investigate a United States citizen and political opponent? Very well stated. I just listened to Mr. Jordan, as you did as well, and I heard his criticisms of the process. Nothing really happened. A lot of people are out to get the President. I didn't hear an answer to the question as to whether it's proper for the President of the United States to demand a foreign government to investigate a U.S. citizen and political opponent. And, to date, I haven't heard one of my Republican colleagues address that question.

Colonel Vindman and Ms. Williams, thank you. I want to ask some questions that go through the background. What's come out during this process is that we had two Ukraine policies, one was bipartisan and longstanding, and that was to assist Ukraine, which had freed itself from the domination of Russia, to fight corruption, and to resist

Russian aggression. Is that a fair statement, Colonel Vindman?

Lieutenant Colonel Vindman. I think that's a fair characterization, Congressman.

Mr. Welch. And to give folks a reminder of the extent of corruption. By the way, a legacy of Putin's Russia, is it your understanding that when their prior president, Mr. Yanukovich, fled to Russia into the arms of Mr. Putin, he took with him \$30 to \$40 billion of that impoverished country?

Lieutenant Colonel Vindman. There are different estimates, but it's on that scale, yes.

Mr. Welch. Vast scale for a poor country. And is it your understanding that powerless but motivated Ukrainians rose up in protest to this incredible graft and theft and abuse by their President?

Lieutenant Colonel Vindman. That is correct.

Mr. Welch. And that was in the Maidan, it was called the Maidan Revolution, the Revolution of Dignity, correct?

Lieutenant Colonel Vindman. Correct.

Mr. Welch. And young people went into that square in downtown Kyiv and demonstrated for months, correct?

Lieutenant Colonel Vindman. Correct. And 100 died.

Mr. Welch. One hundred six young people died and older people died, correct? That was in -- between February 18, 2014, and February 22. Is that correct?

Lieutenant Colonel Vindman. Correct.

Mr. Welch. One hundred six died, including people who were shot by snipers, kids. And Yanukovich had put snipers on the rooftops of buildings to shoot into that square and kill, murder, slaughter, those young people. Is that your understanding?

Lieutenant Colonel Vindman. That is correct.

Mr. Welch. In our bipartisan support -- and by the way, I want to say to my Republican colleagues, a lot of leadership to have this bipartisan support came from your side, thank you. But our whole commitment was to get rid of corruption and to stop that Russian aggression. Is that correct?

Lieutenant Colonel Vindman. That amounts to some of the key pillars.

Mr. Welch. That's right. And the Giuliani, Sondland, it appears Trump policy, was not about that, it was about investigations into a political opponent, correct? I'll take that question back. We know it. And, you know, I'll say this to President Trump, you want to investigate Joe Biden, you want to investigate Hunter Biden, go at it. Do it. Do it hard. Do it dirty. Do it the way you do do it. Just don't do it by asking a foreign leader to help you in your campaign. That is your job, it's not his.

My goal in these hearings is two things: One is to get an answer to Colonel Vindman's question; and the second coming out of this is for us, as a Congress, to return to the Ukraine policy that Nancy Pelosi and Kevin McCarthy both support, it's not investigations. It's the restoration of democracy in Ukraine, and the resistance of Russian aggression. I yield back.

The Chairman. Mr. Maloney.

Mr. Maloney. Thank you both for being here. You know, Lieutenant Colonel Vindman, this may be one of your first congressional hearings like this, so you may not --

Lieutenant Colonel Vindman. Hopefully, the last.

Mr. Maloney. I can't blame you for feeling that way, sir, particularly when I've been sitting here listening to my Republican colleagues. You know, one of the advantages of being down here at the kids' table is that you get to hear the folks above you ask their questions, and I've been listening closely to my Republican colleagues. And I've heard them say just about everything, except to contradict any of the substantive

testimony you've both given. You may have noticed, there's been a lot of complaints, and there's been a lot of insinuations, and there's been a lot of suggestions maybe that your service is somehow not to be trusted.

You know, you were treated to questions about your locality because of some half-baked job offer, I guess, the Ukrainian's made you, which you, of course, dutifully reported. I guess, Mr. Castor is implying maybe you got some dual loyalty, which is of course, an old smear we've heard many times in our history. They try to demean you as though maybe you've overstated your importance of your job, but of course, you were the guy on the National Security Council responsible for directing Ukrainian policy.

We've heard them air out some allegations with no basis in proof, but they just want to get them out there and hope maybe some of those strands of spaghetti will stick on the wall if they keep throwing them.

We even had a member of this committee question, this is my favorite, question why you would wear your dress uniform today, even though that dress uniform includes a badge, a breast plate that has a combat infantry badge on it and a Purple Heart Medal Ribbon. It seems like if anybody gets to wear the uniform, it's somebody who's got a breast plate with those commendations on it.

So let's do it again. Let's do the substance. Can we do that? Because we've had a lot of dust kicked up. Ms. Williams, you heard the call with your own ears, right?

Ms. Williams. Yes, sir.

Mr. Maloney. Not secondhand, not hearsay. You heard the President speak. You heard his voice on the call?

Ms. Williams. Correct.

Mr. Maloney. And your conclusion was what he said about investigating the Bidens was your words, unusual and inappropriate, I believe. Am I right?

Ms. Williams. That was my testimony.

Mr. Maloney. And, Mr. Vindman, you were treated to a July 10th meeting in the White House where you heard Ambassador Sondland raise investigations, conditioning a White House meeting on that, investigations that you thought were unduly political. I believe that's how you described them. And you went to the NSC counsel and you reported it, right?

Lieutenant Colonel Vindman. Correct.

Mr. Maloney. And then later you two were on the White House call, am I right? You heard it with your own ears?

Lieutenant Colonel Vindman. Correct.

Mr. Maloney. Not secondhand, not from somebody else, not hearsay, right?

Lieutenant Colonel Vindman. Correct.

Mr. Maloney. You heard the President's voice on the call.

Lieutenant Colonel Vindman. I did.

Mr. Maloney. And you heard him raise that subject again that Ambassador Sondland had raised before about investigating the Bidens, right?

Lieutenant Colonel Vindman. I did.

Mr. Maloney. And I want to ask you, when you heard him say that, what was the first thought that went through your mind?

Lieutenant Colonel Vindman. Frankly, I couldn't believe what I was hearing. It was probably an element of shock that maybe in certain regards, my worst fear of how our Ukraine policy could play out was playing out. And how this was likely to have significant implications for U.S. national security.

Mr. Maloney. And you went immediately and reported it, didn't you?

Lieutenant Colonel Vindman. I did.

Mr. Maloney. Why?

Lieutenant Colonel Vindman. Because that was my duty.

Mr. Maloney. Do you still have your opening statement handy?

Lieutenant Colonel Vindman. I do.

Mr. Maloney. Would you read the last paragraph for me again, not the very last one, the second to the last one. Would you read that one again for me because I think the American public needs to hear it again.

Lieutenant Colonel Vindman. Dad -- starting --

Mr. Maloney. That's the one.

Lieutenant Colonel Vindman. I think my dad would appreciate this one, too. Dad, my sitting here today in the U.S. Capitol talking to our elected officials is proof that you made the right decision 40 years ago to leave the Soviet Union and come here to the United States of America in search of a better life for our family. Do not worry, I'll be fine for telling the truth.

Mr. Maloney. You realized when you came forward, out of sense of duty, that you were putting yourself in direct opposition to the most powerful person in the world? Do you realize that, sir?

Lieutenant Colonel Vindman. I knew I was assuming a lot of risk.

Mr. Maloney. And I'm struck by that word -- that phrase, do not worry, you addressed to your dad. Was your dad a warrior?

Lieutenant Colonel Vindman. He did serve. It was a different military, though.

Mr. Maloney. And he would have worried if you were putting yourself up against the President of the United States. Is that right?

Lieutenant Colonel Vindman. He deeply worried about it because in his context there was -- there was the ultimate risk.

Mr. Maloney. And why do you have confidence that you can do that and tell your dad not to worry?

Lieutenant Colonel Vindman. Congressman, because this is America. This is the country that I've served and defended. That all of my brothers have served. And here right matters.

Mr. Maloney. Thank you, sir. Yield back.

[Applause].

RPTR BRYANT

EDTR HOFSTAD

[1:24 p.m.]

The Chairman. Mrs. Demings.

Mrs. Demings. Thank you, Mr. Chairman.

First of all, Ms. Williams, let me thank you for your service to our Nation. It truly matters.

Ms. Williams. Thank you.

Mrs. Demings. Lieutenant Colonel Vindman, I had the honor of speaking to a group of veterans this past weekend. And what I said to them was that no words -- no words are really adequate or sufficient to fully express our gratitude for their service to our Nation.

So, Lieutenant Colonel Vindman, today I say to you, there are no words that are sufficient to fully express our gratitude to you for what you have done for our Nation and, amazingly, what you are still willing to do for our Nation.

It is vitally important that the American people understand how President Trump's unethical demand that Ukraine deliver politically motivated investigations in exchange for military assistance created a security risk for our -- the United States of America -- national security.

The President was not just playing a political game by withholding military aid and meetings with Ukraine. Threatening the hundreds of millions of dollars of military assistance that Congress had appropriated has real-life consequences for Ukraine and for the USA.

In your deposition, Colonel Vindman, you testified, and I quote, "A strong and

independent Ukraine is critical to our security interests."

Could you please explain why a strong and independent Ukraine is so critical and why it is so vital to U.S. interests?

Lieutenant Colonel Vindman. We sometimes refer to Ukraine as a frontline state. It's on the front line of Europe. They have actually described to me, the Ukrainians, that it is a -- they consider themselves as a barrier between Russian aggression and Europe. And what I've heard them describe is the need for U.S. support in order to serve this role, in order to protect European and Western security.

Mrs. Demings. Lieutenant Colonel, this is not just a theoretical conflict between Ukraine and Russia. You've already said this morning that Russia is actively fighting to expand into Ukraine, that Ukraine is in a hot war with Russia right now. Is that correct?

Lieutenant Colonel Vindman. It's stable, but it's still a hot war.

Mrs. Demings. And isn't it true, Lieutenant Colonel, that even if the security assistance was eventually delivered to Ukraine, the fact that it was delayed, just that fact, could signal to Russia that the bond between Ukraine and the U.S. was weakening?

Lieutenant Colonel Vindman. That was the concern of myself and my colleagues.

Mrs. Demings. And was the risk of even the appearance that the U.S.-Ukraine bond is shaky is that it could embolden Russia to act with more aggression? Would you say that's correct?

Lieutenant Colonel Vindman. I believe that was my testimony.

Mrs. Demings. Just last month, during an interview, President Putin joked about interfering in our political elections. I can only guess that's what we have become to Russia and its President.

I think he felt emboldened by the President's reckless actions, both attempts to hold critical military aid from Ukraine and President Trump's effort to blame Ukraine, not

Russia, for election interference.

Ms. Williams and Lieutenant Colonel Vindman, I can only say that every American, regardless of our politics, should be critically concerned about that.

And let me just say this. Yes, we do trust the American people. But you know what? The American people trust us, as Members of Congress, to support, protect, and defend the Constitution of the United States against all enemies, foreign and domestic. And we intend to do just that.

Thank you again for your service.

Mr. Chairman, I yield back.

The Chairman. Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good afternoon, Lieutenant Colonel Vindman and Ms. Williams. Thank you for your service.

Lieutenant Colonel Vindman, I am concerned that your loyalty has been questioned not just because you are bringing forward evidence of wrongdoing against the President of the United States but because you're an immigrant.

Recently, FOX News host Brian Kilmeade said: He, meaning you, were born in the Soviet Union, emigrated with his family young. "He tends to feel sympatico with the Ukraine." I find this statement reprehensible because it appears that your immigrant heritage is being used against you.

Lieutenant Colonel, I came to this country when I was 3 months old. Your family fled the Soviet Union and moved to America when you were just 3-1/2 years old, right?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. And I understand that your father worked multiple jobs while also learning English, right?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. Your father stressed the importance of embracing what it means to be an American, correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Krishnamoorthi. All your childhood memories relate to being an American, correct?

Lieutenant Colonel Vindman. That is correct.

Mr. Krishnamoorthi. You and your family faced difficult times during your childhood, correct?

Lieutenant Colonel Vindman. Yes.

Mr. Krishnamoorthi. I can relate. That's my story too. But your father went on to become an engineer, right?

Lieutenant Colonel Vindman. He reestablished himself in his former profession in the United States.

Mr. Krishnamoorthi. I can relate. I got a B.S. in engineering. Of course, some people claim I practice the B.S. part now.

You father never gave up working hard to build his very own American Dream, did he?

Lieutenant Colonel Vindman. He did not.

Mr. Krishnamoorthi. Well, Lieutenant Colonel Vindman, your father achieved the American Dream, and so did you and your family. From one immigrant American to another immigrant American, I want to say to you that you and your family represent the very best of America.

I assume that you are as proud to be an American as I am, correct?

Lieutenant Colonel Vindman. Yes, sir.

Mr. Krishnamoorthi. Sir, I want to turn your attention to Yuriy Lutsenko. You

called him a disruptive actor in your opening statement, correct?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. Mr. Lutsenko, the former Prosecutor General in Ukraine, has made various claims about various Americans, right?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. You are unaware of any factual basis for his accusations against Ambassador Yovanovitch, right?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. He also was a source for an article by John Solomon in The Hill, right?

Lieutenant Colonel Vindman. That is correct.

Mr. Krishnamoorthi. And you said that key elements of that article as well as his accusations are false, right?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. Lutsenko is not a credible source, correct?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. Sir, the other side claims that there was absolutely no pressure on this July 25th phone call. I think that's what we heard earlier, right?

Lieutenant Colonel Vindman. I believe so.

Mr. Krishnamoorthi. And you have termed what President Trump asked in terms of investigations on that phone call as a demand, correct?

Lieutenant Colonel Vindman. Correct.

Mr. Krishnamoorthi. And you've pointed out the large power disparity between President Trump on the one hand and President Zelensky on the other, correct?

Lieutenant Colonel Vindman. Yes.

Mr. Krishnamoorthi. There was pressure on that phone call, right?

Lieutenant Colonel Vindman. The Ukrainians needed the meeting. The Ukrainians, subsequently, when they found out about it, needed the security assistance.

Mr. Krishnamoorthi. So pressure was brought to bear on them, correct?

Lieutenant Colonel Vindman. I believe so.

Mr. Krishnamoorthi. Sir, Colonel Vindman, last week, we heard a decorated military veteran, namely Ambassador Bill Taylor, come before us. You interacted regularly with Ambassador Taylor, and you know him to be a man of integrity. And he's a patriotic American. Isn't that right?

Lieutenant Colonel Vindman. He's a superb individual.

Mr. Krishnamoorthi. I asked Ambassador Taylor a series of questions based on his experience as an infantry commander. I asked him, quote, "Is an officer allowed to hold up action, placing his troops at risk, until someone provides them a personal benefit?" Ambassador Taylor responded, "No, sir."

Colonel Vindman, do you agree with Ambassador Taylor?

Lieutenant Colonel Vindman. I do.

Mr. Krishnamoorthi. I then asked Ambassador Taylor, quote, "Is that because they would be betraying their responsibility to the Nation?" Ambassador Taylor responded, "Yes, sir."

Colonel Vindman, do you agree with Ambassador Taylor?

Lieutenant Colonel Vindman. I do.

Mr. Krishnamoorthi. I then asked Ambassador Taylor, quote, "Could that type of conduct trigger a court martial?" Ambassador Taylor said, "Yes, sir."

Do you agree with Ambassador Taylor, Colonel Vindman?

Lieutenant Colonel Vindman. I do.

Mr. Krishnamoorthi. Thank you for your service.

The Chairman. That concludes the member questioning.

Representative Nunes, you are recognized for any concluding remarks.

Mr. Nunes. Well, act one of today's circus is over. For those of you who have been watching it at home, the Democrats are no closer to impeachment than where they were 3 years ago. In the process, they've -- the Department of Justice, FBI, State Department, elements within the IC, the IC IG have all suffered long-term damage.

The Democrats can continue to put -- to poison the American people with this nonsense. We sat here all morning without any evidence for impeachment, which would be a very serious crime. High crime and misdemeanors, as it says in the Constitution. No such thing. Policy disagreements.

And the Democrats' failure to acknowledge their involvement in the 2016 election I would say it's astonishing, but that would be putting too little emphasis on their actions.

With that, I yield back the balance of my time.

The Chairman. I thank the gentleman.

I want to thank our witnesses today, Ms. Williams, Colonel Vindman, both of you, for your service to the country, for your testimony here today.

And I just want to address, briefly, some of the evidence you presented as well as others thus far in the impeachment inquiry.

First of all, I want to join my colleagues in thanking you, Colonel Vindman, for your military service.

And I should tell you that, notwithstanding all of the questions you got on why didn't you go talk to your supervisor, why didn't you go talk to Mr. Morrison, why did you go to the National Security lawyer, as if there's something wrong with going to the National Security lawyer, are you aware that we asked Mr. Morrison whether he went to

the National Security lawyer right after the call and that he did?

Lieutenant Colonel Vindman. I am.

The Chairman. And are you aware also that we asked him, well, if you had this problem with Colonel Vindman not going to you instead of the lawyer, naturally, you must have gone to your supervisor? And do you know what his answer was? He didn't go to his supervisor either. He went directly to the National Security Council lawyer.

So I hope my colleagues will give him the same hard time for not following his chain of command that he complained about with you, apparently.

The President may attack you and has. Others on right-wing TV might attack you, and they have. But I thought you should know -- and maybe you know already -- that this is what the former Chairman of the Joint Chiefs of Staff had to say about you, Colonel Vindman: "He is a professional, competent, patriotic, and loyal officer. He has made an extraordinary contribution to the security of our Nation in both peacetime and combat." I'm sure your dad is proud to hear that.

My colleagues have tried to make the argument here today -- and we have heard it before -- that the President was just interested in fighting corruption. That's our goal, fighting corruption in Ukraine, this terribly corrupt country.

The problem, of course, with that is there's no evidence of the President trying to fight corruption. The evidence all points in the other direction. The evidence points in the direction of the President inviting Ukraine to engage in the corrupt act of investigating a U.S. political opponent.

Ambassador Yovanovitch was known as a strong fighter of corruption, so what does the President do? He recalls her from her post. Ambassador Yovanovitch, in fact, was at a meeting celebrating other anticorruption fighters, including a woman who had acid thrown in her face, on the day she was told to get on the next plane back to

Washington.

You prepared talking points for the President's first conversation with Zelensky. He's supposed to talk about rooting out corruption. If this President had such a deep interest in rooting out corruption in Ukraine, surely he would have brought it up in the call. But, of course, we now know that he did not.

We then see Rudy Giuliani not fighting corruption but asking for an investigation of the Bidens. And my colleagues say, well, maybe he was acting on his own; even though he says he's acting as the President's lawyer, maybe he was really acting on his own. But the two investigations that Rudy Giuliani wanted come up in the meeting you participate in on July 10th at the White House.

When Ambassador Sondland brings up the Bidens and Burisma and 2016, he tells the Ukrainians, if you want that meeting at the White House, you've got to do these investigations. Now, they would say Ambassador Sondland was acting on his own, but that doesn't quite work either because we have the call record from July 25th, which the President was forced to release, in which the President doesn't bring up corruption.

He doesn't say, "How are those anticorruption courts going?", or, "Great work in the Rada." Of course not. What does the President say? I want you to investigate the Bidens and this debunked conspiracy theory pushed by Vladimir Putin that also helps me in my reelection. So much for fighting corruption.

The message to Ukraine, the real message to Ukraine, our U.S. policy message is: Don't engage in political investigations. The message from the President, however, was the exact opposite: Do engage in political investigations, and do it for my reelection.

And it's also made clear, if they want the White House meeting and, ultimately, if they want 400 million in U.S. aid, this is what they have to do.

The only lament I hear from my colleagues is, it wasn't successful. They got

caught. They didn't get the political investigations and they still had to release the money. Now, they still haven't gotten the White House meeting, but they had to release the money. Because a whistleblower blew the whistle -- whistleblower the President wants to punish -- and because Congress announced it was doing investigations, and very soon thereafter the President was forced to lift the hold on the aid.

They argue, well, this makes it okay, that it was a failed effort to bribe Ukraine, a failed effort to extort Ukraine. That doesn't make it better. It's no less odious because it was discovered and it was stopped.

And we have courageous people like yourself who come forward, who report things, who do what they should do, who have a sense, as you put it, Colonel, of duty -- of duty -- not to the person of the President, but to the Presidency and to the country. And we thank you for that.

At the end of the day, I think this all comes back to something we heard from another career Foreign Service officer just last Friday in a conversation he overheard with the President in a restaurant in Ukraine, in which the President, not Rudy Giuliani, not anyone else, the President of the United States wanted to know, are they gonna do the investigations? This was the day after that July 25th call. Are they gonna do the investigations? And he's assured by Ambassador Sondland, they're gonna do it.

And what does Sondland relate to this Foreign Service officer after he hangs up that call? The President doesn't give a -- expletive -- about Ukraine. He only cares about the big things that help his personal interests.

That's all you need to know.

And it isn't just about Ukraine, of course. Ukraine is fighting our fight against the Russians, against their expansionism. That's our fight too. That's our fight too. At

least we thought so on a bipartisan basis. That's our fight too. That's why we support Ukraine with the military aid that we have. Well, the President may not care about it, but we do. We care about our defense, we care about the defense of our allies, and we darn well care about our Constitution.

We are adjourned.

[Whereupon, at 1:30 p.m., the committee was adjourned.]

## **Opening Statement of Lieutenant Colonel Alexander S. Vindman**

### **Before the House Permanent Select Committee on Intelligence**

**November 19, 2019**

Mr. Chairman and Ranking Member, thank you for the opportunity to address the House Permanent Select Committee on Intelligence with respect to the activities relating to Ukraine and my role in the events under investigation.

#### **Background**

I have dedicated my entire professional life to the United States of America.

For more than two decades, it has been my honor to serve as an officer in the United States Army. As an infantry officer, I served multiple overseas tours, including South Korea and Germany, and I was deployed to Iraq for combat operations.

Since 2008, I have been a Foreign Area Officer specializing in European and Eurasian politico-military affairs. I served in the United States embassies in Kiev, Ukraine and Moscow, Russia.

In Washington, D.C., I was a politico-military affairs officer for Russia for the Chairman of the Joint Chiefs of Staff where I drafted the Armed Forces' global campaign plan to counter Russian aggression and Russian malign influence. In July 2018, I was asked to serve at the White House's National Security Council.

At the NSC I am the principal advisor to the National Security Advisor and the President on Ukraine and the other countries in my portfolio. My role at the NSC is to develop, coordinate, and implement plans and policies to manage the full range of diplomatic, informational, military, and economic national security issues for the countries in my portfolio. My core function is to coordinate policy with departments and agencies partners.

The Committee has heard from many of my colleagues about the strategic importance of Ukraine as a bulwark against Russian aggression. It is important to note that our country's policy of supporting Ukrainian sovereignty and territorial integrity, promoting Ukrainian prosperity, and strengthening a free and democratic Ukraine, as a counter to Russian aggression, has been a consistent, bi-partisan foreign policy objective and strategy across various administrations, both Democrat

and Republican, and that President Zelenskyy's election, in April 2019, created an unprecedented opportunity to realize our strategic objectives.

### **Relevant Events**

In the Spring of 2019, I became aware of two disruptive actors—primarily Ukraine's then-Prosecutor General Yuri Lutsenko and former Mayor Rudolph Giuliani, President Trump's personal attorney—promoting false information that undermined the United States' Ukraine policy. The NSC and its inter-agency partners, including the State Department, grew increasingly concerned about the impact that such information was having on our country's ability to achieve our national security objectives.

#### **April 21, 2019: President Trump Calls Ukraine President Zelenskyy**

On April 21, 2019, Volodymyr Zelenskyy was elected President of Ukraine in a landslide victory on a unity, reform, and anti-corruption platform. President Trump called President Zelenskyy on April 21, 2019, to congratulate him for his victory. I was the staff officer who produced the call materials and was one of the staff officers who listened to the call. The call was positive and President Trump expressed his desire to work with President Zelenskyy and extended an invitation to visit the White House.

#### **May 2019: Inauguration Delegation Goes to Ukraine**

In May, I attended the inauguration of President Zelenskyy as part of the Presidential delegation led by Secretary Perry. Following the visit, the members of the delegation provided President Trump a debriefing offering a positive assessment of President Zelenskyy and his team. After this debriefing, President Trump signed a congratulatory letter to President Zelenskyy and extended an invitation to visit the White House.

#### **July 10, 2019: Danylyuk Visit**

On July 10, 2019, Oleksandr Danylyuk, then Ukraine's National Security Advisor, visited Washington, D.C. for a meeting with National Security Advisor Bolton. Ambassadors Volker and Sondland and Secretary Rick Perry also attended the meeting. I attended the meeting with Dr. Hill.

We fully anticipated the Ukrainians would raise the issue of a meeting between the two presidents. Ambassador Bolton cut the meeting short when Ambassador Sondland started to speak about the requirement that Ukraine deliver specific investigations in order to secure the meeting with President Trump.

Following this meeting, there was a short debriefing during which Amb. Sondland emphasized the importance of Ukraine delivering the investigations into the 2016 election, the Bidens, and Burisma. I stated to Ambassador Sondland that this was inappropriate and had nothing to do with national security. Dr. Hill also asserted his comments were improper. Following the meeting Dr. Hill and I had agreed to report the incident to the NSC's lead counsel, Mr. John Eisenberg.

### **July 25, 2019: Parliamentary Election Call**

On July 21, 2019, President Zelenskyy's party won parliamentary elections in another landslide victory. The NSC proposed that President Trump call President Zelenskyy to congratulate him.

On July 25, 2019, the call occurred. I listened in on the call in the Situation Room with White House colleagues.

I was concerned by the call, what I heard was improper, and I reported my concerns to Mr. Eisenberg. It is improper for the President of the United States to demand a foreign government investigate a U.S. citizen and political opponent. It was also clear that if Ukraine pursued an investigation into the 2016 election, the Bidens, and Burisma, it would be interpreted as a partisan play. This would undoubtedly result in Ukraine losing bipartisan support, undermine U.S. national security, and advance Russia's strategic objectives in the region.

I want to emphasize to the Committee that when I reported my concerns -- on July 10, relating to Ambassador Sondland, and on July 25, relating to the President -- I did so out of a sense of duty. I privately reported my concerns, in official channels, to the proper authorities in the chain of command. My intent was to raise these concerns because they had significant national security implications for our country.

I never thought I would be sitting here testifying in front of this committee and the American public, about my actions. When I reported my concerns, my only thought was to act properly and to carry out duty. Following each of my reports to Mr. Eisenberg, I immediately returned to work to advance the President's and our

country's foreign policy objectives. I focused on what I have done throughout my career, promoting America's national security interests.

## **Conclusion**

I want to take a moment to recognize the courage of my colleagues who have appeared and are scheduled to appear before this Committee. I want to state that the vile character attacks on these distinguished and honorable public servants is reprehensible. It is natural to disagree and engage in spirited debate, this has been our custom since the time of our Founding Fathers, but we are better than callow and cowardly attacks.

The uniform I wear today is that of the United States Army. The members of our all-volunteer force are made up of a patchwork of people from all ethnicities, religions, and socio-economic backgrounds who come together under a common oath to protect and defend the Constitution of the United States of America. We do not serve any particular political party, we serve the nation. I am humbled to come before you today as one of many who serve in the most distinguished and able military in the world. The Army is the only profession I have ever known. As a young man I decided that I wanted to spend my life serving the nation that gave my family refuge from authoritarian oppression, and for the last twenty years it has been an honor to represent and protect this great country.

Next month will mark 40 years since my family arrived in the United States as refugees. When my father was 47 years old he left behind his entire life and the only home he had ever known to start over in the United States so that his three sons could have better, safer lives. His courageous decision inspired a deep sense of gratitude in my brothers and myself and instilled in us a sense of duty and service. All three of us have served or are currently serving in the military. Our collective military service is a special part of our family's story in America.

I also recognize that my simple act of appearing here today, just like the courage of my colleagues who have also truthfully testified before this Committee, would not be tolerated in many places around the world. In Russia, my act of expressing my concerns to the chain of command in an official and private channel would have severe personal and professional repercussions and offering public testimony involving the President would surely cost me my life. I am grateful for my father's brave act of hope 40 years ago and for the privilege of being an American citizen and public servant, where I can live free of fear for mine and my family's safety.

Dad, my sitting here today, in the US Capitol talking to our elected officials is proof that you made the right decision forty years ago to leave the Soviet Union and come here to the United States of America in search of a better life for our family. Do not worry, I will be fine for telling the truth.

Thank you again for your consideration, and I would be happy to answer your questions.



**Opening Statement before the House Permanent Select Committee on Intelligence**

Jennifer Williams  
Special Advisor to the Vice President

November 19, 2019

Thank you, Chairman Schiff, Ranking Member Nunes, and other Members of the Committee for the opportunity to provide this statement. I appear today pursuant to a subpoena and am prepared to answer your questions to the best of my abilities.

I have had the privilege of serving as a Foreign Service Officer for nearly fourteen years, working for three different presidential administrations—two Republican and one Democratic. I joined the State Department in 2006 after serving in the Department of Homeland Security under Secretary Michael Chertoff. It was with great pride and conviction that I swore an oath to uphold and defend the Constitution, administered by a personal hero of mine, former Secretary of State Condoleezza Rice. As a career officer, I am committed to serving the American people and advancing American interests abroad, in support of the President's foreign policy objectives. I have been inspired and encouraged in that journey by the thousands of other dedicated public servants whom I am proud to call colleagues across the Foreign Service, civil service, military, and federal law enforcement agencies.

I have served overseas tours in Kingston, Jamaica; Beirut, Lebanon; and London, United Kingdom. I have worked to implement humanitarian assistance programs to millions of victims of the Syria conflict, and served as an advisor on Middle East issues to the Deputy Secretary of State. And this spring, it was the greatest honor of my career to be asked to serve as a Special Advisor to the Vice President for Europe and Russia. Over the past eight months, I have been privileged to work with the dedicated and capable men and women in the Office of the Vice President to advance the Administration's agenda. I have also worked closely with talented and committed colleagues at the National Security Council ("NSC"), State Department, Department of Defense, and other agencies to advance and promote U.S. foreign policy objectives. In this capacity, I have advised and prepared the Vice President for engagements related to Ukraine.

As you are aware, on November 7th, I appeared before the Committee for a closed-door deposition pursuant to a subpoena. I would like to take this opportunity to briefly summarize my recollection of some of the events I expect the Committee may ask me about.

*President Zelensky's Inauguration*

On April 21st, Volodymyr Zelensky won the Ukrainian presidential election. On April 23rd, the Vice President called to congratulate President-elect Zelensky. During the call, which I participated in, the Vice President accepted an invitation to attend President-elect Zelensky's upcoming inauguration, provided that the scheduling worked out. The Vice President had only a narrow window of availability at the end of May, and the Ukrainian parliament would not meet to set a date for the inauguration until after May 14th. As a result, we did not expect to know whether the Vice President could attend until May 14th at the earliest, and we made only preliminary trip preparations in early May. On May 13th, an assistant to the Vice President's Chief of Staff called and informed me that President Trump had decided that the Vice President would not attend the inauguration in Ukraine. She did not provide any further explanation. I

relayed that instruction to others involved in planning the potential trip. I also informed the NSC that the Vice President would not be attending, so that it could identify a head of delegation to represent the United States at President-elect Zelensky's inauguration.

*Hold on Ukraine Security Assistance*

On July 3rd, I learned that the Office of Management and Budget ("OMB") had placed a hold on a tranche of security assistance designated for Ukraine. According to the information I received, OMB was reviewing whether the funding was aligned with the Administration's priorities.

I subsequently attended meetings of the Policy Coordination Committee where the hold on Ukrainian security assistance was discussed. During those meetings, representatives of the State and Defense Departments advocated that the hold should be lifted, and OMB representatives reported that the White House Chief of Staff had directed that the hold should remain in place.

On September 11th, I learned that the hold on security assistance for Ukraine had been released. I have never learned what prompted that decision.

*July 25th Call Between President Trump and President Zelensky*

On July 25th, along with several of my colleagues, I listened to a call between President Trump and President Zelensky—the content of which has since been publicly reported. Prior to July 25th, I had participated in roughly a dozen other presidential phone calls. During my closed-door deposition, Members of the Committee asked about my personal views and whether I had any concerns about the July 25th call. As I testified then, I found the July 25th phone call unusual because, in contrast to other presidential calls I had observed, it involved discussion of what appeared to be a domestic political matter.

After the July 25th call, I provided an update in the Vice President's daily briefing book indicating that President Trump had a call that day with President Zelensky. A hard copy of the memorandum transcribing the call was also included in the book. I do not know whether the Vice President reviewed my update or the transcript. I did not discuss the July 25th call with the Vice President or any of my colleagues in the Office of the Vice President or the NSC.

*September 1 Meeting Between the Vice President and President Zelensky*

On August 29th, I learned that the Vice President would be traveling to Poland to meet with President Zelensky on September 1st. At the September 1st meeting, which I attended, President Zelensky asked the Vice President about news articles reporting a hold on U.S. security assistance for Ukraine. The Vice President responded that Ukraine had the United States' unwavering support and promised to relay their conversation to President Trump that night. During the September 1st meeting, neither the Vice President nor President Zelensky mentioned the specific investigations discussed during the July 25th call.

\* \* \*

Thank you again for the opportunity to provide this statement. I would be happy to answer any questions.



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IMPEACHMENT INQUIRY: AMBASSADOR KURT VOLKER AND TIMOTHY MORRISON

Tuesday, November 19, 2019

U.S. House of Representatives,

Permanent Select Committee on Intelligence,

Washington, D.C.

The committee met, pursuant to call, at 3:25 p.m., in Room 1100, Longworth House Office Building, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

The Chairman. The committee will come to order. Good afternoon. This is the fourth in a series of public hearings the committee will be holding as part of the House of Representatives impeachment inquiry.

Without objection, the chair is authorized to declare a recess of the committee at any time. There is a quorum present.

We will proceed today in the same fashion as our other hearings. I'll make an opening statement and then the ranking member will have an opportunity to make his opening statement, and we will turn to our witnesses for opening statements and then to questions.

With that, I now recognize myself to give an opening statement in the impeachment inquiry into Donald J. Trump, the 45th President of the United States.

This afternoon, we will hear from two witnesses requested by the minority, Ambassador Kurt Volker, the State Department special representative for Ukraine negotiations, and Tim Morrison, the senior -- former senior director for European affairs at the National Security Council. I appreciate the minority's request for these two important witnesses, as well as Under Secretary of State David Hale, from whom we will hear tomorrow.

As we have heard from other witnesses, when Joe Biden was considering whether to enter the race for the presidency in 2020, the President's personal lawyer, Rudy Giuliani, began a campaign to weaken Vice President Biden's candidacy by pushing Ukraine to investigate him and his son. To clear away any obstacle to the scheme, days after the new Ukrainian President was elected Trump ordered the recall of Marie Yovanovitch, the American ambassador in Kyiv, who was known for pushing anti-corruption efforts.

Trump also canceled Vice President Mike Pence's participation in the inauguration of President Zelensky on May 20, and instead, sent a delegation headed by Energy Secretary Rick Perry, Ambassador to the EU, Gordon Sondland, and Ambassador Kurt Volker.

These three returned from Kyiv and briefed President Trump on their encouraging first interactions with the new Ukrainian administration. Hopes that Trump would agree to an early meeting with the Ukrainian President were soon diminished, however, when Trump pushed back. According to Volker, he just didn't believe it. He was skeptical. And he also said, that's not what I hear. I hear, you know, he has got some terrible people around him.

President Trump also told them he believed that Ukraine tried to take him down. He told the Three Amigos, talk to Rudy. And they did. One of those interactions took place a week before the July 25th phone call between Trump and Zelensky when Ambassador Volker had breakfast with Rudy Giuliani at the Trump Hotel. Volker testified that he pushed back on Giuliani's accusation against Joe Biden.

On July 22, just days before Trump would talk to Zelensky, Ambassador Volker had a telephone conference with Giuliani and Andriy Yermak, a top adviser to the Ukrainian President, so that Giuliani could be introduced to Yermak.

On July 25, the same day as the call between President Trump and Zelensky, but before it took place, Ambassador Volker sent a text message to Yermak: Quote, Heard from the White House. Assuming President Z convinces Trump he will investigate/get to the bottom of what happened in 2016, we will nail down date for a visit to Washington. Good luck! Exclamation point.

Later that day, Donald Trump would have the now infamous phone call with Zelensky in which he responded to Ukraine's appreciation for U.S. defense support and a

request by President Zelensky to buy more Javelin antitank missiles by saying, I would like you to do us a favor, though. And the favor involved the two investigations that Guiliani had been pushing for into the Bidens and 2016.

Ambassador Volker was not on the call, but when asked about what it reflected, he testified, no President of the United States should ask a foreign leader to help interfere in a U.S. election.

Among those listening in on the July 25 call was Tim Morrison, who had taken over as the NSC's senior director for European affairs at the NSC only days before, but had been briefed by his predecessor, Fiona Hill, about the irregular second channel that was operating in parallel to the official one.

Lieutenant Colonel Vindman and Ms. Williams, from whom we heard this morning, like them, Morrison emerged from the call troubled. He was concerned enough about what he heard on the July 25 call that he went to see the NSC legal adviser soon after it had ended.

Colonel Vindman's fear was that the President had broken the law potentially, but Morrison said of his concern that -- his concern was that the call could be damaging if it were leaked. Soon after this discussion with lawyers at the NSC, the call record was hidden away on a secure server used to store highly classified intelligence, where it remained until late September when the call record was publicly released.

Following the July 25 call, Ambassador Volker worked with Sondland and the Ukrainian President's close adviser, Yermak, on a statement that would satisfy Guiliani. When Yermak sent over a draft that still failed to include the specific words "Burisma" and "2016," Guiliani said the statement would lack credibility. Ambassador Volker then added both "Burisma" and "2016" to the draft statement.

Both Volker and Morrison were, by late July, aware that the security assistance

had been cut off at the direction of the President and Acting White House Chief of Staff, Mick Mulvaney. As the Ukrainians became aware of the suspension of the security assistance and the negotiations over the scheduling of a White House meeting between Trump and Zelensky dragged on, the pressure increased and any pretense that there was no linkage soon dropped away.

Morrison accompanied Vice President Pence to Warsaw on September 1st, where Pence and Zelensky met, and Zelensky raised the suspended security assistance. Following that meeting, Sondland approached Yermak to tell him that he believed that what could help move the aid was if the Ukrainian prosecutor general would go to the mic and announce that he was opening the Burisma investigation.

On September 7, Ambassador Sondland had a telephone call with Trump and asked him what he wanted from Ukraine. According to Morrison, who spoke with Sondland after the call, Trump insisted that there was no quid pro quo, but President Zelensky must personally announce the opening of the investigations and he should want to do it.

Sondland also said that if President Zelensky didn't agree to make a public statement about the investigations, U.S. and Ukraine would be at a stalemate, meaning it would not receive the much-needed security assistance.

Morrison had a sinking feeling after the call, as he realized that the ask was now being directed at Zelensky himself, and not the prosecutor general as Sondland had relayed to his senior Ukrainian aide in Warsaw on September 1.

While President Trump claimed there was no quid pro quo, his insistence that Zelensky himself must publicly announce the investigations or they would be at a stalemate made clear that at least two official acts, White House meeting and \$400 million in military aid, were conditioned on receipt of what Trump wanted,

investigations to help his campaign.

The efforts to secure the investigations would continue for several more days, but appear to have abruptly ended soon after the three committees of Congress announced an investigation into the Trump-Guiliani-Ukraine scheme. Only then would the aid be released.

I now recognize Ranking Member Nunes for any remarks he would like to make.

Mr. Nunes. Welcome back to act two of today's circus, ladies and gentlemen. We are here to continue what the Democrats tell us is a serious, somber, and even prayerful process of attempting to overthrow a duly-elected President.

If they're successful, the end result would be to disenfranchise tens of millions of Americans who thought the President is chosen by the American people, not by 13 Democrat partisans on a committee that's supposed to be overseeing the government's intelligence agencies.

And isn't it strange how we've morphed into the impeachment committee, presiding over a matter that has no intelligence component whatsoever. Impeachment, of course, is the jurisdiction of the Judiciary Committee, not the Intelligence Committee.

But putting this farce in our court provides two main advantages for the Democrats: It made it easier for them to shroud their depositions in secrecy, and it allowed them to avoid giving too big of a role in this spectacle to another Democrat committee chairman, in whom the Democrat leaders obviously have no confidence.

Who can possibly view these proceedings as fair and impartial? They are being conducted by Democrats who spent 3 years saturating the airwaves with dire warnings that President Trump is a Russian agent. And these outlandish attacks continue to this very day.

Just this weekend, in front of a crowd of Democratic party activists, the chairman

of this committee denounced President Trump as a profound threat to our democracy and vowed that we will send that charlatan in the White House back to the golden throne he came from.

How can anyone believe that people who would utter such dramatic absurdities are conducting a fair impeachment process and are only trying to discover the truth? It's obvious the Democrats are trying to topple the President solely because they despise him, because they've promised since Election Day to impeach him, and because they're afraid he will win reelection next year.

No witnesses have identified any crime or impeachable offense committed by the President, but that doesn't matter. Last week, the Democrats told us his infraction was asking for a quid pro quo. This week, it's bribery. Who knows what ridiculous crime they'll be accusing him of next week?

As witnesses, the Democrats have called a parade of government officials who don't like President Trump's Ukraine policy, even though they acknowledge he provided Ukraine with lethal military aid after the Obama administration refused to do so.

They also resent his conduct of policy through channels outside their own authority and control. These actions, they argue, contradict the so-called interagency consensus. They don't seem to understand that the President alone is constitutionally vested with the authority to set the policy. The American people elect the President, not an interagency consensus.

And, of course, our previous witnesses had very new -- very little new information to share in these hearings. That's because these hearings are not designed to uncover new information. They're meant to showcase a hand-picked group of witnesses, who the Democrats determined through their secret audition process, will provide testimony most conducive and conducive to their accusations.

In fact, by the time any witness says anything here, people are actually hearing it for the third time. They heard it first through the Democrats' cherry-picked leaks to their media sympathizers during the secret depositions; and second, when the Democrats published those deposition transcripts in a highly staged manner.

Of course, there are no transcripts from crucial witnesses like Hunter Biden, who could testify about his well-paying job on the board of a corrupt Ukrainian company, or Alexandra Chalupa, who worked on an election meddling scheme with Ukrainian officials on behalf of the Democratic National Committee and the Clinton campaign. That's because the Democrats refused to let us hear from them.

As for evidence, we're left with -- what we're left with is the transcript of the Trump-Zelensky phone call, which the President made public. That means Americans can read for themselves an unremarkable conversation with President Zelensky, who repeatedly expressed satisfaction with the call afterward.

The Democrats, however, claim President Zelensky was being bribed, and therefore, he must be lying when he says the call was friendly and posed no problems.

There's some irony here. For weeks, we've heard the Democrats bemoan the damage President Trump supposedly caused to the U.S.-Ukrainian relations. But when the Ukrainian President contradicts their accusations, they publicly dismiss him as a liar. I may be wrong, but I'm fairly sure calling a friendly foreign President, newly elected, a liar, violates their so-called interagency consensus.

So, overall, the Democrats would have you believe President Zelensky was being blackmailed with a pause on lethal military aid that he didn't even know about, that President Trump did not mention to him, and that diplomats have testified they always assumed would be lifted, which it was, without the Ukrainians undertaking any of the actions they were supposedly being coerced into doing.

This process is not serious, it's not sober, and it is certainly not prayerful. It's an ambitious attack to deprive the American people of their right to elect a President the Democrats don't like. As I mentioned, the chairman of this committee claims that democracy is under threat. If that's true, it's not the President who poses the danger.

I yield back.

The Chairman. I thank the gentleman.

We are joined this afternoon by Ambassador Kurt Volker and Mr. Timothy Morrison. Ambassador Kurt Volker served in the U.S. Foreign Service for nearly 30 years, working on European and Eurasian political and security issues under five different presidential administrations. During the George W. Bush administration, he served as the Acting Director for European and Eurasian Affairs in the National Security Council, and later, as the Deputy Assistant Secretary of State for European and Eurasian affairs.

In 2008, President Bush appointed Ambassador Volker to the United States permanent representative to NATO, where he served until May 2009. In July 2017, Ambassador Volker was appointed to be the U.S. special representative for Ukraine negotiations serving in that position until he resigned in September.

It is a pleasure to welcome Mr. Morrison back to the legislative branch, where he served for almost two decades as a Republican staffer. He was a professional staff member for Representative Mark Kennedy of Minnesota, and Senator Jon Kyl of Arizona. Later, Mr. Morrison served as the longtime policy director for the Republican staff of the House Armed Services Committee.

In July 2018, Mr. Morrison joined the National Security Council as senior director for countering weapons of mass destruction. Following the departure of Dr. Fiona Hill in July 2019, Mr. Morrison assumed the position of senior director for Russia and Europe.

Two final points before the witnesses are sworn: First, witness depositions as part of this inquiry were unclassified in nature, and all open hearings will also be held at the unclassified level. Any information that may touch on classified information will be addressed separately.

Second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official testifying before Congress, including you or of any of your colleagues.

If you would both please rise and raise your right hand, I will begin by swearing you in. Do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Morrison. I do.

Ambassador Volker. I so swear.

The Chairman. Let the record show that the witnesses answered in the affirmative. Thank you, and please be seated. Microphones are sensitive, so please speak directly into them. Without objection, your written statements will also be made part of the record.

With that, Mr. Morrison, you are recognized for your opening statement, and immediately thereafter, Ambassador Volker, you're recognized for your opening statement.

Mr. Morrison. Chairman Schiff, Ranking Member Nunes, and members of the committee, I appear before you today under subpoena to answer your questions about my time as senior director for European Affairs at the White House and the National Security Council, as related to Ukraine and U.S. security sector assistance to that country.

I will provide you the most complete and accurate information I can, consistent with my obligations to protect classified and privileged information. Whether the

conduct that is the subject of this inquiry merits impeachment is a question for the U.S. House of Representatives. I appear here today only to provide factual information, based upon my knowledge and recollection of events.

I will not waste time restating the details of my opening statement from my deposition on October 31, 2019, which has recently been made public. However, I will highlight the following key points: First, as I previously stated, I do not know who the whistleblower is, nor do I intend to speculate as to who the individual may be.

Second, I have great respect for my former colleagues from the NSC and the rest of the interagency. I am not here today to question their character or integrity. My recollections and judgments are my own. Some of my colleagues' recollections of conversations and interactions may differ from mine, but I do not view those differences as the result of an untoward purpose.

Third, I continue to believe Ukraine is on the front lines of a strategic competition between the West and Vladimir Putin's revanchist Russia. Russia is a failing power, but it is still a dangerous one. The United States aids Ukraine and her people so that they can fight Russia over there, and we don't have to fight Russia here. Support for Ukraine's territorial integrity and sovereignty has been a bipartisan objective since Russia's military invasion in 2014. It must continue to be.

As I stated during my deposition, I feared at the time of the call on July 25 how its disclosure would play in Washington's political climate. My fears have been realized. I understand the gravity of these proceedings, but I beg you not to lose sight of the military conflict underway in eastern Ukraine today, the ongoing illegal occupation of Crimea, and the importance of reform of Ukraine's politics and economy. Every day that the focus of discussion involving Ukraine is centered on these proceedings instead of those matters is a day when we are not focused on the interest of Ukraine, the United States, and

Western-style liberalism share.

Finally, I concluded my act of service at the National Security Council the day after I last appeared before you. I left the NSC completely of my own volition. I felt no pressure to resign, nor have I feared any retaliation for my testimony. I made this career choice sometime before I decided to testify on October 31. I am prepared to answer your questions to the best of my ability and recollection.

The Chairman. Thank you.

[The statement of Mr. Morrison follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. Ambassador Volker.

Ambassador Volker. Thank you very much, Mr. Chairman, Ranking Member.

Thank you very much for the opportunity to provide this testimony today.

As you know, I was the first person to come forward to testify as part of this inquiry. I did so voluntarily, and likewise, voluntarily provided relevant documentation in my possession in order to be as cooperative, clear, and complete as possible.

I am here today voluntarily, and I remain committed to cooperating fully and truthfully with this committee. All I can do is provide the facts as I understood them at the time. I did this on October 3 in private, and I will do so again today.

Like many others who have testified in this inquiry, I'm a career foreign policy professional. I began my career as an intelligence analyst for Northern Europe for the Central Intelligence Agency in 1986 before joining the State Department in 1988. I served in diplomatic postings primarily focused on European political and security issues for over 20 years under Presidents Ronald Reagan, George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama.

My last three positions before leaving the senior Foreign Service in 2009 were as director for NATO and West European affairs at the National Security Council, Principal Deputy Assistant Secretary of State for European affairs at the State Department, and finally, as U.S. Ambassador to NATO.

In the spring of 2017, then-Secretary of State Tillerson asked if I would come back to government service as U.S. special representative for Ukraine negotiations. I did this on a part-time, voluntary basis with no salary paid by the U.S. taxpayer, simply because I believed it was important to serve our country in this way. I believed I could steer U.S. policy in the right direction.

For over 2 years, as U.S. special representative for Ukraine negotiations, my singular focus was advancing the foreign policy and national security interests of the United States. In particular, that meant pushing back on Russian aggression, and supporting the development of a strong, resilient, democratic, and prosperous Ukraine, one that overcomes a legacy of corruption, and becomes integrated into a wider, transatlantic community.

This is critically important for U.S. national security. If we could stop and reverse Russian aggression in Ukraine, we can prevent it elsewhere. If Ukraine, the cradle of Slavic civilization predating Moscow, succeeds as a freedom-loving, prosperous, and secure democracy, it gives us enormous hope that Russia may one day change providing a better life for Russian people and overcoming its current plague of authoritarianism, corruption, aggression toward neighbors, and threats to NATO and the United States. The stakes for the United States in a successful Ukraine could not be higher.

At no time was I aware of, or knowingly took part, in an effort to urge Ukraine to investigate former Vice President Biden. As you know from the extensive real-time documentation I have provided, Vice President Biden was not a topic of our discussions. I was not on the July 25 phone call between President Trump and President Zelensky. I was not made aware of any reference to Vice President Biden or his son by President Trump, until the transcript of that call was released on September 25, 2019.

From July 7, 2017, until September 27, 2019, I was the lead U.S. diplomat dealing with Russia's war on Ukraine. My role was not some irregular channel but the official channel. I reported directly to Secretaries of State Tillerson and Pompeo, kept the National Security Advisor and Secretary of Defense well-informed of my efforts, and worked closely with Ambassador Masha Yovanovitch, NSC Senior Director Hill and her successor Tim Morrison, then-Assistant Secretary Wess Mitchell and his successor Acting

Assistant Secretary Phil Reeker, Deputy Assistant Secretary George Kent, Deputy Assistant Secretary of Defense Laura Cooper, NSC Director Alex Vindman, and many, many others. I have known many of them for several years. It was a team effort.

When Ambassador Yovanovitch left Kyiv, I identified and recommended Bill Taylor to Secretary Pompeo, so we would still have a strong, seasoned professional on the ground.

For 2 years before the events at the heart of this investigation took place, I was the most senior U.S. diplomat visiting the conflict zone, meeting with victims of Russia's aggression, urging increased U.S. security assistance, including lethal defensive weapons; working with Ukrainian President Poroshenko, and then his successor President Zelensky and their teams; working with France and Germany and the so-called Normandy process; pressing for support from NATO, the EU, and OSCE; supporting the OSCE's special monitoring mission; and engaging in negotiations and other contacts with Russian officials.

At the time I took the position in the summer of 2017, there were major complicated questions swirling in public debate about the direction of U.S. policy toward Ukraine. Would the administration lift sanctions against Russia? Would it make some kind of grand bargain with Russia in which it would trade recognition of Russia's seizure of Ukrainian territory for some other deal in Syria or elsewhere?

Would the administration recognize Russia's claimed annexation of Crimea? Will this just become another frozen conflict? There were also a vast number of vacancies in key diplomatic positions, so no one was really representing the United States in the negotiating process about ending the war in Eastern Ukraine.

During over 2 years of my tenure as U.S. special representative, we fundamentally turned U.S. policy around. U.S. policy towards Ukraine was strong, consistent, and

enjoyed support across the administration, bipartisan support in Congress, and support among our allies and Ukraine.

We changed the language commonly used to describe Russia's aggression. I was the administration's most outspoken public figure highlighting Russia's invasion and occupation of parts of Ukraine, calling out Russia's responsibility to end the war.

I visited the war zone three times meeting with soldiers and civilians alike, always bringing media with me to try to raise the public visibility of Russia's aggression, and the humanitarian impact on the lives of the citizens of the Donbas. We coordinated closely with our European allies in Canada to maintain a united front against Russian aggression, and for Ukraine's democracy, reform, sovereignty, and territorial integrity.

Ukraine policy is perhaps the one area where the U.S. and its European allies had been in lockstep. This coordination helped to strengthen U.S. sanctions against Russia, and to maintain EU sanctions as well.

Along with others in the administration, I strongly advocated for lifting the ban on the sale of lethal defensive weapons -- or lethal defensive arms to Ukraine, advocated for increasing U.S. security assistance to Ukraine, and urged other countries to follow suit.

My team and I drafted the Pompeo declaration of July 25, 2018, in which the Secretary clearly and definitively laid out the U.S. policy of nonrecognition of Russia's claimed annexation of Crimea.

I engaged with our allies, with Ukraine, and with Russia in negotiations to implement the Minsk agreements holding a firm line on insisting on the withdrawal of Russian forces, dismantling of the so-called People's Republic, and restoring Ukrainian sovereignty and territorial integrity.

Together with others in the administration, we kept U.S. policy steady through presidential and parliamentary elections in Ukraine, and worked hard to strengthen the

U.S.-Ukraine bilateral relationship under the new President and government, helping shepherd in a peaceful transition of power in Ukraine.

So in short, whereas 2 years ago most observers would have said that time is on Russia's side, by 2019, when I departed, we had turned the tables, and time was now on Ukraine's side. It's a tragedy for the United States and for Ukraine that our efforts in this area, which were bearing fruit, have now been thrown into disarray.

One of the critical aspects of my role as U.S. special representative was that as the most senior official appointed to work solely on the Ukraine portfolio, I needed to step forward to provide leadership. If we needed to adopt a policy position, I made the case for it.

If we needed to -- if anyone needed to speak out publicly, I would do it. When we failed to get a timely statement about Russia's illegal attack on Ukraine's Navy and seize of Ukraine sailors, I tweeted about it in order to condemn the act. If a problem arose, I knew it was my job to try to fix it.

That was my perspective when I learned in May 2019 that we had a significant problem that was impeding our ability to strengthen our support for Ukraine's new President in his effort to ramp up Ukraine's fight against corruption and implementation of needed reforms. I found myself faced with a choice: to be aware of a problem and to ignore it, or to accept that it was my responsibility to try to fix it. I tried to fix it.

The problem was that despite the unanimous positive assessment and recommendations of those of us who were part of the U.S. presidential delegation that attended the inauguration of President Zelensky, President Trump was receiving a different negative narrative about Ukraine and President Zelensky. That narrative was fueled by accusations from Ukraine's then-prosecutor general, and conveyed to the President by former Mayor Rudy Giuliani.

As I previously told this committee, I became aware of the negative impact this was having on our policy efforts when four of us, who were part of the presidential delegation to the inauguration, met as a group with President Trump on May 23. We stressed our finding that President Zelensky represented the best chance for getting Ukraine out of the mire of corruption it had been in for over 20 years. We urged him to invite President Zelensky to the White House.

The President was very skeptical. Given Ukraine's history of corruption, that's understandable. He said that Ukraine was a corrupt country, full of terrible people. He said, "They tried to take me down." In the course of that conversation, he referenced conversations with Mayor Giuliani.

It was clear to me that despite the positive news and recommendations being conveyed by this official delegation about the new President, President Trump had a deeply rooted negative view on Ukraine rooted in the past. He was receiving other information from other sources, including Mayor Giuliani, that was more negative, causing him to retain this negative view.

Within a few days, on May 29, President Trump, indeed, signed the congratulatory letter to President Zelensky, which included an invitation to the President to visit him at the White House. However, more than 4 weeks passed, and we could not nail down a date for the meeting. I came to believe that the President's long-held negative view toward Ukraine was causing hesitation in actually scheduling the meeting, much as we had seen in our Oval Office discussion.

After weeks of reassuring the Ukrainians that it was just a scheduling issue, I decided to tell President Zelensky that we had a problem with the information reaching President Trump from Mayor Giuliani. I did so in a bilateral meeting at a conference on Ukrainian economic reform in Toronto on July 2, 2019, where I led the U.S. delegation.

I suggested that he call President Trump directly in order to renew their personal relationship and to assure President Trump that he was committed to investigating and fighting corruption, things on which President Zelensky had based his presidential campaign. I was convinced that getting the two Presidents to talk with each other would overcome the negative perception of Ukraine that President Trump still harbored.

President Zelensky's senior aide, Andriy Yermak, approached me several days later to ask to be connected to Mayor Guiliani. I agreed to make that connection. I did so because I understood that the new Ukrainian leadership wanted to convince those, like Mayor Guiliani, who believed such a negative narrative about Ukraine, that times have changed, and that under President Zelensky, Ukraine is worthy of U.S. support.

Ukrainians believe that if they could get their own narrative across in a way that convinced Mayor Guiliani that they were serious about fighting corruption and advancing reform, Mayor Guiliani would convey that assessment to President Trump, thus correcting the previous negative narrative. That made sense to me, and I tried to be helpful.

I made clear to the Ukrainians that Mayor Guiliani was a private citizen, the President's personal lawyer, and not representing the U.S. Government. Likewise, in my conversations with Mayor Guiliani, I never considered him to be speaking on the President's behalf, or giving instructions. Rather, the information flow was the other way, from Ukraine to Mayor Guiliani, in the hopes that this would clear up the information reaching President Trump.

On July 10, after hearing from Mr. Yermak, I wrote to Mayor Guiliani to seek to get together. And finally, on July 19, we met for breakfast for a longer discussion. At that meeting, I told Mr. Giuliani that in my view, the prosecutor general with whom he had been speaking, Mr. Lutsenko, was not credible, and was acting in a self-serving capacity.

To my surprise, Mayor Giuliani said that he had already come to that same conclusion.

Mr. Giuliani also mentioned both the accusations about Vice President Biden, and about interference in the 2016 election, and stressed that all he wanted to see was for Ukraine to investigate what happened in the past and apply its own laws.

Concerning the allegations, I stressed that no one in the new team governing Ukraine had anything to do with anything that may have happened in 2016. They were making television shows at the time. I also said that it's not credible to me that former Vice President Biden would have been influenced in any way by financial or personal motives in carrying out his duties as Vice President.

A different issue is whether some individual Ukrainians may have attempted to influence the 2016 election, or thought they could buy influence. That is, at least, plausible given Ukraine's reputation for corruption, but the accusation that Vice President Biden acted inappropriately did not seem at all credible to me.

After that meeting, I connected Mayor Giuliani and Mr. Yermak by text and later by phone. They met in person on August 2, 2019. In conversations with me following that meeting, which I did not attend, Mr. Giuliani said that he had stressed the importance of Ukraine conducting investigations into what happened in the past, and Mr. Yermak stressed that he told Mr. Giuliani it is the government's program to root out corruption and implement reforms, and they would be conducting investigations as part of this process anyway.

Mr. Giuliani said he believed the Ukrainian President needed to make a statement about fighting corruption, and that he had discussed this with Mr. Yermak. I said I did not think that this would be a problem, since that is the government's position anyway.

I followed up with Mr. Yermak, and he said that they would, indeed, be prepared to make a statement. He said it would reference Burisma and 2016 in a wider context of

bilateral relations and rooting out corruption anyway. There was no mention of Vice President Biden. Rather, in referencing Burisma and 2016 election interference, it was clear to me that he, Mr. Yermak, was only talking about whether any Ukrainians had acted inappropriately.

At this time, I was focused on our goal of getting President Zelensky and President Trump to meet with each other, and I believed that their doing so would overcome the chronically negative view President Trump had toward Ukraine. I was seeking to solve the problem I saw when we met with President Trump in the Oval Office on May 23.

As a professional diplomat, I was comfortable exploring whether there was a statement Ukraine could make about its own intentions to investigate possible corruption that would be helpful in convincing Mr. Giuliani to convey to President Trump a more positive assessment of the new leadership in Ukraine.

On August 16, Mr. Yermak shared a draft with me, which I thought looked perfectly reasonable. It did not mention Burisma or 2016 elections, but was generic. Ambassador Sondland and I had a further conversation with Mr. Giuliani who said that in his view, in order to be convincing that this government represented real change in Ukraine, the statement should include specific reference to Burisma and 2016. Again, there was no mention of Vice President Biden in these conversations.

Ambassador Sondland and I discussed these points, and I edited the statement drafted by Mr. Yermak to include these points to see how it looked. I then discussed it further with Mr. Yermak. He said that for a number of reasons, including the fact that Mr. Lutsenko was still officially the prosecutor general, they did not want to mention Burisma or 2016. I agreed and the idea of putting out a statement was shelved.

These were the last conversations I had about this statement, which were on or

about August 17 to 18. My last contact with Mr. Giuliani, according to my records, was on August 13 until he tried to reach me on September 20 after the impeachment inquiry was launched. At this time, that is to say, in the middle of August, I thought the idea of issuing this statement had been definitively scrapped.

In September, I was surprised to learn that there had been further discussions with the Ukrainians about President Zelensky possibly making a statement in an interview with U.S. media similar to what we had discussed in August. Since these events, and since I gave my testimony on October 3, a great deal of additional information and perspectives have come to light. I've learned many things that I did not know at the time of the events in question.

First, at the time I was connecting Mr. Yermak and Mr. Giuliani, and discussing with Mr. Yermak and Ambassador Sondland a possible statement that could be made by the Ukrainian President, I did not know of any linkage between the hold on security assistance and Ukraine pursuing investigations. No one had ever said that to me, and I never conveyed such a linkage to the Ukrainians.

I opposed the hold on U.S. security assistance as soon as I learned about it on July 18, and I thought we could turn it around before the Ukrainians ever knew, or became alarmed about it. I did not know the reason for the hold, but I viewed it as a U.S. policy problem that we needed to fix internally, and I was confident we would do so.

I believe the Ukrainians became aware of the hold on August 29 and not before. That date is the first time any of them asked me about the hold by forwarding an article that had been published in Politico.

When I spoke to the Ukrainians about the hold after August 29, instead of telling them that they needed to do something to get the hold released, I told them the opposite, that they should not be alarmed, it was an internal U.S. problem, and we were

working to get it fixed. I did not know others were conveying a different message to them around the same time.

Second, I did not know about the strong concerns expressed by then-National Security Advisor John Bolton to members of his NSC staff regarding the discussion of investigations. I participated in the July 10 meeting between National Security Advisor Bolton, and then-Ukrainian Chairman of the National Security and Defense Council, Alex Danylyuk.

As I remember, the meeting was essentially over when Ambassador Sondland made a general comment about investigations. I think all of us thought it was inappropriate. The conversation did not continue, and the meeting concluded. Later on in the Ward Room, I may have been engaged in a side conversation, or had already left the complex, because I do not recall further discussion regarding investigations or Burisma.

Third, I did not understand that others believed that any investigation of the Ukrainian company Burisma, which had a history of accusations of corruption, was tantamount to investigating Vice President Biden. I drew a sharp distinction between the two. It has long been U.S. policy under multiple administrations, to urge Ukraine to investigate and fight internal corruption.

I was quite comfortable with Ukraine making its own statement about its own policy of investigating and fighting corruption at home. At the one in-person meeting I had with Mayor Giuliani on July 19, Mayor Giuliani raised, and I rejected, the conspiracy theory that Vice President Biden would have been influenced in his duties as Vice President by money paid to his son. As I previously testified, I have known Vice President Biden for 24 years. He is an honorable man, and I hold him in the highest regard.

At no time was I aware of, or knowingly took part in an effort to urge Ukraine to investigate former Vice President Biden. And as you know from the extensive documentation I've provided, Vice President Biden was not a topic of discussion. I was not on the July 25 phone call between President Trump and President Zelensky, and I was not made aware of any reference to Vice President Biden, or his son by President Trump, until the transcript of that call was released on September 25, 2019.

Throughout this time, I understood that there was an important distinction between Burisma and Biden, and I urged the Ukrainians to maintain such a distinction. I did not know that President Trump or others had raised Vice President Biden with the Ukrainians or had conflated the investigation of possible Ukrainian corruption with investigations of former Vice President. In retrospect, for the Ukrainians, it would clearly have been confusing.

In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them as very different, the former being appropriate and unremarkable, the latter being unacceptable. In retrospect, I should have seen that connection differently, and had I done so, I would have raised my own objections.

Fourth, much has been made of the term "Three Amigos" in reference to Secretary Perry, Ambassador Sondland, and myself. I've never used that term and frankly cringe when I hear it, because for me, the Three Amigos will always refer to Senator McCain, Senator Lieberman, and Senator Graham in reference to their work to support the surge in Iraq.

Moreover, I was never aware of any designation by President Trump, or anyone else putting Ambassador Sondland or the three of us as a group in charge of Ukraine policy. Rather, as I understood it, each of us in our own respective official capacities,

continued to work together after our attendance of President Zelensky's inauguration, to push for greater U.S. support for Ukraine. Leading the diplomacy around Ukraine negotiations had long been my official responsibility, but I welcomed the added support and influence of a cabinet member and our EU ambassador.

Fifth, I was not aware that Ambassador Sondland spoke with President Trump on July 26, while Ambassador Taylor and I were visiting the conflict zone.

Mr. Chairman, members of the committee, allow me to thank you again for the opportunity to provide this testimony. I believe that U.S. foreign policy and national security interests in Ukraine are of critical importance, and I would be pleased to answer your questions. Thank you.

[The statement of Ambassador Volker follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. I thank you, gentlemen, for your opening statements. We will now proceed to the first round of questions. As detailed in the memo provided to committee members, there will be 45 minutes of questions conducted by the chairman or majority counsel followed by 45 minutes for the ranking member or minority counsel. Following that, unless I specify additional equal time for extended questioning, we'll proceed under the 5-minute rule and every member will have a chance to ask questions.

I now recognize myself or counsel for the first round of questions.

Ambassador Volker, I was going to just yield to the minority counsel, but there are a couple points that you made in your opening statement that I wanted to ask about first. First, you said that now former Attorney General Lutsenko was not credible. Mr. Lutsenko is the author of a number of allegations against Ambassador Yovanovitch, a number of allegations that were shared with John Solomon of The Hill, a number of allegations that have been repeatedly brought up by my Republican colleagues. Why is it that you found Mr. Lutsenko not credible and told Mr. Giuliani so?

Ambassador Volker. Thank you, Mr. Chairman.

First off, the allegations themselves, including those against Ambassador Yovanovitch, did not appear to me to be credible at all. I know her to be an incredibly confident professional, someone I've worked with for many, many years. The suggestions that she was acting in some inappropriate manner were not credible to me. I've known Vice President Biden for a long time. Those accusations were not credible.

And then separate from that, I also was aware of the political situation in Ukraine. We had a situation where President Poroshenko appeared to not be in a favorable position going into the elections where it was increasingly apparent then-candidate Zelensky was going to win.

As is often the case in Ukraine, a change in power would mean change in prosecutorial powers as well, and there have been efforts in the past at prosecuting the previous government.

I think Mr. Lutsenko, in my estimation, and I said this to Mayor Giuliani when I met with him, was interested in preserving his own position. He wanted to avoid being fired by a new government in order to prevent prosecution of himself, possible prosecution of himself. Possibly also this is something that President Poroshenko would have welcomed as well, because he probably would have avoided any efforts to prosecute President Poroshenko as well.

So, by making allegations like this, and making sure they were reaching U.S. media, I think that Mr. Lutsenko was trying to make himself appear to be an important and influential player in the United States.

The Chairman. Ambassador, let me also ask you about the allegations against Joe Biden, because that has been a continuing refrain from some of my colleagues as well. Why was it you found the allegations against Joe Biden related to his son or Burisma not to be believed?

Ambassador Volker. Simply because I've known former Vice President Biden for a long time. I know how he respects his duties of higher office. And it's just not credible to me that a Vice President of the United States is going to do anything other than act as how he sees best for the national interest.

The Chairman. And finally, Ambassador, before I turn it over, I was struck by something you said on page 8 of your statement which reads, "In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them as different, the former being appropriate and unremarkable, the latter being

unacceptable. In retrospect, you said, I should have seen that connection differently, and had I done so, I would have raised my own objections."

What is it now, Ambassador, in retrospect, that you recognize that you didn't at the time, that leads you to conclude that you would or should have raised these objections?

Ambassador Volker. Yeah. That others did not see the distinction between these things as I saw it. As I said, there is a history of corruption in Ukraine. There's a history with the company of Burisma that has been investigated. That is well-known. There is a separate allegation about the Vice President acting inappropriately. His son was a board member of this company, but those things I saw as completely distinct.

And what I was trying to do, in working with the Ukrainians, was to thread a needle to see were there things that they can do that are appropriate and reasonable as part of Ukraine's own policy of fighting corruption that help clarify for our President that they are committed to that very effort.

If there's a way to thread that needle, I thought it was worth the effort to try to solve that problem. As it turns out, I now understand that most of the other people didn't see or didn't consider this distinction, that for them it was synonymous.

The Chairman. Well, one of those people who saw it synonymous turns out to be the President of the United States. I take it, you didn't know until the call record was released that the President in that call doesn't raise Burisma, he asked for an investigation of the Bidens. Is that right?

Ambassador Volker. That is correct.

The Chairman. I take it, since you say that you acknowledge that asking for an investigation of the Bidens would have been unacceptable and objectionable, that had the President asked you to get Ukraine to investigate the Bidens, you would have told him

so?

Ambassador Volker. I would have objected to that, yes, sir.

The Chairman. Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman.

Just one follow-up on that, Ambassador Volker. When you say "thread the needle," you mean that you understood the relationship between Vice President Biden's son and Burisma, but you were trying to separate the two of them in your mind. Is that right?

Ambassador Volker. Well, I believe that they were separate, that -- and this references the conversation I had with Mr. Giuliani as well, where I think the allegations against Vice President Biden are self-serving and not credible.

A separate question is whether it is appropriate for Ukraine to investigate possible corruption of Ukrainians that may have tried to corrupt things or buy influence. To me, they are very different things, and as I said, I think the former is unacceptable. I think the latter, in this case, is --

Mr. Goldman. Understood. But understood the relationship between Hunter Biden and Burisma?

Ambassador Volker. I knew that he had been a board member of the company, yes.

Mr. Goldman. Let's go back --

Ambassador Volker. That's why it was so important to maintain the distinction.

Mr. Goldman. Let's focus on the July 25 call for a moment. And, Mr. Morrison, July 25 was day number what for you as the senior director overseeing Ukraine?

Mr. Morrison. I officially took over on the 15th, approximately 10 days, very few days actually in the office.

Mr. Goldman. You testified in your deposition that you received an email on the morning of July 25 from Ambassador Sondland shortly before the call. Is that right?

Mr. Morrison. Yes.

Mr. Goldman. And I believe in that email, Ambassador Sondland told you that he had briefed President Trump about -- in advance of the call. Is that right?

Mr. Morrison. Yes.

Mr. Goldman. And you also testified that Ambassador Sondland had told you on another occasion that he could call the President whenever he wanted. Is that right?

Mr. Morrison. Yes.

Mr. Goldman. And on July 25, did you, in fact, make an effort to confirm whether or not the phone call between Ambassador Sondland and President Trump actually occurred?

Mr. Morrison. I did.

Mr. Goldman. And did it happen?

Mr. Morrison. Yes.

Mr. Goldman. On other occasions, when Ambassador Sondland told you that he spoke with President Trump, did you -- on some other occasions, did you also seek confirmation of that fact?

Mr. Morrison. On some, yes.

Mr. Goldman. And on those occasions when you did seek to confirm that they had spoken, what did you find?

Mr. Morrison. They had.

Mr. Goldman. Now, I'm going to pull up a text message on the morning of July 25, between -- well, it should be another one. Oh, yeah. Sorry. Ambassador Sondland with you, Ambassador Volker. And at 7:54 in the morning, Ambassador

Sondland says, "call ASAP." Then at 9:35, Ambassador Volker, you respond.

Is the screen working in front of you or just to the side?

Ambassador Volker. Yeah.

Mr. Goldman. Yeah. So if you could go ahead and read what you said at 9:35.

Ambassador Volker. Yes. So I said, "Hi, Gordon. Got your message. Had a great lunch with Yermak and then passed your message to him. He will see you tomorrow. Think everything is in place."

Mr. Goldman. And who is Yermak?

Ambassador Volker. Andriy Yermak is the senior adviser to President Zelensky of Ukraine.

Mr. Goldman. Now, what was the message that you had received?

Ambassador Volker. That President Zelensky should be clear, convincing, forthright with President Trump about his commitment to fighting corruption, investigating what happened in the past, get to the bottom of things, whatever there is, and that if he does that, President Trump was prepared to be reassured that he would say, yes, come on, let's get this date for this visit scheduled.

Mr. Goldman. And did you understand from that message that Ambassador Sondland had spoken to President Trump?

Ambassador Volker. I wasn't sure whether he had or not. He, as Mr. Morrison just said, said that he does speak with President Trump. I knew that he had conversations in general. I didn't know specifically about one leading up to this.

Mr. Goldman. Now, on the screen in front of you is another text message from you that same morning --

Ambassador Volker. Yes.

Mr. Goldman. -- at 8:36 in the morning to Andriy Yermak.

Ambassador Volker. Yes. I believe because of the time difference this is actually in the afternoon in Ukraine.

Mr. Goldman. In Ukraine.

Ambassador Volker. Right.

Mr. Goldman. And so this is East Coast time, that's right.

Ambassador Volker. Right.

Mr. Goldman. So this is slightly less than a half-hour before the call between President Trump and President Zelensky?

Ambassador Volker. Right.

Mr. Goldman. Can you just read what you wrote there?

Ambassador Volker. Yes. And just after the lunch that I had with Andriy Yermak. "Good lunch. Thanks. Heard from White House. Assuming President Z convinces Trump he will investigate, get to the bottom of what happened in 2016, we will nail down date for visit to Washington. Good luck. See you tomorrow. Kurt."

Mr. Goldman. And does this accurately relay the message that you had received from Ambassador Sondland?

Ambassador Volker. Yes.

Mr. Goldman. Now, Mr. Morrison, did the National Security Council also prepare talking points for President Trump for this call?

Mr. Morrison. The NSC staff did, yes.

Mr. Goldman. And per usual custom, were these talking points based on the official United States policy objectives?

Mr. Morrison. They were.

Mr. Goldman. And since there has been a little bit of dispute about what that means, can you explain how official U.S. policy is determined through the interagency

process?

Mr. Morrison. We operate under what's known as NSPM 4, National Security Presidential Memorandum-4. It's available on the internet. That lays out how the President wants to be provided options for his decision.

Mr. Goldman. And there's an extensive process to finalize any policy. Is that right?

Mr. Morrison. Sometimes.

Mr. Goldman. Mr. Morrison, you listened to this call on the 25th. Is that right?

Mr. Morrison. I did.

Mr. Goldman. Where did you listen from?

Mr. Morrison. The White House Situation Room.

Mr. Goldman. In your deposition, you testified that the call was not what you were hoping to hear. What did you mean by that?

Mr. Morrison. I was hoping for a more full-throated statement of support from the President concerning President Zelensky's reform agenda given where we were at the time with respect to the overwhelming mandate President Zelensky's servant of the party people had received in the Rada election.

Mr. Goldman. And that Rada, which is the Ukrainian parliament, that election had occurred 4 days earlier?

Mr. Morrison. Sounds right.

Mr. Goldman. And President Zelensky's party won in a landslide. Is that right?

Mr. Morrison. They received more than a majority in their own right.

Mr. Goldman. So at least in Ukraine, there was tremendous support for Zelensky's anti-corruption agenda. Is that right?

Mr. Morrison. At the time.

Mr. Goldman. And within the interagency, within the National Security Agencies here in the United States, was there broad support for President Zelensky?

Mr. Morrison. There was broad support for giving President Zelensky a chance.

Mr. Goldman. And to that point, he had shown that he was -- he had at least put his money where his mouth was for the 3 months that he had been in office. Is that right?

Mr. Morrison. Approximately 3 months, yes.

Mr. Goldman. Now, I want to show a couple of excerpts from this call record to each of you. The first is President Trump responding to a comment by President Zelensky related to defense support from the United States and the purchase of Javelins.

And President Trump then says, "I would like you to do us a favor though, because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine. They say CrowdStrike. I guess you have one of your wealthy people, the server, they say Ukraine has it."

Now, if we could go to the next excerpt where President Trump says, "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that. So whatever you can do with the attorney general would be great. Biden went around bragging that he stopped the prosecution, so if you can look into it. It sounds horrible to me."

Now, Mr. Morrison, were these references to CrowdStrike, the server, and 2016 election, and to Vice President Biden and his son, were they included in the President's talking points?

Mr. Morrison. They were not.

Mr. Goldman. And were they consistent with what you understood at that time to be official U.S. policy?

Mr. Morrison. I was not aware of any -- of much of this at the time.

RPTR JOHNSON

EDTR SECKMAN

[4:22 p.m.]

Mr. Goldman. And, in fact, subsequent to this call, you did nothing to implement the investigations that President Trump -- implement the request for the investigations that President Trump asked for. Is that right?

Mr. Morrison. I did not understand any instruction to do so.

Mr. Goldman. And you were not aware of anyone else within your -- you coordinate the interagency process, and you were not aware of anyone else who was doing that either. Is that right?

Mr. Morrison. Correct.

Mr. Goldman. Now, you testified in your deposition that hearing this call confirms what you called the parallel process that your predecessor, Fiona Hill, had warned you about. What did you mean by that?

Mr. Morrison. During the period in which Dr. Hill and I were conducting handoff meetings so that I could be up to speed on the various things that were occurring in the portfolio at the time, she mentioned the traditional NSMP-4 process and the parallel process. And in the context of discussing the parallel process, she mentioned issues like Burisma, which were noteworthy to me at the time, because I had never heard of them before. And upon hearing them in the call, it wound up confirming, okay, there's something here.

Mr. Goldman. And who did she inform you was involved in this parallel process?

Mr. Morrison. As I recall, it was definitely Ambassador Sondland and, I believe, Mr. Giuliani.

Mr. Goldman. And after she informed you of this company Burisma, what, if

anything, did you do to determine what that was?

Mr. Morrison. After that particular handoff meeting, I proceeded to look it up on the internet. I googled it.

Mr. Goldman. And did you find that it had some association with Hunter Biden?

Mr. Morrison. Yes.

Mr. Goldman. Now, Ambassador Volker, you did not listen to this call, but you testified that you were surprised and troubled when you read the call record after it was released on September 25th. And you also said that after reading the call record, it was clear to you that the Biden-Burisma and the 2016 election investigations that President Trump discussed on the call were designed to serve the President's political interests, not the National interests. What did you mean when you said that?

Ambassador Volker. Sir, I don't recall that language from my testimony. It's from my October 3rd testimony?

Mr. Goldman. Yes, it was.

Ambassador Volker. Thank you.

Well, what I do mean by that -- and I'd like to phrase it my own words now -- is I don't think that raising 2016 elections or Vice President Biden or these things I consider to be conspiracy theories that have been circulated by the Ukrainians, particularly the former prosecutor general, are sort of -- they're not things that we should be pursuing as part of our National Security Strategy with Ukraine. We should be supporting Ukraine's democracy, reforms, its own fight against corruption domestically, its struggle against Russia, its defense capabilities. These are the heart of what we should be doing. And I don't think pursuing these things serves a National interest.

Mr. Goldman. Now, Mr. Morrison, shortly after you heard the July 25th call, you testified that you alerted the NSC legal advisor, John Eisenberg, pretty much right away.

Is that right?

Mr. Morrison. Correct.

Mr. Goldman. And you indicated in your opening statement, or at least from your deposition, that you went to Mr. Eisenberg out of concern over the potential political fallout if the call record became public and not because you thought it was illegal. Is that right?

Mr. Morrison. Correct.

Mr. Goldman. But you would agree, right, that asking a foreign government to investigate a domestic political rival is inappropriate. Would you not?

Mr. Morrison. It's not what we recommended the President discuss.

Mr. Goldman. Now, in a second meeting with Mr. Eisenberg, what did you recommend that he do to prevent the call record from leaking?

Mr. Morrison. I recommended we restrict access to the package.

Mr. Goldman. Had you ever asked the NSC legal advisor to restrict access before?

Mr. Morrison. No.

Mr. Goldman. Did you speak to your supervisor, Dr. Kupperman, before you went to speak to John Eisenberg?

Mr. Morrison. No.

Mr. Goldman. Did you subsequently learn that the call record had been put in a highly classified system?

Mr. Morrison. I did.

Mr. Goldman. And what reason did Mr. Eisenberg give you for why the call record was put in the highly classified system?

Mr. Morrison. It was a mistake.

Mr. Goldman. He said it was just a mistake?

Mr. Morrison. It was an administrative error.

Mr. Goldman. Now, isn't it also true, though, that you had authority to restrict access on the regular system if you wanted to?

Mr. Morrison. I believe I could have instructed the appropriate staff to do so, yes.

Mr. Goldman. So why did you go to the NSC legal advisor to recommend that?

Mr. Morrison. Well, I was also concerned that, based on the participants in the listening room that day, I did not then and I do not now recall any representatives from the NSC legal advisor's office, as they were often on head-of-state calls, but not always, and I wanted to make sure that John Eisenberg, as the legal advisor, and his deputy, were aware to review this particular transcript.

Mr. Goldman. And you wanted them to review it because you were concerned about the political -- potential political consequences, not because anything was wrong?

Mr. Morrison. Correct. The "political consequences" was an umbrella term I used in my statement to describe a series of effects I feared about what would happen if and when the content of the transcript or the content of the MEMCOM leaked.

Mr. Goldman. So just to make sure I understand this correctly, Mr. Morrison: You heard the call. You recognized that President Trump was not discussing the talking points that the NSC had prepared based on official U.S. policy and was instead talking about the investigations that Fiona Hill had warned you about, and then you reported it immediately to the NSC legal advisor? Is that the correct chain of events here?

Mr. Morrison. That's correct.

Mr. Goldman. Now, Ambassador Volker, in the July 25th call, President Zelensky volunteers to President Trump that Rudy Giuliani had already spoken with one of his

associates and that President Zelensky hopes Giuliani will come to Ukraine. But in response, President Trump proceeds to mention Mr. Giuliani on three separate occasions during this call.

You testified about a May 23rd meeting in the Oval Office where the President spoke quite negatively about Ukraine and how it would try to take him down and that he also repeated some of the allegations that Mr. Giuliani was making. Is that correct?

Ambassador Volker. Yes.

Mr. Goldman. Okay. And those allegations were in the media, were they not?

Ambassador Volker. Yes.

Mr. Goldman. And during that meeting, President Trump told you and Ambassador Sondland and Secretary Perry to talk to Giuliani. Isn't that correct?

Ambassador Volker. I didn't take it as an instruction. I want to be clear about that. He said: That's not what I hear.

You know, when we were giving him our assessment about President Zelensky and where Ukraine is headed: That's not what I hear. I hear terrible things. He's got terrible people around him. Talk to Rudy.

And I understood, in that context, him just saying that's where he hears it from. I didn't take it as an instruction.

Mr. Goldman. So when he said "talk to Rudy," you didn't take it for him to mean for you talk to Rudy?

Ambassador Volker. No, I didn't take it that way. I took it as just part of the dialogue, that I hear other things, I hear them from Rudy Giuliani and from other people. That's not what's going on. He's surrounded by terrible people. Talk to Rudy. It just seemed like part of the dialogue.

Mr. Goldman. Well, after that meeting, did you, in fact, talk to Rudy?

Ambassador Volker. After that meeting, not immediately, no. Remember, this was May 23rd. And we continued to proceed with our effort to get the White House visit for President Zelensky scheduled and to keep ramping up our support for the new Ukrainian President and ultimately the new Ukrainian Government.

I did, however, on July 2nd, as I was becoming concerned that we were not succeeding at this, tell President Zelensky, "I think we have a problem," and that problem being this negative feed of information from Mr. Giuliani.

Mr. Goldman. And, ultimately, I think, as you testified in your opening statement, you introduced Mr. Yermak to Mr. Giuliani, and they eventually met. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. Now, during this whole time in July and after the call into early August when they met, Ukraine still desperately wanted that Oval Office meeting for President Zelensky, correct?

Ambassador Volker. That is correct.

Mr. Goldman. And you also wanted that for President Zelensky. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. Why was that Oval Office meeting so important to President Zelensky?

Ambassador Volker. I think that he felt that he was not well understood by President Trump. He is a charismatic leader who ran a remarkable campaign in the Ukraine against the legacy of corruption and political malaise that had been there. He had a massive showing in the Presidential election, 73 percent support. He believed he was leading a movement of major change in the Ukraine and that President Trump did not see that or did not appreciate that, but if he had a chance to sit down and speak with

President Trump face-to-face, he believed that he could be very convincing about that. And I agree with him.

Mr. Goldman. That certainly was your assessment, right?

Ambassador Volker. It was my assessment, and I believe it was also what President Zelensky believed.

Mr. Goldman. And certainly you understood from your experience in Ukraine that there would be a significant boost in legitimacy at home for President Zelensky if there were photos of him in the Oval Office, et cetera, right?

Ambassador Volker. Yes, that is correct.

Mr. Goldman. Now, you testified in your opening statement that Mr. Giuliani and Mr. Yermak, Zelensky's aide, met on August 2nd. Where did they meet?

Ambassador Volker. They met in Madrid.

Mr. Goldman. And did you learn that Mr. Giuliani requested anything of the Ukrainians at that meeting?

Ambassador Volker. Only when I spoke with Mr. Giuliani afterwards. He said that he thought Ukraine should issue a statement. And then I spoke with Mr. Yermak after that, and he said: Yes, and we're prepared to make a statement.

And that then kicked off the series of discussions that I said in my testimony.

Mr. Goldman. We'll get into that in a second. But Mr. Giuliani did not explain to you what needed to be included in that statement, in that call he had?

Ambassador Volker. He said something more general, as I recall. I recall him saying "fight corruption," that -- their commitment to being different. Mr. Yermak told me when I spoke with him, as I recall, that the statement would include specific mention of Burisma and 2016.

Mr. Goldman. Right. Let's go through some of the text messages so we know

exactly who said what.

And, first, let's start on August 9th. This is a text exchange between you and Ambassador Sondland where Ambassador Sondland writes at the top: Morrison ready to get dates as soon as Yermak confirms.

And what did you respond?

Ambassador Volker. I said, "Excellent," with two explanations point; "how did you sway him," with a smile afterwards.

Mr. Goldman. Ambassador Sondland responded: Not sure I did. I think POTUS really wants the deliverable. And what did you say to that?

Ambassador Volker. "But how does he know that?"

Mr. Goldman. And Ambassador Sondland says, "Yep. Clearly lots of convos going on."

Now, Mr. Morrison, you're referenced in this text message. Had you discussed confirming a date for a White House visit for President Zelensky with Ambassador Sondland around this time?

Mr. Morrison. I likely would have.

Mr. Goldman. And did you have any discussions with him about a statement for -- that Ukraine was -- that they were trying to get Ukraine to make?

Mr. Morrison. I did not.

Mr. Goldman. Were you aware that -- do you yourself know what Ambassador Sondland meant by "the deliverable"?

Mr. Morrison. I did not at the time. I think I have an understanding now.

Mr. Goldman. And what is your understanding now?

Mr. Morrison. There seems to have been discussions about a statement, various drafts of which have been discussed in various proceedings.

Mr. Goldman. But this, to your knowledge, was part of that parallel process you were talking about?

Mr. Morrison. Yes.

Mr. Goldman. If we can now go to the next exhibit, which is another text exchange just a few minutes later between Ambassador Sondland and you, Ambassador Volker, where Ambassador Sondland says: To avoid misunderstandings, might be helpful to ask Andriy for a draft statement, embargoed, so that we can see exactly what they propose to cover. Even though Ze -- Zelensky -- does a live presser, they can still summarize in a brief statement. Thoughts?

And how did you respond?

Ambassador Volker. "Agree."

Mr. Goldman. And this relates to the statement that Mr. Giuliani wanted. Is that right, Ambassador Volker?

Ambassador Volker. It relates to the statement that he and Mr. Yermak had discussed.

Mr. Goldman. And, now, to the next day, on August 10th, there's another text exchange between you and Mr. Yermak, who is the same aide that Mr. Giuliani had met in Madrid. And if you could read what you wrote at the top at 5:02 p.m.

Ambassador Volker. Right. I wrote: I agree with your approach. Let's iron out statement and use that to get date, and then President Zelensky can go forward with it.

Mr. Goldman. And Mr. Yermak responds: Once we have a date, we will call for a press briefing announcing upcoming visit and outlining vision for the reboot of U.S.-Ukraine relationship, including, among other things, Burisma and election meddling and investigations.

And what did you respond?

Ambassador Volker. "Sounds great."

Mr. Goldman. Now, the date that he's referring to, that is the date for the White House visit?

Ambassador Volker. That's correct.

Mr. Goldman. Now, 2 days later, on August 12th, you receive another text message from Mr. Yermak which reads: Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, which in turn will prevent the recurrence of this problem in the future.

Now, Ambassador Volker, this was a draft, was it not, of the statement that you and Mr. Giuliani and Mr. Yermak and Ambassador Sondland had been discussing?

Ambassador Volker. This is the first draft of that from Mr. Yermak, after the conversations that we had.

Mr. Goldman. And it does not mention Burisma or the 2016 election interference, correct?

Ambassador Volker. It does not.

Mr. Goldman. And you testified in your deposition that you and Ambassador Sondland and Mayor Giuliani had a conversation about this draft after you received it. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. And Mr. Giuliani said that, if the statement did not include Burisma and 2016 election, it would not have any credibility. Is that right?

Ambassador Volker. That's correct.

Mr. Goldman. Now, this was the same Rudy Giuliani that President Trump was discussing in that May 23rd meeting and asked you to -- you and the others to talk to, correct?

Ambassador Volker. That is the same Mr. Giuliani.

Mr. Goldman. And even at that point, on May 23rd, you were aware of these investigations that he was publicly promoting, correct?

Ambassador Volker. I knew that he had adopted or was interested in all of those conspiracy theories that had come from Lutsenko.

Mr. Goldman. Back in May, you knew that?

Ambassador Volker. Back in May.

Mr. Goldman. Now, he was insisting on a public commitment from President Zelensky to do these investigations, correct?

Ambassador Volker. Well, now, what do we mean by "these investigations"?

Mr. Goldman. Burisma and the 2016 election.

Ambassador Volker. Burisma and 2016, yes.

Mr. Goldman. And at the time that you were engaged in coordinating for this statement, did you find it unusual that there was such an emphasis on a public statement from President Zelensky to carry out the investigations that the President was seeking?

Ambassador Volker. I didn't find it that unusual. I think when you're dealing with a situation where I believe the President was highly skeptical about President Zelensky being committed to really changing Ukraine after his entirely negative view of the country, that he would want to hear something more from President Zelensky to be convinced that, "Okay, I'll give this guy a chance."

Mr. Goldman. And perhaps he also wanted a public statement, because it would

lock President Zelensky in to do these investigations that he thought might benefit him?

Ambassador Volker. Well, again, when we say "these investigations," what I understood us to be talking about was Ukrainian corruption.

Mr. Goldman. Well, what we're talking about is Burisma and the 2016 election.

Ambassador Volker. Correct, yes.

Mr. Goldman. We can agree on that. And so, when we're talking about "these investigations," isn't it clear that a public statement would be important to Mr. Giuliani, because it was politically useful to the President?

Ambassador Volker. The way I saw it is that it would be helpful.

Mr. Goldman. Right.

Ambassador Volker. It would be a way of being convincing to Mayor Giuliani and also the President that this team in Ukraine is serious about fighting corruption, reform, that they are different. And if that would be helpful in getting a more positive attitude and the White House meeting scheduled, then that would be useful.

Mr. Goldman. And that would be helpful to get that White House meeting?

Ambassador Volker. Correct.

Mr. Goldman. In fact, it was a necessary condition, as you understood at that point, right?

Ambassador Volker. I wouldn't have called it a necessary condition. And, in fact, when it became clear later that we were not able to agree on an agreement that the Ukrainians were comfortable with, I agreed with the Ukrainians just to drop it; it's not worth it.

Mr. Goldman. No, I understand that. But is it your testimony that, based on the text that you wrote, linking the investigations and the 2016 election on July 25th to the White House meeting, you're saying, by this point in August, with this back and forth,

that you were unaware that this public statement was a condition for the White House meeting?

Ambassador Volker. I wouldn't have called it a condition. It's a nuance, I guess. But I viewed it as very helpful. If we could get this done, it would help improve the perception that President Trump and others had, and then we would get the date for a meeting. If we didn't have a statement, I wasn't giving up and thinking that, "Oh, well, then we'll never get a meeting."

Mr. Goldman. Let's go to the next day, where there is another text exchange. And at the top, could you just read the first text there?

Ambassador Volker. It says: Hi, Andriy. Good talking. Following is text with insert at the end for the two key items. We will work on official request.

Mr. Goldman. And then you'll see highlighted portion of the next text. The other is identical to your previous one, and then it just adds including --

Ambassador Volker. Including -- correct.

Mr. Goldman. Including these involving Burisma and the 2016 elections. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. And that is what Mr. Giuliani insisted on adding to the statement?

Ambassador Volker. That's what he said would be necessary for that to be credible.

Mr. Goldman. And the Ukrainians ultimately did not issue this statement. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. And President Zelensky ultimately did not get the Oval Office meeting either, did he?

Ambassador Volker. Not yet.

Mr. Goldman. Now, I want to move forward to September and early September when the security assistance begins to more overtly be used as leverage to pressure the Ukrainians to conduct these investigations that President Trump wanted.

Mr. Morrison, you accompanied Vice President Pence to Warsaw when he met with President Zelensky. Is that right?

Mr. Morrison. I was in Warsaw when the Vice President was designated as the President's representative. I was accompanying Ambassador Bolton.

Mr. Goldman. Understood. You were at the bilateral meeting with the Vice President and President Zelensky, correct?

Mr. Morrison. I was.

Mr. Goldman. And in that meeting, were the Ukrainians concerned about the hold on security clearance -- security clearance -- military assistance, rather?

Mr. Morrison. Yes.

Mr. Goldman. What did they say?

Mr. Morrison. It was the first issue that President Zelensky raised with Vice President Pence. They were very interested. They talked about its importance to Ukraine, its importance to their relationship.

Mr. Goldman. And what was Vice President Pence's response?

Mr. Morrison. The Vice President represented that it was a priority for him and that we were working to address -- and he characterized President Trump's concerns about the state of corruption in Ukraine and the President's prioritization of getting the Europeans to contribute more to security sector assistance.

Mr. Goldman. And did he directly explain to the Ukrainians that those were the actual reasons for the hold, or was he just commenting on general concerns of the

President?

Mr. Morrison. I don't know that he necessarily acknowledged a hold. He mentioned that we were reviewing the assistance. That's the way I heard it. That's the way I would characterize it. And those were the points he raised, to help President Zelensky understand where we were in our process.

Mr. Goldman. And to your knowledge, though, on sort of the staff level, as the coordinator of all of the interagency process, you were not aware of any review of the Ukraine security assistance money, were you?

Mr. Morrison. While we were -- we had been running a review, we had been running an interagency process to provide the President the information that I had been directed to generate for the President's consideration as to the state of interagency support for continuing Ukraine security sector assistance.

Mr. Goldman. And the entire interagency supported the continuation of the security assistance. Isn't that right?

Mr. Morrison. That is correct.

Mr. Goldman. Now, after this larger meeting with Vice President Pence and President Zelensky, you testified at your deposition that you saw Ambassador Sondland immediately go over and pull Andriy Yermak aside and have a conversation. Is that right?

Mr. Morrison. I mean, it was President Zelensky left the room, Vice President Pence left the room, and in sort of an anteroom, Ambassador Sondland and Presidential Advisor Yermak had this discussion, yes.

Mr. Goldman. And what did Ambassador Sondland tell you that he told Mr. Yermak?

Mr. Morrison. That the Ukrainians would have to have the prosecutor general

make a statement with respect to the investigations as a condition of having the aid lifted.

Mr. Goldman. And you testified that you were not comfortable with what Ambassador Sondland had told you. Why not?

Mr. Morrison. Well, I was concerned about what I saw as essentially an additional hurdle to accomplishing what I had been directed to help accomplish, which was giving the President the information that he needed to determine that the security sector assistance could go forward.

Mr. Goldman. So now there's a whole other wrinkle to it, right?

Mr. Morrison. There was the appearance of one, based on what Ambassador Sondland represented.

Mr. Goldman. And you told Ambassador Taylor about this conversation as well. Is that right?

Mr. Morrison. I promptly reached out to Ambassador Taylor to schedule a secure phone call.

Mr. Goldman. And in your deposition, you testified that his testimony, other than one small distinction between President Zelensky and the prosecutor general, was accurate as to what you told him. Is that correct?

Mr. Morrison. About that conversation, yes.

Mr. Goldman. And, generally speaking, you confirmed everything that Ambassador Taylor told you, except for that one thing and a small other ministerial matter relating to the location of a meeting. Is that correct?

Mr. Morrison. Correct.

Mr. Goldman. Now, did you tell Ambassador Bolton about this conversation as well?

Mr. Morrison. I have reached out to him as well and requested his availability for a secure phone call.

Mr. Goldman. And what was his response when you explained to him what Ambassador Sondland had said?

Mr. Morrison. Tell the lawyers.

Mr. Goldman. Did you go tell the lawyers?

Mr. Morrison. When I returned to the States, yes.

Mr. Goldman. And did he explain to you why he wanted you to tell the lawyers?

Mr. Morrison. He did not.

Mr. Goldman. Now, a few days later, on September 7th, you spoke again to Ambassador Sondland, who told you that he had just gotten off the phone with President Trump. Isn't that right?

Mr. Morrison. That sounds correct, yes.

Mr. Goldman. What did Ambassador Sondland tell you that President Trump said to him?

Mr. Morrison. If I recall this conversation correctly, this was where Ambassador Sondland related that there was no quid pro quo, but President Zelensky had to make the statement and that he had to want to do it.

Mr. Goldman. And by that point, did you understand that the statement related to the Biden and 2016 investigations?

Mr. Morrison. I think I did, yes.

Mr. Goldman. And that that was a -- essentially a condition for the security assistance to be released?

Mr. Morrison. I understood that that's what Ambassador Sondland believed.

Mr. Goldman. After speaking with President Trump?

Mr. Morrison. That's what he represented.

Mr. Goldman. Now, you testified that hearing this information gave you a sinking feeling. Why was that?

Mr. Morrison. Well, I believe if we're on September 7th, the end of the fiscal year is September 30th, these are 1-year dollars, the DOD and the Department of State funds, so we only had so much time. And, in fact, because Congress imposed a 15-day notification requirement on the State Department funds, September 7th, September 30th, that really means September 15th in order to secure a decision from the President to allow the funds to go forward.

Mr. Goldman. Did you tell Ambassador Bolton about this conversation as well?

Mr. Morrison. I did. I did, yes.

Mr. Goldman. And what did he say to you?

Mr. Morrison. He said to tell the lawyers.

Mr. Goldman. And why did he say to tell the lawyers?

Mr. Morrison. He did not explain his direction.

Mr. Goldman. But he's not going to -- he doesn't tell you to go tell the lawyers because you're running up on the 8-day deadline there, right?

Mr. Morrison. Again, I don't know why he directed that, but it seems reasonable, and it was consistent with what I was going to do anyway.

Mr. Goldman. And you weren't going to go tell them because of that concern, right? You were concerned about what you were hearing Ambassador Sondland relay to you, correct?

Mr. Morrison. Correct.

Mr. Goldman. So, just so we're clear, you reported two concerning conversations that you had with Ambassador Sondland to the lawyers in early September

in which you understood from him that the President was withholding security assistance as additional leverage to get Ukraine to publicly announce the specific political investigations that President Trump had discussed on the July 25th call. Is that accurate?

Mr. Morrison. I was concerned about what Ambassador Sondland was saying were requirements, yes.

Mr. Goldman. Right. And you understood, though, that the investigations that Ambassador Sondland was referring to were the two that President Trump referenced on the July 25th call, correct?

Mr. Morrison. By this point, yes.

Mr. Goldman. And during this early September time period, Mr. Morrison, did you have any conversations with Ambassador Volker about any of this?

Mr. Morrison. I believe we had one conversation.

Mr. Goldman. And what do you recall about that conversation?

Mr. Morrison. I believe, on or about September 6th, Ambassador Volker was in town to provide an update on some of his activities and that -- and he provided that update, and then we had a one-on-one conversation about this -- this track, this separate process.

Mr. Goldman. And what do you recall saying to him about the separate process?

Mr. Morrison. I think I was interested in understanding his understanding of events.

Mr. Goldman. Did you explain to him what your understanding of events was?

Mr. Morrison. I think I was primarily on receive mode.

Mr. Goldman. Okay. And Ambassador Volker, what do you -- do you recall this conversation?

Ambassador Volker. Thank you. I do remember a conversation with Tim. I'm not sure about the timing. I left around that time to go on a trip. And so it may have been a little bit earlier. I'm not sure about the timing. And what I do remember the discussion being is Tim asking me, what is my impression of the role that Ambassador Sondland plays?

And my response to that was, well, I find it helpful that he has political contacts in the White House. I don't have those contacts. I'm working with the national security, the diplomatic front, but I don't have the political contacts. And so, if he's able to use those to support the same goals that we are working toward, then I viewed that as helpful.

Mr. Goldman. Well, that's a good segue to our next exhibit, which is a September 8th text exchange with you and Ambassador Taylor and Ambassador Sondland. And at the top, Ambassador Sondland says: Guys, multiple convos with Ze -- that's Zelensky -- period, POTUS, period. Let's talk.

And then Ambassador Taylor, about 15, 16 minutes later, says: Gordon and I just spoke. I can brief you -- meaning you, Ambassador Volker -- if you and Gordon don't connect.

Approximately 1 hour later, Ambassador Taylor says: The nightmare is they give the interview and don't get the security assistance. The Russians love it. And I quit.

And then, at the bottom, about 5 hours later, how do you respond?

Ambassador Volker. Say: I'm not in the loop. Talk Monday?

Mr. Goldman. So you were not in the loop in terms of all of these conversations that Ambassador Taylor, Mr. Morrison, Ambassador Sondland were having?

Ambassador Volker. Yes, that's correct.

Mr. Goldman. And now, ultimately, the hold was lifted on September 11th. Is

that right, Ambassador Volker?

Ambassador Volker. That's my understanding.

Mr. Goldman. Okay. And, Mr. Morrison, were you aware that, prior to September 11th, that the White House -- that there was a whistleblower complaint circulating around the White House?

Mr. Morrison. I don't believe so, no.

Mr. Goldman. But you were aware of a request to preserve records, were you not?

Mr. Morrison. We received a number of those requests. I have a general recollection of one as it related to Ukraine.

Mr. Goldman. And one final question. When was the hold lifted?

Mr. Morrison. As I understand it, the President gave that direction the evening of September 11th.

Mr. Goldman. Which was 2 days after Congress announced an investigation. Were you aware of that?

Mr. Morrison. I believe I was aware of the letter from the three committee chairman.

Mr. Goldman. I yield.

The Chairman. That concludes the majority 45 minutes.

Before I turn to the minority, are you both and your counsel okay, or do you need a break?

Ms. Daum. We're fine.

The Chairman. Okay. Ranking Member Nunes, you are recognized for 45 minutes.

Mr. Nunes. Well, Ambassador and Mr. Morrison, I have some bad news for you.

TV ratings are way down, way down. I don't -- don't hold it personally. I don't think it's you guys. But whatever drug deal the Democrats are cooking up here on the dais, the American people aren't buying it.

I know you both answered this in your opening statements, but I just want to bring a little more clarity to it.

Mr. Morrison, I'll start with you. Did anyone ever ask you to bribe or extort anyone at any time during your time in the White House?

Mr. Morrison. No, sir.

Mr. Nunes. And you were the top person for Ukraine in the White House, correct, at the NSC level?

Mr. Morrison. I would argue Ambassador Bolton would be, but --

Mr. Nunes. Reporting to Ambassador Bolton.

Mr. Morrison. I was the senior official, yes, sir.

Mr. Nunes. Ambassador Volker, you have a storied career. We're very thankful for your service. And you were the special envoy to Ukraine?

Ambassador Volker. That is correct.

Mr. Nunes. Did anyone at the White House ever ask you to bribe or extort anything out of anyone at any time?

Ambassador Volker. No, sir.

Mr. Nunes. Thank you.

I want to thank you both for being here. And I'll yield to Mr. Castor.

Mr. Castor. Thank you, Mr. Nunes.

Thank you both for being here today and also for participating in the lengthy depositions.

Ambassador Volker, you were the first one on October 3rd and, Mr. Morrison, you

were with us on Halloween. So thank you for your participation.

Mr. Morrison, I also want to thank you. You're a long-time Hill staffer. I certainly have appreciation for that, nearly 20 years. So thank you.

And, Ambassador Volker, Hatboro, Pennsylvania, resident?

Ambassador Volker. Absolutely.

Mr. Castor. That's an incredible part of the country.

Ambassador Volker. Very proud of it.

Mr. Castor. I'm from nearby.

I just want to walk through some of your positions.

You were a Senate-confirmed Ambassador to NATO for a stint?

Ambassador Volker. That is correct.

Mr. Castor. And then at the State Department, and your portfolio spanned much of what George Kent has currently?

Ambassador Volker. I was the Principal Deputy Assistant Secretary, so I had all -- working for all of the Assistant Secretary, had all of Europe and Eurasia and particular responsibility for NATO, Western Europe and European Union.

Mr. Castor. And then you -- you were involved with the National Security Council, you were the director for NATO in western Europe?

Ambassador Volker. That is correct.

Mr. Castor. And then you were the Senior Director for European and Eurasian Affairs?

Ambassador Volker. I was acting for several months, 6 months or so.

Mr. Castor. Okay. Much like the job Mr. Morrison had?

Ambassador Volker. [Nonverbal response.]

Mr. Castor. And we'll note that all of the witnesses that we have interacted with

have just heaped praise on you. Ambassador Yovanovitch said you were a brilliant diplomat. So that's very high praise.

And for over 2 years, you served as the Special Representative for Ukraine negotiations?

Ambassador Volker. That is correct.

Mr. Goldman. And you served for free?

Ambassador Volker. That is correct.

Mr. Castor. You served on a voluntary basis?

Ambassador Volker. I did.

Mr. Castor. And you put a lot of time and effort into that job, didn't you?

Ambassador Volker. Yes, I did.

Mr. Castor. The taxpayers certainly got their -- certainly got their money's worth, didn't they?

Ambassador Volker. Not for me to say.

Mr. Castor. And you believe America's policy towards Ukraine has been strengthened during your tenure as the Special Representative?

Ambassador Volker. Absolutely. When I look back at the record, I think we did an awful lot to support Ukraine.

Mr. Castor. And is it fair to say that's in part due to President Trump?

Ambassador Volker. President Trump approved each of the decisions made along the way, providing lethal defensive equipment and the nonrecognition statement on Crimea I think being two of the most important ones.

Mr. Castor. And for many years, there had been an initiative in the interagency to advocate for lethal defensive weaponry for Ukraine. Is that correct?

Ambassador Volker. That is correct.

Mr. Castor. And it wasn't until President Trump and his administration came in that that went through?

Ambassador Volker. That is correct.

Mr. Castor. The delegation to President Zelensky's inauguration in May, I believe you testified it was one of the largest delegations?

Ambassador Volker. I believe it was. I can't be 100 percent sure, but I believe it was the largest national delegation.

Mr. Castor. Okay. And included in that delegation was Secretary Perry?

Ambassador Volker. Secretary Perry, Ambassador Sondland, myself, Senator Ron Johnson was there, and also the charge d'affaires at the U.S. Embassy at the time, Joe Pennington.

Mr. Castor. And the -- we talked a little bit this morning, but the -- President Zelensky's inauguration came together rather quickly?

Ambassador Volker. It did. I believe we had about 3 days' notice in which to put the delegation together.

Mr. Castor. And there's been some discussion about whether the Vice President was going to be able to lead that effort. And as it turned out, he was not able to lead it. Do you have any information as to why the Vice President was unable to join?

Ambassador Volker. I don't.

Mr. Castor. And, Mr. Morrison, do you have any information as to why the Vice President was unable to participate in the delegation?

Mr. Morrison. No.

Mr. Castor. Ambassador Volker, you testified during your deposition that aid, in fact, does get held up from time-to-time for a whole assortment of reasons.

Is that your understanding?

Ambassador Volker. That is true.

Mr. Castor. And sometimes the holdups are rooted in something at OMB, sometimes it's at the Defense Department, sometimes it's at the State Department, sometimes it's on the Hill. Is that correct?

Ambassador Volker. That is correct.

Mr. Castor. And so, when the aid was held up for 55 days for Ukraine, that didn't in and of itself strike you as uncommon?

Ambassador Volker. No. It's something that had happened in my career in the past. I had seen holdups of assistance. I just assumed it was part of the decisionmaking process. Somebody had an objection, and we had to overcome it.

Mr. Castor. Okay. And, in fact, there were concerns that, you know, perhaps President Zelensky wasn't going to be the reformer that he campaigned on?

Ambassador Volker. That was a supposition that I made. Because of the meeting with the President on May 23rd, I thought that could be what's behind it.

Mr. Castor. And, in fact, the aid was lifted shortly after he was able to convene a Parliament?

Ambassador Volker. I believe he -- let me get the dates straight. I believe, yes, he was able to convene the parliament around the 1st of September, and I believe the aid was released on the 11th of September.

Mr. Castor. And when he was able to convene a Parliament, he was able to put through a number of anticorruption initiatives?

Ambassador Volker. That began with the parliament seated on that day. It was a 24-hour session, but then it continued for some time.

Mr. Castor. And that was an encouraging sign?

Ambassador Volker. It started off in a very encouraging way, yes.

Mr. Castor. And other than these things going on in the background, with the pause in the aid, the U.S. relations with Ukraine, you testified, are -- you stated it was about as good as you'd want them to be?

Ambassador Volker. Can you repeat the question? I'm sorry.

Mr. Castor. You testified at your deposition that, once the aid was lifted, despite all of the things going on in the background, that U.S.-Ukrainian relations were strong, were as good as you want them to be?

Ambassador Volker. Yes.

Mr. Castor. And you referenced that the security sector assistance was lifted, you know, any hold on that, that there was a positive meeting in New York --

Ambassador Volker. That's correct.

Mr. Castor. -- at the UNGA, and there was momentum, putting pressure on the Russians; is that correct?

Ambassador Volker. That is correct.

Mr. Castor. In your deposition, you made it clear that President Trump had a deep-rooted negative view of Ukraine and their corruption environment?

Ambassador Volker. Yes.

Mr. Castor. And you first became aware of his views back in September of 2017?

Ambassador Volker. That is correct.

Mr. Castor. Can you tell us a little bit about that?

Ambassador Volker. Yes. In September of 2017, I was invited by Secretary Tillerson to do a prebrief with President Trump before his meeting with President Poroshenko on the margins of the U.N. General Assembly. I did the prebrief, and then I took part in the bilateral meeting.

Mr. Castor. And so long before President Zelensky was elected, President Trump

had a negative view of the Ukraine.

Ambassador Volker. Yes, he had a very strongly negative view.

Mr. Castor. Back in 2017, do you remember anything he said or did that gave you a feeling that he had these negative views?

Ambassador Volker. Yes. I want to be very careful here because this was a bilateral meeting between the two Presidents. I don't want to stray into classified material. But I can tell you my impression was that he had a very strongly negative view of Ukraine at the time.

Mr. Castor. Okay. Fair enough. And you described the President's skepticism at your deposition as a reasonable position?

Ambassador Volker. Yes.

Mr. Castor. And I believe you said most people who know anything about Ukraine would -- would possibly think that?

Ambassador Volker. Yes.

Mr. Castor. And you viewed it as part of your role to help change his mind, that President Zelensky was a genuine reformer, that he was not running for office for self-enrichment, that he was, indeed, a good person?

Ambassador Volker. That's correct.

Mr. Castor. During the May 23rd meeting with the President in the Oval Office, could you just relay to us the concerns the President articulated about the Ukraine?

Ambassador Volker. Yes. The President came into the meeting and immediately started speaking. He had just a string of comments that Ukraine is a terrible place: They're all corrupt. They're terrible people. They tried to take me down.

I tried to explain, along with the others that were there; each of us took turns

speaking. I tried to explain that President Zelensky agrees with you, that he was elected because of that situation in Ukraine, and he has a strong mandate from the people of Ukraine to change it and that's why it's important that we actually show him very strong support now.

But the President was not convinced, and he said that Zelensky is no different, that he has terrible people around him. You know, it's not what I hear about Ukraine, what we're telling him. You know, I hear that, you know -- that nothing has changed. Talk to Rudy, that kind of dialogue, as I described.

Mr. Castor. And when the President said that the Ukrainians tried to take him down, did you have any idea what he was referring to?

Ambassador Volker. I did. I believe that he was referring to the rumors of efforts to interfere in the 2016 election by providing damaging information about the President or about Paul Manafort to the Hillary Clinton campaign. That was one of the rumors that had been out there and that had gotten some support from the Ukrainian prosecutor general.

Mr. Castor. And to the best of your knowledge, the President genuinely believed that, right?

Ambassador Volker. I believe he was concerned about it. I don't know what he actually believed, but he brought it up.

Mr. Castor. Okay. And, Mr. Morrison, you were also aware of the President's skeptical view of foreign aid generally?

Mr. Morrison. Yes.

Mr. Castor. And that there was an initiative that he was looking at foreign aid pretty broadly?

Mr. Morrison. Yes.

Mr. Castor. And trying to scrutinize to make sure the U.S. taxpayers were getting their money's worth?

Mr. Morrison. Yes.

Mr. Castor. And the President was also interested, was he not, in better understanding opportunities for increased burden sharing among the Europeans?

Mr. Morrison. Yes.

Mr. Castor. And what can you tell us about that?

Mr. Morrison. The President was concerned that the United States seemed to -- to bear the exclusive brunt of security assistance to Ukraine. He wanted to see the Europeans step up and contribute more security assistance.

Mr. Castor. And was there any interagency activity, whether it be with the State Department for or the Defense Department, in coordination by the National Security Council, to look into that a little bit for the President?

Mr. Morrison. We were surveying the data to understand who was contributing what and sort of in what categories.

Mr. Castor. And so the President's evinced concerns, the interagency tried to address them?

Mr. Morrison. Yes.

Mr. Castor. And by late August, we just discussed with Ambassador Volker that a new Rada was seated. And did that give possibly some hope that President Zelensky would be able to push through some of these reforms?

Mr. Morrison. Yes.

Mr. Castor. And did you hope, during this time period, during this 55 days where the aid was paused, that potentially Zelensky would be able to demonstrate his -- you know, bona fides and would subsequently be able to, you know, get the President to lift

the aid?

Mr. Morrison. Yes.

Mr. Castor. In fact, you traveled with Ambassador Bolton to the Ukraine right around Labor Day weekend, correct?

Mr. Morrison. Yes.

Mr. Castor. And you met with President Zelensky on I believe it was August 29th?

Mr. Morrison. Ambassador Bolton had a meeting with President Zelensky, and I staffed that meeting.

Mr. Castor. And that's right around the time when the Rada had met, and they had started to push through their reforms?

Mr. Morrison. As I recall the meeting -- the date of the meeting between Ambassador Bolton and President Zelensky was actually the first day of the new Rada.

Mr. Castor. And some of these reforms included naming a new prosecutor general?

Mr. Morrison. A new prosecutor general, a brand new Cabinet, yes.

Mr. Castor. And they pushed through some legislation that eliminated immunity for Rada members?

Mr. Morrison. Yes, eliminating parliamentary immunity.

Mr. Castor. And I believe you provided some color into this experience, this meeting, and you said the Ukrainians had been up all night working on some of these legislative initiatives.

Mr. Morrison. Yes. The Ukrainians, with whom we met, were by all appearances exhausted from the pace of activity.

Mr. Castor. And was Ambassador Bolton encouraged by the activity?

Mr. Morrison. Yes, he was.

Mr. Castor. And was the meeting altogether favorable?

Mr. Morrison. Quite.

Mr. Castor. And at that point in time after the meeting, Ambassador Bolton, did he head off to Warsaw with the Vice President, or did he just -- I know you went to Warsaw.

Mr. Morrison. Well, we had a few stops between Ukraine and Poland, but yes, Ambassador Bolton proceeded to Warsaw where we were expecting to ensure everything was staged properly for the President's arrival.

Mr. Castor. And did you have an opportunity to brief the Vice President on --

Mr. Morrison. I did not.

Mr. Castor. Did Ambassador Bolton?

Mr. Morrison. He did.

Mr. Castor. What do you remember from what Ambassador Bolton shared about with the Vice President about the Zelensky meeting?

Mr. Morrison. I was not there. The issue I remember most starkly was Ambassador Bolton was quite annoyed that Ambassador Sondland crashed the prebrief.

Mr. Castor. Okay.

Mr. Morrison. But the ambassador had everything he needed to ensure that the -- either the President or the Vice President were well prepared.

Mr. Castor. But did you brief Ambassador Bolton before he had an opportunity to meet with the Vice President?

Mr. Morrison. I didn't need to. Ambassador Bolton was there.

Mr. Castor. Okay. But as far as you know, Ambassador Bolton communicated to the Vice President that the goings on in Ukraine were positive --

Mr. Morrison. That's my understanding.

Mr. Castor. -- with President Zelensky.

And at this time Ambassador Bolton was advocating for the lifting of the aid?

Mr. Morrison. He had been for some time, yes.

Mr. Castor. And did you participate in the Warsaw meetings?

Mr. Morrison. We had a reduced schedule from what had been arranged for the President for the Vice President. But the Vice President met with President Duda of Poland, and he met with President Zelensky, and I participated in both meetings.

Mr. Castor. And what you do remember from the meeting with President Zelensky?

Mr. Morrison. It seemed very -- it seemed very positive, very --

Mr. Castor. What was the message -- I mean, President Zelensky raised the issue of the aid, correct?

Mr. Morrison. Yes.

Mr. Castor. And how did the Vice President respond?

Mr. Morrison. He represented his support for the aid. He represented the strong commitment of the United States to Ukraine, and he explained that President Trump -- because this is after the Politico article had come out that made clear there was a hold. He explained that what we were doing was the United States Government, the interagency, was examining what more Europe could do in the security space and taking a look at how Ukraine was reforming what has been a history of corruption.

Mr. Castor. And was there any discussion during the meeting with President Zelensky on the part of the Vice President about any of these investigations we've come to talk about?

Mr. Morrison. No.

Mr. Castor. So Burisma wasn't raised?

Mr. Morrison. No.

Mr. Castor. 2016 election wasn't raised?

Mr. Morrison. No.

Mr. Castor. And the Vice President didn't mention any investigations at all, did he?

Mr. Morrison. No.

Mr. Castor. You mentioned the August 28th Politico article. Was that the first time that you believe the Ukrainians may have had a real sense that the aid was on hold?

Mr. Morrison. Yes.

Mr. Castor. So, from the 55-day period spanning July 18th through September 11th, it didn't really become public until August 28th?

Mr. Morrison. That's correct. Ambassador Taylor and I had a number of phone calls where we, in fact, talked about, do the Ukrainians know yet, because we both felt very strongly it was important that we ensure that the President was able to make a decision to release the aid before the Ukrainians ever found out about it.

Mr. Castor. Okay. And, Ambassador Volker, is that also your recollection --

Ambassador Volker. Yes, it is.

Mr. Castor. -- that it wasn't until the Politico article --

Ambassador Volker. That's correct. I received a text message from one of my Ukrainian counterparts on August 29th forwarding that article, and that's the first they raised it with me.

Mr. Castor. And can you share a little bit with us about your communications during that time period, about the hold on the aid?

Ambassador Volker. Yes. I didn't have any communications with the

Ukrainians about the hold on aid until after they raised it with me, for the same reason that Tim just gave, the hope that we could get it taken care of ourselves before it became something that they became aware of.

Inside the U.S. Government, I was aware that the hold was placed. I was aware of that on July 18th. It was referenced at an interagency meeting. And I got a readout from that meeting from one of my assistants.

I then immediately spoke with several people in the administration to object. I thought that this was a bad decision or a bad hold -- maybe not a decision, but, you know, a process, and I wanted to make sure all of the arguments were marshaled to get it lifted. And so I spoke with the Pentagon, Laura Cooper. I spoke with Assistant Secretary Pol-Mil Affairs at the State Department who was going to represent the State Department at the next higher level meeting.

I believe I spoke with officials in the European Bureau with the National Security Council staff. So I was actively trying to convey that this needed to be lifted. And I wanted them to be able to use my name in doing so because I felt that the best prospect for positioning ourselves for negotiations with Russia is the strongest defense capability for Ukraine.

Mr. Castor. And during this time period, did you come to believe that any of these investigations were part of a holdup in the aid?

Ambassador Volker. No, I did not.

Mr. Castor. Backtracking just a little bit, on July 3rd, you met in Toronto with President Zelensky. And there's been some -- you know, Ambassador Taylor and Mr. Kent provided some testimony that they had some apprehension that part of this irregular channel that Ambassador Taylor referenced would rear its head in Toronto. I'm just wondering if you can tell us whether that, in fact, happened.

Ambassador Volker. Yes. Thank you.

I can only tell you what I know. There may have been other conversations or other things. But I know that we had a conversation, Bill Taylor and I believe Gordon Sondland and I, around the 28th of June that later connected to I believe a conversation with President Zelensky, although I may not have been part of the latter. That being said, I was convinced after that conversation we had gotten nowhere.

We had our White House briefing of President Trump on May 23rd. He signed a letter inviting President Zelensky to the White House on May 29th. And for several weeks, we were just temporizing with the Ukrainians, saying: Well, we're working on it, it's a scheduling issue. We'll get there; don't worry.

And I told Bill and Gordon that I was going to see President Zelensky in Toronto, and I feel an obligation to tell him the truth, that we have a problem here. We're not getting a date scheduled. Here's what I think the problem is. It's the negative information flow from Mayor Giuliani and that he would -- also that I would advise him that he should call President Trump personally because he needed to renew that personal relationship and be able to convey to President Trump that he was serious about fighting corruption, investigating things that happened in the past and so forth. So I did all of that with President Zelensky in a pull-aside after our formal bilateral meeting.

Mr. Castor. Okay. And during that meeting in Toronto or the series of meetings, there was no discussion of preconditions, investigations of anything of that sort?

Ambassador Volker. No, no.

Mr. Castor. And you were there with Mr. Kent?

Ambassador Volker. Yes, I believe so.

Mr. Castor. And did you ever have any discussions with him about preconditions

or investigations?

Ambassador Volker. Not at that time. I think, later on, these things came up about when we were talking about a statement, whether there were investigations. But I believe at this time in Toronto, it was really more referring to investigations generically, that that is how you go about fighting corruption and that President Zelensky should reaffirm his commitment to President Trump in a direct phone call.

Mr. Castor. Okay. And at any point in time, had Mr. Kent raised any concerns to you about any of this?

Ambassador Volker. Not at that time.

Mr. Castor. Next event I want to cover is the July 10th meeting in Ambassador Bolton's office we talked a little bit about this morning. I don't know if you caught the coverage. But there was testimony that, at some point, Ambassador Sondland mentioned investigations and reportedly that the meeting ended abruptly. What can you tell us about that fact?

Ambassador Volker. Thank you. And let me answer that question first. I'd like to come back to your prior question for a second, too, if I may.

But on the July 10th meeting, this was a meeting that we had arranged between Alex Danylyuk, who is the head of the National Security and Defense Council, and the National Security Advisor Bolton. Attending the meeting was also Secretary Perry, Ambassador Sondland, myself, I believe Fiona Hill, and also Andriy Yermak.

The purpose was really a counterpart visit. I thought that this would be the best opportunity -- the first high-level meeting that we were having in Washington with a senior U.S. official, Ambassador Bolton, after President Zelensky's inauguration. I thought it would be a great opportunity for the Ukrainians to make their case, that they are the new team in town, real deal about fighting corruption.

I was rather disappointed with the meeting as it transpired. It struck me as down in the weeds talking about reform of national security structures in Ukraine and legislation that they were working on and not the big picture and not the bilateral relationship. So I was a bit disappointed by that.

At the end of the meeting, I do recall having seen some of the other testimony. I believe Ambassador Sondland did raise the point of investigations in a generic way. This was after the meeting was already wrapping up, and I think all of us thought it was inappropriate and the conversation did not pick up from there. It was -- the meeting was over.

We all went outside and we had a picture taken in front of the White House. And then all of us, except Ambassador Bolton, went down to the Ward room to talk through followup, about how do we follow up on this meeting to keep the momentum in the relationship.

And I think we broke off into several small groups. I remember having a conversation with Secretary Perry and one of his assistants about energy reform as part of that. I don't recall other conversations following up on investigations or Burisma.

Mr. Castor. And to the best of your knowledge, there certainly was no precondition discussed, right?

Ambassador Volker. No, no. Again, the issue of the security assistance was one where I thought that this was really related to a general negative view about Ukraine. There was nothing specific ever communicated to me about it or the reasons why it was held, and we certainly didn't want to talk about it with the Ukrainians. We wanted to fix it.

Mr. Castor. Okay. And a couple weeks later, the July 25th call happened, and you were headed to Ukraine during that time period?

Ambassador Volker. Yes. I was actually already on my way to Ukraine I think 2 days prior to that.

Mr. Castor. And you received readouts both from the U.S. side and the Ukrainian side. Could you tell us about that?

Ambassador Volker. Yes. So I was not on the phone call. I had arrived in Ukraine, and I had had that lunch with Mr. Yermak that we saw on the day of the phone call. I had been pushing for the phone call because I thought it was important to renew the personal connection between the two leaders and to congratulate President Zelensky on the parliamentary election.

The readout I received from Mr. Yermak and also from the U.S. side -- although I'm not exactly sure who it was on the U.S. side, but there was U.S. and a Ukrainian readout -- were largely the same, that it was a good call, that it was a congratulatory phone call for the President winning the parliamentary election.

President Zelensky did reiterate his commitment to reform and fighting corruption in Ukraine, and President Trump did reiterate his invitation to President Zelensky to come visit him in the White House. That's exactly what I thought the phone call would be, so I was not surprised at getting that as the readout.

Mr. Castor. And did you ever have any discussions with Ambassador Taylor about this?

Ambassador Volker. At that time. We were together in Ukraine at that time. We went the very next day to visit the conflict zone, and I'm sure he heard the same readout that I did.

Mr. Castor. And you had a meeting with President Zelensky on the 26th?

Ambassador Volker. Yes. We had a meeting the day after the phone call, on the 26th, in the morning before heading out to the conflict zone.

Mr. Castor. And were any of these concerning elements that some witnesses have raised about the call, raised in the meeting with President Zelensky?

Ambassador Volker. No. Only the very barebones readout that I had received, that was also how it was discussed in the meeting with President Zelensky.

Mr. Castor. So to the extent there's been assertions that President Zelensky was concerned about demands President Trump had made --

Ambassador Volker. I don't recall that.

Mr. Castor. You don't recall that?

Ambassador Volker. I do not recall being -- I don't recall -- well, let me turn that around and say he was very positive about the phone call.

Mr. Castor. Okay.

Ambassador Volker. I don't recall him saying anything about demands, but he was very upbeat about the fact of the call.

Mr. Castor. And there was no discussion on the part of President Zelensky on how to navigate the various --

Ambassador Volker. I don't recall that.

Mr. Castor. -- concerns that people have articulated about the call?

Ambassador Volker. I don't remember that.

RPTR WARREN

EDTR HOFSTAD

[4:26 p.m.]

Mr. Castor. And Mr. Zeldin asked you in the deposition that in no way, shape, or form in either readouts from the United States or Ukraine did you receive any indication whatsoever for anything that resembled a quid pro quo. Is that correct?

Ambassador Volker. That's correct.

Mr. Castor. And the same would go for this new allegation of bribery?

Ambassador Volker. I have only seen an allegation of bribery in the last week.

Mr. Castor. Okay. It's the same common set of facts. It's just, instead of quid pro quo, now it's bribery.

Ambassador Volker. I was never involved in anything that I considered to be bribery at all.

Mr. Castor. Okay. Or extortion?

Ambassador Volker. Or extortion.

Mr. Castor. Okay.

Ambassador Volker. Mr. Castor, may I address two specific points?

Mr. Castor. Of course.

Ambassador Volker. One is, I'm reminded that the meeting with Ambassador Bolton and Mr. Danylyuk took place on July 10th --

Mr. Castor. Yes.

Ambassador Volker. -- and I did not become aware of the hold on security assistance until July 18th.

Mr. Castor. Right. Okay.

Ambassador Volker. So that is another reason why that did not come up.

Mr. Castor. And, at that point in time, you didn't know that the potential pause in the security assistance was brewing?

Ambassador Volker. I did not, no. I heard about it for the first time on the 18th.

Mr. Castor. Okay. Now --

Ambassador Volker. May I make a second observation as well?

Mr. Castor. Absolutely.

Ambassador Volker. I do remember, having seen some of the testimony of Mr. Kent, a conversation in which he had asked me about the conspiracy theories that were out there in Ukraine. I don't remember what the date of this conversation was.

And my view was, well, if there are things like that, then why not investigate them? I don't believe that there's anything to them. If there is -- 2016 election interference is what I was thinking of -- we would want to know about that. But I didn't really believe there was anything there to begin with.

Mr. Castor. You testified in your deposition, to the extent the Ukrainians were going to investigate other Ukrainians for wrongdoing, that was perfectly appropriate, in your mind?

Ambassador Volker. Correct. That has been U.S. policy for years.

Mr. Castor. So, if certain Ukrainians involved with the Burisma company, if they --

Ambassador Volker. Well, that, I think, is the only plausible thing to look at there. As I said, I don't find it plausible or credible that Vice President Biden would have been influenced in his duties. But whether individual Ukrainians, in the society that we know Ukraine has been for decades, were trying to act in a corrupt way or to buy

influence, that's plausible.

Mr. Castor. Right.

Deputy Assistant Secretary Kent last Wednesday told us about, you know, there was an investigation into Burisma trying to recoup millions of taxpayer dollars, and the Ukrainians were pursuing an investigation. There was a bribe paid. Were you tracking that?

Ambassador Volker. I was aware of those kinds of things. I couldn't give you those kinds of details. I just know that there was a reputation around the company.

Mr. Castor. Okay.

And subsequent to those facts and the bribe being paid, the Burisma company wanted to improve their image and added some folks to their board, including the President of Poland, including Hunter Biden. Are you familiar with that?

Ambassador Volker. That's what I understand.

Mr. Castor. And to the extent the Ukrainians, the folks affiliated with Burisma wanted to hire those people for their board for protection purposes so they could continue to engage in misdeeds, if that was a fact worth investigating, you certainly would be supportive of the Ukrainians trying to get to the bottom of that, correct?

Ambassador Volker. Well, I can't speculate as to any of the specifics of what was motivating Burisma or not. Ukrainian Government authorities investigating possible corruption by Ukrainian citizens is a perfectly appropriate thing for them to do.

Mr. Castor. Okay.

Mr. Morrison, I want to turn our attention back to the July 25th call. You were in the room. Did anything concern you on the call?

Mr. Morrison. No.

Mr. Castor. And, after the call ended, like Colonel Vindman, one of your next

steps was to engage the NSC lawyers. And your reasons for doing that were slightly different than Colonel Vindman's. And you articulated three concerns. And do you want to share them with us, or would you rather I do it?

Mr. Morrison. Well, so I think I articulated two concerns. If I'm forgetting one, please remind me.

Mr. Castor. Okay.

Mr. Morrison. But the two concerns I had were, one, I did not see representatives of NSC Legal on the call. And so I wanted to make sure that the Legal Advisor and his deputy were aware of the call. And I was also concerned about taking steps to protect the MEMCON, limit its disclosure, for fear of the consequences of it leaking.

Mr. Castor. And you were concerned about it leaking because you were worried about how it would play out in Washington's polarized political environment, correct?

Mr. Morrison. Yes.

Mr. Castor. And you were also worried how that would lead to the bipartisan support here in Congress towards Ukraine, right?

Mr. Morrison. Yes.

Mr. Castor. And you were also concerned that it might affect the Ukrainians' perception negatively.

Mr. Castro. Yes.

Mr. Castor. And, in fact, all three of those things have played out, haven't they?

Mr. Morrison. Yes.

Mr. Castor. You didn't ask the lawyers to put it on the codeword system, correct?

Mr. Morrison. I want to be precise about the lexicon here. I did not ask for it

to be moved to a compartmented system.

Mr. Castor. Okay. You just wanted the transcript to be controlled.

Mr. Morrison. I wanted access to be restricted.

Mr. Castor. Okay. And when you learned that the transcript had been stored on the compartmented server, you believed that was a mistake, correct?

Mr. Morrison. Well, it was represented to me that it was a mistake.

Mr. Castor. Okay.

Mr. Morrison. I was trying to pull up that MEMCON because we were in the process of pulling together Ambassador Bolton's materials and the President's materials for what was a planned bilat between POTUS and President Zelensky. And when I went to do that, I could not pull up the package in our system, and I did not understand why.

I spoke with the NSC Executive Secretariat staff, asked them why. And they did their research, and they informed me it had been moved to the higher classification system at the direction of John Eisenberg, whom I then asked why. I mean, that's -- if that was the judgment he made, that's not necessarily mine to question, but I didn't understand it. And he essentially told me, "I gave no such direction."

He did his own inquiry, and he represented back to me that it was -- his understanding was that it was a kind of administrative error, that when he also gave direction to restrict access, the Executive Secretariat staff understood that as an apprehension that there was something in the content of the MEMCON that could not exist on the lower classification system.

Mr. Castor. So, to the best of your knowledge, there was no malicious intent in moving the transcript to the compartmented server.

Mr. Morrison. Correct.

Mr. Castor. And, to your knowledge, anybody on the NSC staff that needed

access to the transcript for their official duties always was able to access it, correct?

People that had a need to know and a need to access it?

Mr. Morrison. Once it was moved to the compartmented system?

Mr. Castor. Yes.

Mr. Morrison. Yes.

Mr. Castor. Okay.

The MEMCON of the July 25th call was, in your experience, prepared normally?

Mr. Morrison. Yes.

Mr. Castor. That there isn't an exact transcription of what's said on the call, correct?

Mr. Morrison. Correct.

Mr. Castor. That there's note-takers in the Situation Room, and then they prepare a draft, and it's circulated among all relevant parties?

Mr. Morrison. Essentially, yes.

Mr. Castor. And you had responsibility for coordinating any edits?

Mr. Morrison. Yes. We look at the, you know -- for shorthand, we'll call it a transcript, but the memorandum of conversation, and we ensure that that transcription is as close to accurate as possible, given our requirements under the Presidential Records Act.

Mr. Castor. Okay. And, you know, Colonel Vindman testified that he thought it was very accurate. Did you as well?

Mr. Morrison. I viewed it as complete and accurate.

Mr. Castor. Okay.

Colonel Vindman did articulate that he had a couple edits. He wanted "Burisma" inserted, I think it was on page 3 or 4, in place of "the company" in one of the sections

where President Zelensky was talking. Are you aware of that edit request?

Mr. Morrison. I understand that he said in either this proceeding or the deposition that he wanted that request, yes.

Mr. Castor. Okay. At the time, did you understand that he had asked for that?

Mr. Morrison. I don't recall that. It was my practice, if an edit was -- if I believed an edit accurately represented the call, I would accept it. If I didn't hear it in the call, if it didn't exist in my notes, I wouldn't have made the edit.

Mr. Castor. Okay. Yeah, he just -- on page 4, he wanted to swap out the word "company" for "Burisma."

And when that edit from Colonel Vindman was not installed, did he give you any negative feedback that it was crucial that that edit get in the document?

Mr. Morrison. Not that I can recall.

Mr. Castor. Okay. Did he ever raise any concerns to you about the accuracy of the transcript?

Mr. Morrison. Not that I can recall.

Mr. Castor. Did he ever raise any concerns to you generally about the call?

Mr. Morrison. When we were discussing the track-changes version of the MEMCON, I believe he had some concerns about the call. I believe we both agreed we wanted that more full-throated embrace of President Zelensky and his reform agenda and we didn't get it.

Mr. Castor. Okay.

You indicated in your deposition that, when you took over the portfolio for Dr. Hill, July 15th, you were alerted to potential issues in Colonel Vindman's judgment?

Mr. Morrison. Yes.

Mr. Castor. Did she relay anything specifically to you, why she thought that?

Mr. Morrison. Not as such. It was more of an overarching statement from her and her deputy, who became my deputy, that they had concerns about judgment.

Mr. Castor. Okay. Did any other NSC personnel raise concerns with you about Mr. Vindman?

Mr. Morrison. Yes.

Mr. Castor. Or, I'm sorry, Colonel Vindman. And what were some of those concerns that were brought to your attention?

Mr. Morrison. They were --

Ms. Van Gelder. I'm sorry. We are not -- I'm going to instruct him not to answer, because I think that it's beyond the scope of what you're asking for. These concerns, Mr. Castor, predated any involvement with the Ukrainian security-sector assistance.

Mr. Castor. Well, during the deposition, I asked you, Mr. Morrison, whether others raised a concern that Colonel Vindman may have leaked information?

Mr. Morrison. You did ask that, yes.

Mr. Castor. Yeah. And your answer was?

Mr. Morrison. Others have represented that, yes.

Mr. Castor. Okay. And I asked you whether you were concerned Colonel Vindman did not keep you in the loop at all times with his official duties?

Mr. Morrison. Yes.

Mr. Castor. And, in fact, when he went to the National Security Council lawyers following the July 25th call, he did not first come to you. Is that correct?

Mr. Morrison. Correct.

Mr. Castor. And you were his supervisor in the chain of command, correct?

Mr. Morrison. Correct.

Mr. Castor. And, in hindsight, did you wish that he had come to you first before going to the lawyers?

Mr. Morrison. Yes.

Mr. Castor. And why is that?

Mr. Morrison. One, if he had concerns about something, about the content of the call, that's something I would have expected to have been notified of.

I also think, just as a matter of practice, since we both went to the lawyers, we didn't necessarily both need to, and economy of effort may have prevailed.

Mr. Castor. Okay.

At any point subsequently, did he become frustrated that he felt cut out of some of the Ukraine portfolio?

Mr. Morrison. Yes.

Mr. Castor. And what was the nature of his concerns?

Mr. Morrison. Well, he -- I think the easiest way to say it is he was concerned with respect to, for example, the Ukraine trip, that he was not -- he did not go. He asked me why it is my practice to have a number of the conversations with Ambassador Taylor one-on-one. And there were certain other matters.

Mr. Castor. Okay. And did you ever get the sense that you resolved his concerns, or did they linger?

Mr. Morrison. I explained to him my thinking, and that was that.

Mr. Castor. Okay.

Before my time expires, Ambassador Volker, I want to turn quickly to what Ambassador Taylor describes as the irregular channel.

Ambassador Volker. Uh-huh.

Mr. Castor. He was a participant with you and Ambassador Sondland on

hundreds of text messages, correct?

Ambassador Volker. Correct.

Mr. Castor. And so did he ever raise concerns about what was going on during that time period of -- the early August time period?

Ambassador Volker. Only as you saw reflected in the text message themselves, where he said, "Is this now a linkage?" or, "Are we doing this?" He had a concern about, just in general, you know, Rudy Giuliani, which I think all of us had, but the issue is what do you about it, about the role that he's playing. And, as you note, we were in frequent contact, near-daily contact, throughout this entire period.

Mr. Castor. And so did he ever engage you in a one-on-one telephone call to articulate his concerns?

Ambassador Volker. We were on many one-on-one telephone calls. He did not raise those concerns that way, no.

Mr. Castor. Okay.

And this -- I mean, you're an experienced diplomat, at one point in time Senate-confirmed. Ambassador Sondland is the Ambassador to the European Union. Secretary Perry is a Secretary of Energy. Certainly not -- it doesn't sound like an irregular bunch.

Did he ever articulate to you that he thought the three of you working on Ukraine policy was a problem?

Ambassador Volker. No, he did not.

Mr. Castor. And were you surprised during his testimony, when he came in for the deposition, when he sort of established these two tracks, that one was a regular channel that he was in charge of and the other was an --

Ambassador Volker. Yes.

Mr. Castor. -- irregular channel?

Ambassador Volker. I don't agree with his characterization of that, because I had been in my role for a couple of years. I had been the lead on U.S.-Ukraine negotiations and negotiating with Russia and the interagency work and the work with our allies. And we have a Secretary of Energy, who is a Cabinet official. And I think having support from various U.S. officials for our strengthening our engagement with Ukraine I viewed as a very positive thing.

And if the concern is not us so much, then, because we're all U.S. officials, but Mayor Giuliani, I don't view that as a channel at all, because he's not a representative of the U.S. Government. He's a private citizen. I viewed him as perhaps a useful barometer in understanding what may be helpful communication from the Ukrainian Government but not someone in a position to represent the U.S. Government at all.

Mr. Castor. Okay. Thank you.

The Chairman. Okay. Why don't we take a 5- or 10-minute break. If I could ask the audience to allow the witnesses to leave the room first. We are in recess.

[Recess.]

[6:00 p.m.]

The Chairman. The committee will come to order.

We're now going to proceed to a 15-minute round by either chair and majority or ranking member and minority.

Mr. Goldman, you're recognized for 15 minutes.

Mr. Goldman. Thank you, Mr. Chairman.

Ambassador Volker, I do want to just correct the record from the first round. You were right to point out -- you asked if a quote that I represented you made in the deposition was your words, and I actually read the wrong part in the quote.

What you actually said was, "It creates a problem, again, where all of the things that we're trying to do to advance the bilateral relationship, strengthen our support for Ukraine, strengthen the positioning against Russia, is now getting sucked into a domestic political debate in the U.S., domestic political narrative that overshadows that."

So you were right to point that out, and I apologize for the mistake.

I want to go back to a couple things that you said during the minority's round. Can you repeat again the readout that you got of the July 25th call?

Ambassador Volker. Yes. I received a readout from both a Ukrainian colleague, Andriy Yermak, as well as from a U.S. person. I don't now remember whether it was my staffer or someone from the Embassy or where.

And the readout was that it was a good phone call, that it was a congratulatory phone call for the President's win in the parliamentary election, that President Zelensky did reiterate his commitment to fighting corruption and advancing reform in Ukraine, and that President Trump renewed his invitation for President Zelensky to come to the White House.

Mr. Goldman. Okay. And I believe you said that that readout was exactly as

you expected the call to go. Is that right?

Ambassador Volker. Exactly. That's what we were trying to tee up.

Mr. Goldman. Okay.

I just want to show you once again the July 25th text that you wrote to Andriy Yermak, which was the message that you were relaying to him so that he could prepare President Zelensky. And you'll recall this, right, where you said that -- this was the message.

"Good lunch. Thanks. Heard from White House. Assuming President Z convinces Trump he will investigate, 'get to the bottom of what happened in 2016,' we will nail down date for visit to Washington."

That's what you expected from the call, right?

Ambassador Volker. I expected that President Zelensky would be convincing in his statements and comments to President Trump, that he was exactly that, that he would investigate, get to the bottom of things that had happened in 2016, and that if he was strong in conveying who he is as a person in doing that, that President Trump would be convinced and renew the invitation to the White House.

Mr. Goldman. Right. But you don't mention corruption in this text, do you?

Ambassador Volker. This is --

Mr. Goldman. The word "corruption" is not in this text, right?

Ambassador Volker. The word "corruption" is not there. Investigating things that have happened in the past that would be corrupt would be investigating corruption.

Mr. Goldman. You said a couple times in your opening statement and you just said it again that, you know, investigating things that happened in the past -- you are aware, of course, that most investigations relate to things that happened in the past, right?

Ambassador Volker. Sure.

Mr. Goldman. Sorry?

Ambassador Volker. Yes.

Mr. Goldman. Okay. So that doesn't really move the needle, whether it's current or past, in terms of the subject of the --

Ambassador Volker. Oh. Yeah --

Mr. Goldman. -- investigation, right?

Ambassador Volker. -- the subject of the investigation are things that happened in the past.

Mr. Goldman. You also talked a little bit about the meeting that you had on July 26th with President Zelensky and Ambassador Sondland in Kyiv. Is that right?

Ambassador Volker. On the 26th?

Mr. Goldman. It may --

Ambassador Volker. I had a meeting with President Zelensky, yes.

Mr. Goldman. Okay. And I believe you testified that the topic of investigations did not come up at all. Is that right?

Ambassador Volker. Yeah, I don't recall them coming up.

Mr. Goldman. Okay.

Ambassador Volker. Just the general phone call.

Mr. Goldman. You didn't take notes of that call, of that meeting, right?

Ambassador Volker. No, I did not.

Mr. Goldman. Right, because you had a -- there were staffers there to do that.

Ambassador Volker. Correct.

Mr. Goldman. And so, if there are two staffers who took notes of that meeting and testified that the subject of either sensitive topics or investigations came up, are we

better off taking their word for it than yours?

Ambassador Volker. I have no reason to doubt their notes if there were notes taken contemporaneously at the meeting.

Mr. Goldman. Okay.

Another witness testified before us, Laura Cooper, about a meeting that she had with you on August 20th. Do you recall having that meeting with her? Because you didn't mention it in your deposition.

Ambassador Volker. Yes, I did.

Mr. Goldman. Okay.

Ambassador Volker. I did mention that I had been making the rounds to weigh in on lifting the hold on security assistance, to do that with all of the interagency players.

Mr. Goldman. Uh-huh. And she recalled with some specificity that meeting, which I believe was also based on her notes, that you described the statement that you were trying to get President Zelensky to make to -- and I'll quote what she said -- "disavow interference in U.S. elections and commit to the prosecution of individuals involved in election interference." And if he were to agree to do that, she testified, then you thought that it might help to lift the hold on security assistance.

Is that your recollection of the conversation as well?

Ambassador Volker. Not exactly.

Mr. Goldman. So how does yours differ?

Ambassador Volker. I recall talking about the statement that we had discussed earlier, the one that had been the subject of these exchanges between Mr. Yermak and myself; and myself, Ambassador Sondland, and Rudy Giuliani; and then back to Yermak.

So I discussed that this is an effort we are doing, that this could be helpful in getting a reset of the thinking of the President, the negative view of Ukraine that he had.

And if we did that, I thought that would also be helpful in unblocking whatever hold there was on security assistance, that if there's this negative presumption about Ukraine, getting this stuff on track would be helpful.

Mr. Goldman. All right. So that's a different interpretation, but you don't doubt that what she testified is -- is inaccurate, do you?

Ambassador Volker. I believe she accurately reflected what she understood from the conversation.

Mr. Goldman. Okay.

You testified a little bit about the June 28th conference call that you had with Ambassador Sondland, Ambassador Taylor -- I'm not sure if Deputy Secretary Kent was on the line --

Ambassador Volker. I don't believe so.

Mr. Goldman. -- and Secretary Perry before you looped in President Zelensky. Am I right about the participants of that, or was Secretary Perry not on it?

Ambassador Volker. Yeah, I am pretty sure that Deputy Assistant Secretary Kent was not on it. I don't remember whether Secretary Perry was on it. And I don't remember whether I stayed on for President Zelensky joining the call or not.

Mr. Goldman. Okay. Were there --

Ambassador Volker. -- two separate calls.

Mr. Goldman. Were there any staff members or note-takers on the call?

Ambassador Volker. I don't believe so.

Mr. Goldman. Why?

Ambassador Volker. We were having a call among ourselves to talk about what were the messages we felt we needed to convey.

Mr. Goldman. Okay.

And, at that point, we've had other testimony from people who did take notes that there was a discussion about the investigations or what you needed to do -- what President Zelensky needed to do in order to get the White House meeting. Do you recall that?

Ambassador Volker. I recall seeing that in Ambassador Taylor's testimony. I believe there may have even been a text message to that effect.

And, again, it comes down to what are we talking about in terms of "these investigations." Because what I certainly understood is we're talking about Ukraine looking into and fighting corruption internally and being convincing about this, presenting the new President and the new team as a change in Ukraine.

Mr. Goldman. Well, you understood that the investigations were Burisma and the 2016 election, right?

Ambassador Volker. Yes.

Mr. Goldman. Okay. And you interpreted those --

Ambassador Volker. Well --

Mr. Goldman. -- to be -- you interpreted those to be okay because, in theory, they were looking into Ukrainians.

Ambassador Volker. Correct.

Mr. Goldman. Okay. But we can agree, can we not, that the investigations, all the investigations that we're talking about here today were Burisma and the 2016 election?

Ambassador Volker. Correct.

Mr. Goldman. Okay. Now -- and what you then amended your testimony today to say is that, in retrospect, you did not realize that the purpose for Mr. Giuliani and President Trump to want the Burisma investigation was for political benefits in digging up

dirt or getting some information on Vice President Biden. That's what you learned subsequently, right?

Ambassador Volker. It's correct that I learned about the President's interest in investigating Vice President Biden from the phone call transcript which came much, much later. From Giuliani, I didn't know that he was actively pursuing this. I did know that he raised this with me directly and I had pushed back on it.

Mr. Goldman. Well, you knew that Ambassador Sondland was pursuing this at the July 10th meeting when he raised these investigations himself.

Ambassador Volker. Again, he didn't specify Biden, and he didn't specify Burisma, as I recall, either. I understood it to be a generic comment and something, again, not appropriate for that meeting.

Mr. Goldman. Right. I understand, but -- Biden wasn't mentioned. But you do agree that when investigations are referenced in this context, it is Burisma and the 2016 election, no?

Ambassador Volker. Yes. That's what I understand.

Mr. Goldman. Right.

And, on that July 10th call, when Ambassador Sondland raised the investigations, he did that in response to a question from the Ukrainians about the White House meeting. Isn't that right?

Ambassador Volker. Can you repeat the question? I didn't catch that.

Mr. Goldman. You said that Ambassador Sondland mentioned specific investigations at the July 10th meeting in Ambassador Bolton's office.

Ambassador Volker. Uh-huh.

Mr. Goldman. And you said that you thought that was inappropriate.

Ambassador Volker. Yes.

Mr. Goldman. Didn't he make that comment in response to a question from the Ukrainian officials about when they could schedule the White House meeting?

Ambassador Volker. That I'm not sure about.

Mr. Goldman. Okay.

Ambassador Volker. I remember the meeting essentially already being over and then Ambassador Sondland bringing that up.

Mr. Goldman. Uh-huh.

And in the July 2nd or 3rd meeting in Toronto that you had with President Zelensky, you also mentioned investigations to him, right?

Ambassador Volker. Yes.

Mr. Goldman. And, again, you were referring to the Burisma and the 2016 election.

Ambassador Volker. I was thinking of Burisma and 2016.

Mr. Goldman. Okay. And you understood that that's what the Ukrainians interpreted references to investigations to be, related to Burisma and the 2016 election?

Ambassador Volker. I don't know specifically at that time if we had talked that specifically, Burisma/2016. That was my assumption, though, that they would've been thinking that too.

Mr. Goldman. Okay.

Now, Mr. Morrison, when did you have that conversation with Fiona Hill about Burisma and the parallel track involving Ambassador -- parallel process, rather, involving Ambassador Sondland and Rudy Giuliani? Do you recall?

Mr. Morrison. We had a number of hand-off discussions between 1 July and 15 July.

Mr. Goldman. Okay. So, in that period of time, you were certainly aware of

this effort to promote this Burisma investigation that Ambassador Sondland and Rudy Giuliani were going about, or at least you had heard about it from Dr. Hill.

Mr. Morrison. I had heard about it from Dr. Hill.

Mr. Goldman. Okay.

I want to pull up another excerpt from a recent Wall Street Journal article that quotes an email from July 13th that Ambassador Sondland sent to you.

And he wrote to you, quote, "Sole purpose is for Zelensky to give POTUS assurances of new sheriff in town. Corruption ending, unbundling moving forward, and any hampered investigations will be allowed to move forward transparently."

And you responded, "Tracking."

What did you understand Ambassador Sondland to mean when he wrote to you "any hampered investigations will be allowed to move forward transparently"?

Mr. Morrison. I don't know that I had any understanding. These are emails -- July 13th emails. I wasn't even in the seat yet. But I knew that among the head-of-state meetings we were attempting to schedule was one between the President and President Zelensky.

Mr. Goldman. Right. But it was before this that Dr. Hill had told you about Burisma and Ambassador Sondland -- in particular, his desire for this parallel process to investigate Burisma, right?

Mr. Morrison. Yes.

Mr. Goldman. So you had that association when you received his email asking you about investigations, correct?

Mr. Morrison. Not necessarily.

Mr. Goldman. No?

Mr. Morrison. No.

Mr. Goldman. Why not?

Mr. Morrison. Because Ambassador -- among the discussions I had with Dr. Hill were about Ambassador Sondland. I think she might have coined it the "Gordon problem." And I decided to keep track of what Ambassador Sondland was doing. I didn't necessarily always act on things Gordon suggested he believed were important.

So he wanted to get a meeting. I understood that the President wanted to do and had agreed to a meeting. And so I was working -- I was tracking that we needed to schedule a meeting.

Mr. Goldman. You were not endorsing the notion of President Zelensky sending a message about investigations? Is that your testimony?

Ambassador Volker. That is my testimony.

Mr. Goldman. Okay.

Ambassador Volker, I want to jump ahead. After the aid was released, you went to the YES conference, right, in Ukraine?

Ambassador Volker. [Nonverbal response.]

Mr. Goldman. And are you aware that Ambassador Taylor, who testified based on quite detailed notes, indicated that, earlier, a few days before that, Ambassador Sondland had told him that President Trump is a businessman, and so, before he writes a check, he likes to see people pay up, something to that effect. Are you aware of that?

Ambassador Volker. I am familiar with that testimony.

Mr. Goldman. And you're also familiar that Ambassador Taylor said that you said something very similar to him when you were in Ukraine for the YES conference. Do you recall saying that to Ambassador Taylor?

Ambassador Volker. Yes, I do. I was repeating what Gordon Sondland had said to me to explain to Bill Taylor what that understanding was.

Mr. Goldman. And in what context did Ambassador Sondland say that to you?

Ambassador Volker. I think we were talking about the release of the hold on security assistance. And he was saying that the President has -- he sees -- he's already, you know, got a negative view of Ukraine. He sees a check on his desk that's going to the Ukrainians. He's not sure about them, so he wants to hold on to it until he's assured.

Mr. Goldman. Right. And the pay-up before he writes the check is to get the investigations that he wants. Isn't that right?

Ambassador Volker. That was not clear to me.

Mr. Goldman. What did you think it meant?

Ambassador Volker. I didn't think that there was a pay-up. As we said, the language was similar. I had heard from Gordon that he sees this check, he's not sure he wants to -- he wants to make sure that he's got a deal with the Ukrainians. I didn't know specifically, other than this, the generic formulation.

Mr. Goldman. Mr. Chairman, I yield back.

The Chairman. Fifteen minutes to Ranking Member Nunes.

Mr. Nunes. Parliamentary inquiry, Mr. Chair. Do you expect any more of these magical 15-minute devotions that you've come up with in the back?

The Chairman. I don't know how magical they are. They are prescribed by House Resolution 660, that we can have successive rounds of up to 45 minutes. So this is part of the prescribed procedure under the House resolution.

Mr. Nunes. Do you expect you're going to have more this evening? Are you -- or is this our last?

The Chairman. I do not expect more will be necessary.

Mr. Nunes. Okay. I thank the gentleman.

So, for everyone watching, this is another example of how out of control this process has become, where the Democrats just magically give themselves additional minutes. Which, they're right, in the little special rule that they wrote, they can do, but you'd at least think that they'd have the decency to just tell us that you're gonna have 15 minutes more.

And I would say that you can go 4 hours, we can go 5 hours, we'll give you all you want. You can keep digging if you want. The deeper the hole you dig, I think the more viewers will turn off, because people just aren't buying the drug deal that you guys are trying to sell.

I would add that, since we are getting into prime time, these are two witnesses that were your witnesses that you called in to depose. We still ask for witnesses that you did not depose, including the whistleblower, who you and others claim not to know. Which we still need to get to the bottom of that, because it is the most important material fact witness to how this whole mess began in the first place.

Secondly, we've asked for the DNC operatives that were working with the Ukrainians to dig up dirt for what you call -- or what the left calls conspiracy theories. Which, they are right, they're conspiracy theories of dirt that they've dug up to spin their own conspiracy theories to attack the Trump campaign in the 2016 election.

So I have no more questions for these witnesses. I know our members do.

Mr. Castor, do you have a little bit of cleanup here?

Mr. Castor. Thank you, Mr. Nunes. I'll try to be quick and yield some time back so we don't have to use every last minute.

Ambassador Volker, are you aware of a statement just last week from Foreign Minister Prystaiko about the -- he said that no one ever told the Ukrainians, certainly not him, that there was any linkage between the security assistance funds and investigations.

Ambassador Volker. I saw that statement, yes.

Mr. Castor. And do you know the Foreign Minister?

Ambassador Volker. I do.

Mr. Castor. And during times relevant, did you ever have any discussions with him about the investigations and links?

Ambassador Volker. Not about investigations with him. I believe I kept that discussion to being with Mr. Yermak. And we did discuss with Foreign Minister Prystaiko and, at the time, his diplomatic advisor security assistance after it was raised after August 29th, and I did discuss that with him.

Mr. Castor. The primary person you worked with was Mr. Yermak?

Ambassador Volker. Yes.

Mr. Castor. And Mr. Yermak also had some meetings with Ambassador Sondland. Did he ever give -- did Mr. Yermak ever give you any feedback from his interactions with Ambassador Sondland?

Ambassador Volker. I can't say whether he did or didn't. We were in frequent contact, and we were just talking about the issues as we went along.

Mr. Castor. The episode at Warsaw where, apparently, Ambassador Sondland pulled Mr. Yermak aside, did he give you -- did Mr. Yermak give you any feedback on that meeting?

Ambassador Volker. I did not get anything specific after that. This was around, I believe, September 1st or 2nd. And it was at that time that I had been, I think, texted by Mr. Yermak and was subsequently in touch with him and Prystaiko, where I told them both and also the Defense Minister -- I told them all, "Don't worry. We know about this. We are trying to fix it." And I think I left the conversation at that.

Mr. Castor. And those Ukrainian officials, to the best of your knowledge, they

trusted you?

Ambassador Volker. Very much so. We had a very close relationship.

Mr. Castor. And so, when you made statements like that to them, do you think they believed me?

Ambassador Volker. I think they believed me. I think they would also have other conversations and they would hear things from other people. But I also think that they knew I was sincere with them.

Mr. Castor. And they also trusted Ambassador Taylor?

Ambassador Volker. Yes.

Mr. Castor. I'd just like to demystify a little bit of the whole Mayor Giuliani role here. You met with him, I believe, one time?

Ambassador Volker. That's correct.

Mr. Castor. And you had some -- you exchanged some text messages with him, correct?

Ambassador Volker. Yes, between I guess it was the 10th of July and the -- around the 13th of August.

Mr. Castor. Okay. And, during your deposition, we sort of did an accounting of your communications with Mr. Giuliani, and it wasn't that -- there weren't that many. We sort of accounted for them all.

And then Ambassador Sondland, when he came in, he didn't have -- you know, he didn't have any one-on-one meetings with Mayor Giuliani, to your knowledge. Is that correct?

Ambassador Volker. I don't believe he did, but I don't know.

Mr. Castor. And, in fact, I think Ambassador Sondland testified that there were a couple conference calls that, you know, he may have been on with you.

Ambassador Volker. That is true.

Mr. Castor. Okay.

Just getting back to the regular channel that Ambassador Taylor coined in his deposition testimony, did you ever have an opportunity to sort of close the loop with him about any concerns whatsoever? Or was it all just these specific instances raised in the texts?

Ambassador Volker. Only those specific instances.

Mr. Castor. Do you think Ambassador Taylor, in your communications with him, believed that Mr. Giuliani was in far greater communication with yourself, Secretary Perry, and Ambassador Sondland?

Ambassador Volker. I don't know what he thought.

Mr. Castor. Okay.

I think that's all I have, Mr. Nunes. Do you --

Mr. Nunes. I have nothing more.

Would the gentleman allow us to use our magic minutes to yield to one of our members who'd like to go?

The Chairman. The House rules don't permit that, Mr. Nunes.

Mr. Nunes. We yield back.

The Chairman. We'll now go to 5-minute member questions. I recognize myself for 5 minutes.

Ambassador Volker, I want to ask you about something in your opening statement with respect to the July 10th meeting.

You testify, "I participated in July 10 meeting between National Security Advisor Bolton and then-Ukrainian Chairman of the National Security and Defense Council Alex Danylyuk. As I remember, the meeting was essentially over when Ambassador Sondland

made a generic comment about investigations. I think all of us thought it was inappropriate. The conversation did not continue, and the meeting concluded."

Ambassador Volker, we asked you about that meeting during your deposition, and you told us nothing about this. I believe we asked you about why the meeting came to an end and why you had earlier indicated, I think, to Ambassador Taylor that it did not go well, and your answer was that Danylyuk was in the weeds on national security policy.

Why didn't you tell us about this?

Ambassador Volker. Because that's what I remembered from the meeting, what I provided in my October 3rd statement. As I said, I've learned other things, including seeing the statements from Alex Vindman and from Fiona Hill, and that reminded me that, yes, at the very end of that meeting, as was recounted in Colonel Vindman's statement, I did remember that, that, yes, that's right, Gordon did bring that up, and that was it.

The Chairman. So, at the time we deposed you -- and I think we were there for 6, 7, or 8 hours -- and we were asking you specifically about what you knew about these investigations, you didn't remember that Gordon Sondland had brought this up in the July 10th meeting with the Ukrainians and Ambassador Bolton called an end to the meeting? Ambassador Bolton described that meeting as some drug deal that Sondland and Mulvaney cooked up. You had no recollection of that?

Ambassador Volker. Right. So, in terms of Gordon bringing it up, no, I did not remember that at the time of my October 3rd testimony. I read the account by Alex, and that jogged my memory. I said, yes, that's right, that did happen.

I do not, still to this point, recall it being an abrupt end to the meeting. The meeting was essentially over, and we got up, we went out to the little circle in front of the White House, we took a photograph. It did not strike me as abrupt.

The Chairman. Now, Ambassador Volker, you said in your testimony today, "I think all of us thought it was inappropriate."

Now, if, as you say, Ambassador Sondland only mentioned investigations in the Bolton meeting and you don't recall hearing him be more specific, although others have testified that he was in the Ward Room, why did you think it was inappropriate?

Ambassador Volker. Yeah, I thought it was -- put it this way. It was something of an eye-roll moment, where you have a meeting, you're trying to advance the substance of the bilateral relationship. We have the head of the National Security and Defense Council. It was a disappointing meeting because I don't think that the Ukrainians got as much out of that, in terms of their presentation, as they could have. And then this comes up at the very end of the meeting. It's like, this is not what we should be talking about.

The Chairman. But, Ambassador, you've said that you think it was appropriate to ask the Ukrainians to do investigations of 2016 and Burisma as long as Burisma didn't mean the Bidens --

Ambassador Volker. Right.

The Chairman. -- something you have now, I think, understand you should have seen otherwise. But, nonetheless, if it was appropriate, why are you saying today that all of us thought it was inappropriate?

Ambassador Volker. Yeah, because it was not the place or the time to bring up that. This was a meeting between the National Security Advisor and the Chairman of the National Security and Defense Council, first high-level meeting we're having between Ukraine and the United States after President Zelensky's election --

The Chairman. Well, is part of the reason it was inappropriate also that it was brought up in the context of trying to get the White House meeting?

Ambassador Volker. Possibly, although I don't recall that being -- I know this was the counsel's question. I don't remember the exact context of when that came up. I viewed the meeting as essentially having ended.

The Chairman. Now, I think you said in your updated testimony that you do think it's inappropriate and objectionable to seek to get a foreign government to investigate a political rival. Am I right?

Ambassador Volker. To investigate the Vice President of the United States or someone who was a U.S. official. I don't think we should be asking foreign governments to do that. I would also say that's true of a political rival.

The Chairman. And you recognized when you got the call record, when you finally did see the call record, that's what took place in that call, correct?

Ambassador Volker. That's correct.

The Chairman. Mr. Morrison, Ambassador Volker thinks it's inappropriate to ask a foreign head of state to investigate a U.S. person, let alone a political rival, but you have said you had no concern with that. Do you think that's appropriate?

Mr. Morrison. As a hypothetical matter, I do not.

The Chairman. Well, I'm not talking about a hypothetical matter. Read the transcript. In that transcript, does the President not ask Zelensky to look into the Bidens?

Mr. Morrison. Mr. Chairman, I can only tell you what I was thinking at the time. That is not what I understood the President to be doing.

The Chairman. But, nonetheless, this was the first and only time where you went from listening to a Presidential call directly to the national security lawyers, is it not?

Mr. Morrison. Yes, that's correct.

The Chairman. And I think you've said that your concern was not that it was

unlawful but that it might leak. Is that right?

Mr. Morrison. That is correct.

The Chairman. Now, the problem with the leaking is that what would be leaking is a President asking a foreign head of state to investigate Mr. Biden. Isn't that the problem?

Mr. Morrison. Well, I believe I stated I had, sort of, three concerns about what the impact of the call leaking might be.

The Chairman. Well, if it was a perfect call, would you have had a concern of it leaking?

Mr. Morrison. No. Well, no, I would still have a concern about it leaking.

The Chairman. Okay.

And would you have thought it was appropriate if President Trump had asked Zelensky to investigate John Kasich or to investigate Nancy Pelosi or to investigate Ambassador Volker? Would that be appropriate?

Mr. Morrison. In those hypothetical cases, no, it's not appropriate.

The Chairman. But you're not sure about Joe Biden?

Mr. Morrison. Sir, again, I can only speak to what I understood at the time and why I acted the way I did at the time.

The Chairman. Finally, my colleagues asked about, well, doesn't aid get held up for all kinds of reasons.

Ambassador Volker, have you ever seen military aid held up because a President wanted his rival investigated?

Ambassador Volker. No, I have not seen that.

The Chairman. Have you ever seen that, Mr. Williams -- Mr. Morrison. I'm sorry.

Mr. Morrison. No, Chairman.

The Chairman. Okay.

I yield to the ranking member.

Mr. Nunes. So you took 2 additional minutes. Are you giving our side 7 minutes?

The Chairman. Of course.

Mr. Nunes. I recognize Mr. Turner.

Mr. Turner. Thank you.

Ambassador Volker, Mr. Morrison, good to see you again. I appreciate your service to your country and your service in government. Our country is safer today because of the work of both of you men.

I want you to know that, during all the testimony that we've had, no one has ever alleged that either of you have done anything inappropriate or improper, and everyone has spoken of both of you as having a high level of professionalism and a high degree of ethical standards.

Ambassador Volker, I appreciated in your opening statement your comments of your work to focus on Russia as an invasion of Ukraine and an occupation and your work on legal defensive arms. That would include the Javelins, would it not, Ambassador Volker?

Ambassador Volker. Yes, that's right.

Mr. Turner. And that made a big difference for Ukraine, did it not?

Ambassador Volker. Very big difference.

Mr. Turner. Mr. Morrison, would you speak to -- tell us about your military service.

Mr. Morrison. Mr. Chairman, I'm a U.S. Naval Reserve officer. I'm an

intelligence officer.

Mr. Turner. And where did you go to law school?

Mr. Morrison. George Washington University.

Mr. Turner. Now, gentlemen, there's been a lot of talk about a lot of people -- and we're going to have to pick up the pace here, because these are, like, short periods of time that we have now for this portion of questions -- a lot of people talking about their perceptions, their beliefs, their feelings even, what they heard, and their understandings and their thoughts.

Ambassador Taylor, Mr. Kent, Ambassador Yovanovitch, and Lieutenant Colonel Vindman all had conversations with each other and with other people, and all had a whole bunch of hearsay.

But I can assure you, this boils down to just one thing. This is an impeachment inquiry concerning the President of the United States. So the only thing that matters, besides all these people talking to each other and all their feelings and all of their thoughts and understandings, it really only comes down to: What did the President of the United States intend, and what did he say, and what did the Ukrainians understand or hear?

Ambassador Volker, you're one of the first people that we've had in these open, public testimony that's had conversations with both. So I get to ask you: You had a meeting with the President of the United States, and you believe that the policy issues that he raised concerning Ukraine were valid, correct?

Ambassador Volker. Yes.

Mr. Turner. Did the President of the United States ever say to you that he was not going to allow aid from the United States to go to the Ukraine unless there were investigations into Burisma, the Bidens, or the 2016 elections?

Ambassador Volker. No, he did not.

Mr. Turner. Did the Ukrainians ever tell you that they understood that they would not get a meeting with the President of the United States, a phone call with the President of the United States, military aid or foreign aid from the United States unless they undertook investigations of Burisma, the Bidens, or the 2016 elections?

Ambassador Volker. No, they did not.

Mr. Turner. You know, pretty much, Ambassador Volker, you just, like, took apart their entire case. I mean, if the President of the United States does not believe or intend it and the Ukrainians don't understand it -- and you're the only one who actually stands in between them.

Now, I've got to ask you, Ambassador Volker, the Three Amigo thing or whatever that they're trying to disparage you with, you're not part of an irregular channel, right, Ambassador Volker? Aren't you the official channel?

Ambassador Volker. That's correct.

Mr. Turner. Explain that. Explain how you are the official channel and not an irregular channel.

Ambassador Volker. Right. So I was appointed by the Secretary of State, Secretary Tillerson, in July of 2017 to be the U.S. Special Representative for Ukraine Negotiations. That's a role that's different from Assistant Secretary of State or different from Ambassador in Ukraine.

That role is particularly focused on the diplomatic activities surrounding the efforts to reverse Russia's invasion and occupation of Ukraine. It is Minsk agreement implementation. It is the Normandy process with France and Germany. It is support from NATO. It is support for sanctions from the European Union. It's the OSCE and the monitoring missions. It is the efforts of individual allies like Poland, like the U.K., like

Canada, that are supporting Ukraine. It is work at a senior level in the interagency with --

Mr. Turner. Excellent. I'm going to cut you off there.

Ambassador Volker, you are also one of the few people who has actually spoken to Giuliani, the so-called irregular channel. Again, all these other people had feelings and understandings about what Giuliani was doing.

Did Giuliani ever tell you that United States aid or a meeting with the President of the United States would not occur for the Ukrainians until they agreed to an investigation of Burisma, the Bidens, or the 2016 election?

Ambassador Volker. Yeah. Everything I heard from Giuliani I took to be his opinion.

Mr. Turner. Excellent.

Ambassador Volker. It was not going --

Mr. Turner. So I would assume, then, that the Ukrainians never told you that Giuliani had told them that, in order to get a meeting with the President, a phone call with the President, military aid or foreign aid from the United States, that they would have to do these investigations.

Ambassador Volker. No.

Mr. Turner. Great. Okay.

Mr. Morrison, you testified that you spoke to Ambassador Sondland and he told you of a conversation that he had with the President of the United States.

On page 128 of his testimony, he relates the content of a conversation that he had with the President, and he was asked about it. It's only one he relates. And he said: I didn't -- he was asked whether or not there was a quid pro quo. He said: I didn't frame the question basically to the President that way, as a link. I did not frame the

question that way. I asked the open-ended question, what do you want? This is Mr. Sondland in his testimony, asking this question to the President of the United States.

And this is what he reports that the President of the United States. He said, I want nothing. I don't want to give them anything. I don't want anything from them. I want Zelensky to do the right thing. That's what he -- and he kept repeating no quid pro quo over and over again.

Mr. Morrison, do you have any reason to believe that Mr. Sondland is not telling the truth as to the content of his conversation with the President of the United States?

Mr. Morrison. No, Congressman.

Mr. Turner. Now, do either of you have any information or evidence that anyone who has testified before this committee, either in the secret dungeon testimonies that have been released or in these open testimonies, has perjured themselves or has lied to this committee?

Ambassador Volker. I have no reason to think that.

Mr. Turner. Mr. Morrison?

Mr. Morrison. No, sir.

Mr. Turner. Mr. Morrison, Lieutenant Colonel Vindman reported to you. Is that correct?

Mr. Morrison. He did, sir.

Mr. Turner. Now, you have a legal background. He said that he listened to the phone call, a phone call which you said you saw nothing that had occurred illegally, and he said that he believed the President of the United States demanded to President Zelensky that these investigations move forward.

Do you believe -- because he only was telling us his opinion. Do you believe, in your opinion, that the President of the United States demanded that President Zelensky

undertake these investigations?

Mr. Morrison. No, sir.

Mr. Turner. To both of you, Ukraine is an aspirant to the EU. Ambassador Sondland is the Ambassador to the EU. Is the Ukraine in the Ambassador's portfolio?

Ambassador Volker?

Ambassador Volker. Yes. Also because the EU sanctions on Ukraine are incredibly important.

Mr. Turner. Mr. Morrison?

Mr. Morrison. I agree, sir.

Mr. Turner. I yield back.

The Chairman. Mr. Himes.

Mr. Himes. Thank you, Mr. Chairman.

Thank you, gentlemen, for your testimony today.

President Trump has described his July 25th phone call with President Zelensky as, quote, "perfect." And I think he's done that on Twitter not once, not twice, but, by my count, 11 times.

It feels to me like this characterization of "perfect" is of a piece with the idea that we hear in defense of the President's request to the Ukrainians that that's just the normal course of business pursuing anticorruption. And I've been concerned from the start that this is actually not about going after corruption; it is, in fact, about aiming corruption at the Vice President.

Mr. Morrison, you listened in on the call in the White House Situation Room. Did you hear the President mention the company CrowdStrike and the server?

Mr. Morrison. I believe so. Yes, sir.

Mr. Himes. Did you hear President Trump mention the Bidens?

Mr. Morrison. Yes, sir.

Mr. Himes. Did you hear President Trump in the length of that phone call use the word "corruption"?

Mr. Morrison. No, sir. Well -- sir, I don't believe he did.

Mr. Himes. Was the request that Ukraine investigate CrowdStrike and the Bidens consistent with what you understood to be official U.S. policy towards combating corruption in Ukraine?

Mr. Morrison. Sir, it was the first I heard of much of this.

Mr. Himes. In fact, in your deposition, you testified that you wanted to stay away from what you described as this, quote, "bucket of investigations." Why did you want to stay away from those issues?

Mr. Morrison. That was what I was advised by Dr. Hill.

Mr. Himes. You also testified that the President's call was not -- and I'm quoting you here -- "the full-throated endorsement of the Ukraine reform agenda that I was hoping to hear." What did you mean by that?

RPTR ZAMORA

EDTR ROSEN

[6:39 p.m.]

Mr. Morrison. Sir, what we, myself, Colonel Vindman, others, what we prepared in the package we provided the President was background on President Zelensky, background on his positions about reforming Ukraine, reforming its institutions, rooting out corruption.

We were hoping -- we recommended the President very clearly support what President Zelensky had run on in his own election, and what his Servant of the People party had run on in its election where it received a majority mandate.

Mr. Himes. But that didn't come up in the call, did it?

Mr. Morrison. No, sir.

Mr. Himes. Are you aware of any other discussion in which the President actually raised those things with the new Ukrainian President?

Mr. Morrison. Corruption reform?

Mr. Himes. Yes.

Mr. Morrison. Sir, it's been some time since I refreshed myself on the discussion that took place at the U.N. General Assembly, so I hesitate to say did he ever raise it, but he did not raise it at the time of the 25 July phone call.

Mr. Himes. Okay. Switching gears a little bit. You strike me as a process guy, and it's nagging at me because you characterized the -- Ambassador Sondland's linking in whatever way it happened of aid to an investigation as the Gordon problem. You said it caused you to roll your eyes. Ambassador Volker said it was -- everybody in the July 10 meeting thought it was inappropriate. John Bolton characterizes this as the drug deal.

So it seems like everybody in the room understands that there's a huge problem

here. My understanding is that it would be normal course of business when you have an ambassador out there going rogue, as apparently there was consensus Ambassador Sondland was doing, that either the National Security Advisor John Bolton or the Secretary of State might reign them in. Why didn't that happen?

Mr. Morrison. Sir, I can't speak to that, but I would generally agree that ambassadors work for the Secretary of State and the President.

Mr. Himes. Do you have -- you don't have any idea -- you worked for him. You don't have any idea why John Bolton would characterize what the ambassador was doing as a drug deal but not reign them in?

Mr. Morrison. Ambassadors don't work for the National Security Advisor, sir.

Mr. Himes. No, but John Bolton is National Security Advisor. He presumably spends time with the Secretary of State. I'm just puzzled that everybody in the room is, you know, characterizing this as the Gordon problem or inappropriate or a drug deal, and the Secretary of State does nothing.

Mr. Morrison. Sir, I'm sorry. Was there a question?

Mr. Himes. Well, yeah. I just -- do you have any -- you don't have any insight into that?

Mr. Morrison. No, sir.

Mr. Himes. Ambassador Volker, you testified that you were troubled once you read the record of the President's July 25 call. You testified, quote, that asking the President of Ukraine to work together with the Attorney General to look into this, you can see as it has happened this becomes explosive in our domestic politics, and in your new testimony, you call this unacceptable. What specifically in that call to the Ukraine President do you find unacceptable or troubling?

Ambassador Volker. It is the reference to Vice President Biden.

Mr. Himes. Thank you. I yield back the balance of my time.

The Chairman. Mr. Conaway.

Mr. Conaway. Thank you, Mr. Chairman.

This morning we heard much about July 25 call in which the President asked for a favor. At least in Lieutenant Colonel Vindman's mind, that was the equivalent to a demand, an order, a requirement.

And yet, in the last part of the conversation between the two heads of state, President Trump talks about a prosecutor that he's particularly in favor of and would like to see stay there. And Zelensky, though, says, Mr. President, no, since we've won the absolute majority in our parliament, the next prosecutor general will be 100 percent my person, my candidate.

To either one of you, does that sound like a head of state who has been cowed or bullied and is under the thumb of the President of the United States?

Ambassador Volker. Not at all.

Mr. Morrison. No, sir.

Mr. Conaway. All right. The impact on the pause that occurred, the 55-day pause in lethal assistance, or the security assistance, none of us had really understood exactly what happened during that timeframe. No one knew about it other than internal U.S. folks until late August, and so the Russians would not necessarily have known about it. The potential impact that I agree with on Russia's interpretation of our support for Ukraine wasn't known until those last 14 days. But the impact on the lethal aid that they already had, should Russia had tried to move the line of contact further west with their tanks, would the lethal assistance that we'd already given been available to them to push back on that?

Ambassador Volker. Yes, it would.

Mr. Conaway. Mr. Morrison?

Mr. Morrison. Sir, I agree with that. But I would also add, the hold, as I understood it, applied to Ukraine's security assistance, UASI, U-A-S-I, and FMF. It did not apply to FMS, and the Javelins were provided under FMS.

Mr. Conaway. Okay. So the most lethal weapon that President Trump provided to the Ukrainians that President Obama and his public -- his national policy, which he set, was available to them should the Russians have pushed their tanks west, the Javelins?

Mr. Morrison. Yes, sir.

Mr. Conaway. Throughout that process, even with the pause, even with all the stuff that was going on?

Mr. Morrison. Yes, sir.

Mr. Conaway. Okay. Associated Press is reporting that -- and, Ambassador Volker, you mentioned this earlier, that the Russians, in an act of war, took two gunships and a tug and 24 sailors last November, and yet, the Russians have now given the 24 sailors back in September, and the Associated Press has reported today that they're giving the gunboats and the tug back. Does that sound like Ukraine is inept at being able to negotiate with the Russians because of -- they're wounded in some way by our actions?

Ambassador Volker. No, I would not say that the Ukrainians are inept.

Mr. Conaway. All right. Thank you, sir.

Mr. Chairman, I would like, as a personal request, request that you and/or one of your lawyer -- members of the committee that are lawyers, to put into the record the Federal statute that provides for the absolute immunity, or right to immunity that you've exerted over and over and over. I don't think it's there, but if it is, in fact, Federal statute and/or a brief that you can cite, put that into the record, so that we'll know that.

And before you get mad and accuse me of wanting to out the whistleblower, you get upset every time somebody accuses you personally of knowing who the whistleblower is. I get upset every time you -- anonymity, excuse me.

Anonymity -- every time you accuse me of simply -- because I want to know the whistleblower and we want to know what's going on that we want to out that interviewer. That's unfair for you to make that accusation, and I get just as mad.

This is about leveling the playing field between our two teams. Your team knows the whistleblower. They have intimate knowledge of who he or she is. The IC IG even mentioned indicia of biases. Your team fully understands that. Our team should fully understand that. It's simply leveling the playing field.

And I know that you've overrun my request for a closed-door subpoena. I understand that. But I do think that it's supported that you put in the record the basis on which you continue to assert this absolute right to anonymity -- excuse me, I misspoke earlier -- anonymity by the whistleblower.

Also, the Speaker, on September 23, issued a Dear Colleague. That's a document that we all use to talk to each other. It went to 434 other Members of Congress. It was intended to be the truth. It was intended to be straightforward. She says in that Dear Colleague that the whistleblower has -- by law, is required to testify to the House and the Senate Intelligence Committees.

Now, you're defying the Speaker in this regard. I understand that's between you and her, but if she's correct, then you're defying the law. If, on the other hand, she misled us into thinking something that was not true, then I think you need to tell the Speaker that she needs to retract that Dear Colleague letter, at least set the record straight, is the whistleblower required by law, as the Speaker said, to testify to us or not, and what is this absolute right to anonymity that you question?

With that, I yield back.

The Chairman. The time of the gentleman has expired. I'd be happy to enter into the record the whistleblower's statute that allows the whistleblower to remain anonymous, as well as Ranking Member Nunes' prior comments talking about the importance of anonymity of whistleblowers.

And with that, I recognize, Ms. Sewell.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Ms. Sewell. Thank you, Mr. Chairman.

Ambassador Volker, it seems by early July, it has become pretty clear that Mr. Giuliani has become a major problem for the U.S.-Ukraine relations. You previously testified that on July 2, you met with the Ukrainian President and his aide in Toronto. Is that right?

Ambassador Volker. I had a bilateral meeting between the U.S. and Ukrainian delegations and then a pull-aside meeting with the President and his chief of staff.

Ms. Sewell. There you discuss Mr. Giuliani's, quote, "negative view," quote, of Ukraine based on a conspiracy theory about the 2016 election, right?

Ambassador Volker. I conveyed that he was repeating a negative narrative about Ukraine based on accusations of the then-Prosecutor General Lutsenko.

Ms. Sewell. Are you saying that you didn't think that they were negative views?

Ambassador Volker. No. No. That they were negative views.

Ms. Sewell. Okay. But that wasn't your description.

Ambassador Volker. I'm sorry. I've lost the question. If you could repeat.

Ms. Sewell. Well, I was trying to get at who said the negative views, that you discussed negative views.

Ambassador Volker. So the prosecutor general of Ukraine was putting out this series of conspiracy theories that I believe were self-serving and inaccurate. Mr. Giuliani had repeated these to me, so I believe that he was at least affected by those and believed those and was concerned about those --

Ms. Sewell. And believed that they were negative?

Ambassador Volker. Believed that they were negative and was conveying them to the President.

Ms. Sewell. So was it problematic that he believed that they were negative views?

Ambassador Volker. Yes, the whole thing was problematic.

Ms. Sewell. Ambassador Taylor testified that on July 2 you told Ukrainians that they needed to, quote, "cooperate on investigations," end quote. You're now saying that you don't recall that -- saying those words. Is that correct?

Ambassador Volker. I don't believe I said the words "cooperate on investigations."

Ms. Sewell. Did you say investigations?

Ambassador Volker. I believe I did, yes.

Ms. Sewell. And what did you mean by investigations?

Ambassador Volker. I meant Burisma and 2016 was in my mind, but I wanted to keep it general, and that Ukraine in being convincing to Giuliani, and hopefully also to the President, that they were serious about fighting corruption, would engage in whatever investigations necessary to clean up the country.

Ms. Sewell. Now, moving to July 10, Ambassador Volker sent you a text message -- you sent a text message to Giuliani, and I think --

Ambassador Volker. Yes.

Ms. Sewell. -- it's on the screen now. And you said, Mr. Mayor, could we meet for coffee or lunch in the next week or so? I'd like to update you on my conversations about Ukraine. I think we have an opportunity to get what you need.

Did you say that? Is that an accurate --

Ambassador Volker. That is an accurate text message.

Ms. Sewell. And what did you mean by "what you need"?

Ambassador Volker. Contact with the actual Government of Ukraine, the people

who are now representing President Zelensky and his team.

Ms. Sewell. Later that day, you and Ambassador Sondland met with Ukraine officials at the White House. We heard from several witnesses that Ambassador Sondland told the Ukrainians that they needed to cooperate with the, quote/unquote, "investigations" in order to get the Oval Office meeting scheduled on the books. Were these investigations a part of the official U.S. policy towards Ukraine?

Ambassador Volker. U.S. policy toward Ukraine was about fighting corruption and Ukraine going after that --

Ms. Sewell. But was it specifically about these kinds of investigation? You said the investigation was Burisma --

Ambassador Volker. Well, right.

Ms. Sewell. Okay.

Ambassador Volker. In order to fight corruption, you need to conduct investigations. You need to see what Ukrainian citizens have been up to and doing. So these --

Ms. Sewell. But was that the purpose of that? Or was it because the President -- you knew that, well, that the President wanted those investigations to be done as a condition for them to actually have a meeting with the -- in the White House?

Ambassador Volker. Well, first off, we have to be clear what we're talking about in terms of investigations. We're not talking about Vice President Biden. We're not talking about some of the --

Ms. Sewell. Well, Burisma has nothing to do with -- you're saying --

Ambassador Volker. I'm saying that whether Ukrainians within the company of Burisma had acted in a corrupt way or sought to buy influence. That's a legitimate thing for Ukraine to investigate, and if Ukraine can make a statement about their intentions on

fighting corruption domestically, that is helpful in order to convince President Trump ultimately that this is --

Ms. Sewell. Well, with all due respect, Ambassador Volker, we heard from two witnesses this morning that those investigations were not official U.S. policy. Ambassador Volker, I don't know if you understand what you were getting yourself into, but sitting here today, I trust you understand that pressuring Ukraine to involve itself in U.S. domestic policy is just simply wrong.

I yield back the balance of my time.

The Chairman. Mr. Turner.

Mr. Turner. I yield my time to Jim Jordan.

Mr. Jordan. I thank the gentleman.

Ambassador Volker, you were the special representative to Ukraine. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. And prior to that, in your diplomatic service, you worked at the NSC, you were Deputy Assistant Secretary of State, you were Ambassador to NATO, Senate-confirmed Ambassador to NATO in your distinguished diplomatic career. So it may not bother you when you're referred to as the irregular channel, but it bothers Representative Turner, and it bothers me.

You were the special envoy to Ukraine, and in that role, you said in your opening statement, you were the administration's most outspoken public figure highlighting Russia's invasion and occupation of Ukraine in calling out Russia's responsibility to end the war. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. And in that capacity, you strongly advocated for lifting the ban on

sale of lethal defensive arms to Ukraine. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. And President Trump did it, didn't he?

Ambassador Volker. That is correct.

Mr. Jordan. But in spite of that, President Trump was still skeptical of giving hard-earned tax dollars to Ukraine, right?

Ambassador Volker. Yes.

Mr. Jordan. You said that in your testimony as well. And the reason he's skeptical is, let's be honest, the guy doesn't like foreign aid, right?

Ambassador Volker. That's one reason and then Ukraine's history of corruption is another.

Mr. Jordan. The third most corrupt countries on the planet. And Europe isn't doing enough. And, oh, by the way, in the President's mind, he did think Ukraine was trying to influence the 2016 election, because things happened. And Democrats want to deny it, but when the ambassador from Ukraine here in the United States writes an op-ed on August 4, 2016, criticizing then-candidate Trump, that's certainly trying to influence the election.

When Mr. Avakov, a key minister in their government, says all kinds of negative things about candidate Trump, that certainly looks like he's trying to influence the election. And when Mr. Leshchenko states in The Financial Times during the campaign, the majority of Ukrainian political figures want Hillary Clinton to win, that probably sticks in the candidate's mind.

I know we all run campaigns. When people say bad things about us in the course of the campaign, we don't necessarily think great things about them. But you were convinced Zelensky was the real deal, right?

Ambassador Volker. That is correct.

Mr. Jordan. Because you spend a lot of time with the guy. And guess what? When aid was frozen, you knew if you could get these two guys together, it would work out. When aid was frozen, what did you say? You told the Ukrainians, don't worry about it. Well, you didn't say -- you said, don't be alarmed.

Ambassador Volker. Yeah.

Mr. Jordan. Right?

Ambassador Volker. That is correct.

Mr. Jordan. And guess what happened? By the time aid -- when aid is frozen and when it's released, all kinds of interaction between President Zelensky and senior U.S. officials, right?

Ambassador Volker. That's correct.

Mr. Jordan. It starts with the call with President Trump and President Zelensky. Next day, you meet with President Zelensky in Ukraine. Then we have Ambassador Bolton meeting with him, then we have Vice President Pence meeting with him, then we have U.S. Senators Johnson and Murphy meeting with him. And guess what? In none of those meetings, not a single one, did security assistance dollars in exchange for an investigation, not once did they come up, did that conversation come up. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. Not once. No discussion of aid for investigations, and as you testified, you never believed aid for investigations was ever being talked about either, in any of these conversations?

Ambassador Volker. That is correct.

Mr. Jordan. What happened in those meetings? They all became convinced of the same thing you knew. They all saw the same darn thing. This guy was the real

deal. He is a legitimate reformer. And they all came back, they all came back and told the President, Hey, Mr. President, this guy is real. Go ahead and release the dollars.

Oh, by the way, in that same timeframe, you know what else happened? Their parliament, their newly elected parliament, as Mr. Morrison testified to, stayed up all night to pass the reform measures to get rid of the prosecutor, to put in the supreme high anti-corruption court, to get rid of this ability that no one in their Congress and their parliament could ever be hit with a crime. I mean, that's unbelievable. All that happens and they come back and tell President Trump, Hey, guess what, time to release the dollars. And he did it, right?

Ambassador Volker. The dollars were released.

Mr. Jordan. Yeah. You did your job. You did your job, and you've got to put up with all this because the Democrats are out to get this President. You did your job just the way Mr. Turner described you did your job over all these years. All these years and the Democrats put you through this. You have served our country well. The kind of diplomat we want serving.

And here's the saddest -- one of the saddest things about all this, what the Democrats are putting us through, you two guys who are here telling it straight, you both decided you're going to step out of government because of what these guys are doing. And that's the sad thing.

People like Ambassador Volker and Tim Morrison who have served our country so well are now stepping out of our government because of what these guys are doing. And that's why Mr. Turner got so fired up a few minutes ago and why I'm so fired up too, because we appreciate what you guys did.

I yield back.

The Chairman. Mr. Carson.

Mr. Carson. Thank you, Chairman Schiff.

Ambassador Volker, I want to focus on a press statement that President Trump and Rudy Giuliani wanted Ukraine to make announcing investigations to benefit President Trump. On August 9, sir, Ambassador Sondland and you had this exchange. Ambassador Sondland says, Morrison ready to get dates as soon as Yermak confirms. You reply, excellent. How did you sway him? And Ambassador Sondland says, not sure I did. I think POTUS really wants the deliverable.

The deliverable here was a public announcement that Ukraine was going to conduct investigations into Burisma and alleged 2016 election interference by Ukraine. Is that correct, sir?

Ambassador Volker. Thank you. I understood the deliverable to be the statement that we had been talking about.

Mr. Carson. On August 13, you and Ambassador Sondland discussed a draft statement from Ukraine with Mr. Giuliani. Sir, why did you discuss the draft statement with Mr. Giuliani?

Ambassador Volker. Because the idea of the statement had come up from Mr. Yermak's meeting with Mr. Giuliani. Remember than Mr. Yermak asked me to connect him with Mr. Giuliani. I did. They had a meeting, and then they both called me afterwards. Mr. Giuliani said that he thought Ukraine should make a statement about fighting corruption. Mr. Yermak said, and we will say also specifically Burisma and 2016. Mr. Yermak provided me a draft statement.

And I wanted to be assured that this statement would actually correct the perception that Mr. Giuliani had of Ukraine and what they stand for now, so that that would also be conveyed to President Trump and solve this problem that I had observed with our May 23 meeting with the President, the problem being that he's getting a bad

set of information. A statement like this could potentially correct that.

Mr. Carson. So was Mr. Giuliani satisfied with the statement?

Ambassador Volker. No, he was not.

Mr. Carson. Why not?

Ambassador Volker. He believed that it needed to say Burisma and 2016 specifically, or else it would not be credible, it would not mean anything new.

Mr. Carson. So, in fact, Mr. Giuliani wanted a statement that referenced Burisma and the 2016 elections explicitly, one that would benefit essentially President Trump.

Mr. Ambassador, here's the text you sent to the Ukrainian official on August 13. Let's put that up on the screen. You said, "Hi, Andriy. Good talking. Following is the text with an insert at the end for the two key items."

Mr. Ambassador, those two key items were specific references to investigations of Burisma and the 2016 elections. Isn't that right, sir?

Ambassador Volker. That is correct.

Mr. Carson. Did Mr. Giuliani, sir, dictate those two key items to you, sir?

Ambassador Volker. Well, as you see, I had just had a conversation with Mr. Yermak to describe to him the conversation that we had just had with Mr. Giuliani. Mr. Giuliani said that it would need to include these things for it to be convincing to him. I put them in so we understood what he was talking about, and I shared it with Andriy to say this is what he is talking about.

Mr. Carson. And you included them in the proposal to the Ukrainians?

Ambassador Volker. I put it back in just to be clear to the Ukrainians this is what the conversation was.

Mr. Carson. Mr. Ambassador, if you believe the statement that Mr. Giuliani dictated in August was not a good idea, sir, why were the Ukrainians still considering

giving an interview with the same themes in September?

Ambassador Volker. Well, if I may, Congressman, I conveyed this to the Ukrainians in order to be clear so we knew what the conversation was about, so this was following up on his prior conversation. The Ukrainians then said they had reasons not to do that and they described those reasons and I agreed with them, and we agreed to just scrap the statement.

From that point on, I didn't have any further conversations about this statement. So I don't know how it came up, or why it came up that there would be a possibility of President Zelensky doing an interview with U.S. media later saying something like this, and in the end, he didn't do that either.

Mr. Carson. Thank you, sir.

Mr. Morrison, you said that the President's request during the July 25 call were not consistent with U.S. policy. I emphatically agree with you, sir. Yet, these text messages show that Ambassador Volker spent much of August pressing Ukraine to meet those requests. We can only be grateful. I guess that the President essentially got caught, and Congress passed a law to ensure the funding was released to Ukraine before it was too late.

I thank you both for your service.

Mr. Chairman, I yield back.

The Chairman. Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

Both you gentlemen, thank you very much for being here.

I want to start if I can with you, Mr. Morrison. In discussing the 7/25 phone call and the concerns that Lieutenant Colonel Vindman had, Lieutenant Colonel Vindman came to you with edits for the transcript and you stated that you accepted all of his edits.

Is that correct?

Mr. Morrison. I would have accepted all of the edits that I believed were faithful to what was actually discussed.

Dr. Wenstrup. Did he come to you with an edit that said that the word "demand" should be in there?

Mr. Morrison. I don't recall that specifically, sir, no.

Dr. Wenstrup. He didn't either. How soon after the phone call did he meet with you on that particular issue?

Mr. Morrison. We got the draft as was normal fairly quickly after the call that same day.

Dr. Wenstrup. That same day. So today he said, I reported my concerns to Mr. Eisenberg. It is improper for the President of the United States to demand a foreign government investigate a U.S. citizen and political opponent.

Now, he was going to Mr. Eisenberg with his concerns about the conversation. Yet, he did not, at any point on the edits, say that there should be a demand. And, you know, he didn't do that, but he did say that he didn't come to you with his concerns because you weren't available, but that same day, he came to you with edits. Is that correct?

Mr. Morrison. I believe that's generally correct, yes, sir.

Dr. Wenstrup. Okay. Well, he said you weren't available. And you didn't hear the President make a demand, did you?

Mr. Morrison. No, sir.

Dr. Wenstrup. So sometime between the call and today, Lieutenant Colonel Vindman must have been hearing some voices, and he heard "demand" at the time. But he didn't hear it that day, and he didn't make it an issue that day, but today he does. I

think that's pretty bizarre.

When Lieutenant Colonel Vindman went to legal, Mr. Eisenberg, do you know if he was advised not to speak to you?

Mr. Morrison. I don't have any firsthand knowledge of that, no, sir.

Dr. Wenstrup. Do you know if he was advised to contact the IG IC?

Mr. Morrison. No, sir. I have no firsthand knowledge of that.

Dr. Wenstrup. So you don't know what he was advised when he went to legal?

Mr. Morrison. No, sir, I do not.

Dr. Wenstrup. Thank you. I appreciate that.

Mr. Volker, I want to tell you, I really enjoyed your opening testimony today, taking us through that. I know it's kind of long, but I thought it was extremely well done, and I appreciate it. You talk about letters signed and sharing concerns about leadership in your assigned country, about agreeing with and sometimes disagreeing with the leadership of your own country when you felt it was appropriate.

You're the boots on the ground for the administration. Let's face it. You're part of that team that is there to serve the country in that way. And that all to me sounded like the works of a very good diplomat, and I want to thank you for that.

Ambassador Volker. Thank you, sir.

Dr. Wenstrup. It's truly appreciated.

And, you know, corruption was a concern legitimately in Ukraine, and in many ways. And Mr. Jordan pointed out some of the things that were done by Ukrainians in plain sight, I might use that term, in plain sight, by putting op-eds in our newspapers. And it's -- certainly more than one country can be trying to influence our elections. Would you agree with that?

Ambassador Volker. I agree with that.

Dr. Wenstrup. And, you know, we keep hearing that that whole thing about the Ukrainians, that's all been debunked. It was just the Russians. Well, you know, that comes from an IC community that some of the people that have come up with those conclusions are some of the very same people that we're going to find out, if we haven't already, were deeply involved with this whole Russian collusion hoax.

But I want to say, you did a great job. You vetted Zelensky's intentions, what he intended to be as a President. Would you say that's accurate?

Ambassador Volker. Yes. That was, in fact, one of the key objectives at the presidential delegation at the inauguration, to take our own judgment and report back to the President.

Dr. Wenstrup. And that's what your job should be. And you became comfortable with this President, correct?

Ambassador Volker. Yes, I did.

Dr. Wenstrup. And you worked to assure our President that you were comfortable with this President --

Ambassador Volker. Yes, I did.

Dr. Wenstrup. -- is that correct?

Ambassador Volker. That's correct.

Dr. Wenstrup. And in some ways, you have to work sometimes through any means available, and that might include working with Rudy Giuliani if it could be helpful to you to get that message and advice to the President. Would that be correct?

Ambassador Volker. I believe that the messages being conveyed by Mr. Giuliani were a problem, because they were at variance with what our official message to the President was, and not conveying that positive assessment that we all had. And so, I thought it was important to try to step in and fix the problem.

Dr. Wenstrup. And in that, I think, you termed that a useful barometer of where things were?

Ambassador Volker. Yes.

Dr. Wenstrup. So there's -- useful barometers, I think, can come in a lot of different fashions, like Dennis Rodman in North Korea, or James Taylor in France singing, "You Got a Friend," if they can help the cause. And in that situation, it's not illegal.

Good job, Ambassador. Thank you very much. I yield back.

Ambassador Volker. Thank you, sir.

The Chairman. Ms. Speier.

Ms. Speier. Mr. Chairman, thank you.

And thank you both for your participation here today and for your service.

I want to take us out some 30,000 feet for a minute, and talk about coverups. But for the fact that the whistleblower came forward, we wouldn't know anything about this. But for the fact that the inspector general of the CIA found it to be both urgent and credible, we wouldn't know anything about it.

Mr. Morrison, you said that after you heard the call you went directly to the attorneys in the National Security Council and recommended that they be limited access, and they were subsequently put into a special server. The White House has not released any documents whatsoever to this committee.

So do you, Mr. Volker -- thank you. But for the fact that you as a private citizen with your own personal phone and your text messages with Mr. Giuliani and Mr. Sondland and Mr. Mayak (ph) and whomever else, but for those text messages that we've been putting up on the screen all day, we would have nothing. Nothing. And this coverup would be complete. That's something we should think about.

Now, on July 19, you had breakfast with Rudy Giuliani at the Trump Hotel,

correct?

Ambassador Volker. That's correct.

Ms. Speier. And in that conversation, at one point, he brought up Mr. Lutsenko, and you said that whatever Mr. Lutsenko is saying that's not credible. Is that correct?

Ambassador Volker. Yes.

Ms. Speier. And then he brought up Mr. Biden, and I'm going to quote you here: I've known him for a long time. He's a person of integrity. To Giuliani, simply not credible to me. Joe Biden would be influenced in his duties as Vice President by money or things for his son or anything like that.

Now, we've had many discussions over the last few days about these investigations into Burisma and Biden and the 2016 CrowdStrike server. And you, in that conversation with Mr. Giuliani, basically debunked all of that. Now, at that time, at that breakfast, who else was with you at that breakfast?

Ambassador Volker. There was someone that Mr. Giuliani brought along. I later learned that this was Lev Parnas who we've learned a lot about since then.

Ms. Speier. So Mr. Lev Parnas was at that breakfast that Mr. Giuliani had with you, and we now know that Mr. Parnas has since been indicted for campaign -- foreign campaign contributions to President Trump's political action committee. Is that correct?

Ambassador Volker. I have seen that.

Ms. Speier. All right. On May 23, you were in that discussion with the President, and at one point, he referred to Zelensky having terrible people around him. Who do you think he was calling terrible people around him?

Ambassador Volker. There were two people that came to mind. One of them was a former investigative journalist and later a parliamentarian named Serhiy Leshchenko. Serhiy Leshchenko is someone that, in many of these stories, is seen as

bringing forth a black ledger relating to Paul Manafort's activities in Ukraine. That was one person.

The other person I thought it could refer to was the person who was being named as President Zelensky's chief presidential administration Andriy Bohdan. He was known as a lawyer for one of the main oligarchs in Ukraine, Igor Kolomoisky, and there's a lot of controversy at the time about him being appointed to the administration.

Ms. Speier. Do you think of them as terrible people?

Ambassador Volker. I don't think either one of them is terrible people, no.

Ms. Speier. All right. Thank you.

Mr. Morrison, earlier in testimony that was elicited from our colleagues on the other side of the aisle, you indicated that others had represented to you that Colonel Vindman leaked. Do you remember saying that?

Mr. Morrison. Yes, ma'am.

Ms. Speier. All right. Colonel Vindman this morning, under oath, said that he did not, does not leak. Now, would you therefore want to maybe rearrange your comments about the references you made to Colonel Vindman?

Mr. Morrison. No, ma'am.

Ms. Speier. So even though under oath, he said that he has never leaked, you believe that -- you're believing people who said to you that he may have leaked?

Mr. Morrison. Ma'am, I didn't believe or disbelieve them.

Ms. Speier. But you then --

Mr. Morrison. I'm merely relating what they told me.

Ms. Speier. Well, they told you, and so, then, you decided to continue to put that forward even though you had no evidence.

Mr. Morrison. No, ma'am. No, ma'am.

Ms. Speier. Thank you. I yield back.

Mr. Morrison. Ma'am, I'm sorry. Chairman, if I could answer?

The Chairman. You may respond.

Mr. Morrison. No, ma'am. That's incorrect. They, Dr. Hill, Mr. Erath, others in the NSC raised concerns about Alex. Those concerns were noted. I didn't take them for face value. I treated them as representations of others. I was on alert, but I formed my own judgments. I took no action because of the statements of someone else that I couldn't independently validate.

The Chairman. Mr. Stewart.

Mr. Stewart. Thank you.

Gentlemen, welcome to Impeachapalooza 2019, which is the Democratic plan to compel America to impeach President Donald J. Trump through the sheer force of boredom, because it's been a long day. And it turns out impeachment is very boring if you don't have any compelling or any condemning evidence.

Good news and bad news. The good news is I'm going to be very, very brief. We're going on 10-plus hours of this. I will yield back some of my time. The bad news is, most of my colleagues after me won't, so we've still got some time to go.

Ambassador Volker, very quickly, do you think that someone should be immune from investigation of suspected ethical or criminal activity just because they were a candidate for office, even for Office of the President of the United States?

Ambassador Volker. I don't think anyone should be above the law.

Mr. Stewart. Well, of course not. That would be absurd to suggest that, and I was certain that's how you would answer that question.

What if some of these alleged ethical or criminal allegations occurred overseas, occurred in another country? Would it be improper to seek the host country's help such

as we do with Interpol or any other law enforcement agency?

Ambassador Volker. There are channels for doing that for American citizens who may have committed crimes abroad.

Mr. Stewart. Okay. And, again, to seek the host nation's -- their government's help is not unusual at all.

Ambassador Volker. That is correct.

Mr. Stewart. Thank you.

Ambassador Volker. And we often have treaties for them.

Ambassador Volker. Thank you. And, again, that's painfully the obvious, and to me that's exactly and the only thing that the President was doing here.

Mr. Morrison, I want to refer just briefly to Lieutenant Colonel Vindman's testimony where he described the six people, I believe it was five or six people, that were in the Situation Room listening to this phone call between the two Presidents.

Colonel Vindman described these individuals as exceptional. He stated that there was no reason to question their integrity or professionalism. This was an exchange that he and I had in the closed-door testimony. Do you agree with the description of these national security staff as exceptional people?

Mr. Morrison. Sir, they are patriots, yes.

Mr. Stewart. People of great integrity and professionalism?

Mr. Morrison. Yes, sir.

Mr. Stewart. Do any of these -- I'm sorry. Did any of these exceptional individuals, people of unquestioned integrity and professionalism, indicate to you that they had thought that the President of the United States didn't get engaged in any illegal or unethical behavior as a result of this phone call?

Mr. Morrison. Not that I'm aware of, Congressman.

Mr. Stewart. Did any of them suggest to you in any way that they thought the President was involved with bribery or any such thing associated with that?

Mr. Morrison. Not that I'm aware of, Congressman.

Mr. Stewart. You know, it only leaves two possible explanations: Either these individuals of what we've described as great integrity, either that's not true, which I don't believe, or they just interpreted an ambiguous conversation very differently than did Colonel Vindman.

And I have one last thing just as an aside. As an Air Force officer, I've never understood why President Obama was against providing lethal aid to Ukraine. Ambassador, do you have some insight into why they refused to do that?

Ambassador Volker. I would only point to the statements from the administration at the time. There was a perception that our allies would oppose it, that Germany would oppose it. There was a perception that Germany should be in the lead. There was a perception that it could be provocative to Russia or escalate the conflict.

As I've said extensively at the time, and as special representative, I don't agree with those arguments. And I believe that the record has borne out that providing those lethal defensive arms is actually very important.

Mr. Stewart. Well, I agree with you, Ambassador. I think that you got it right, and I think President Trump got it right. And with that, I yield back.

The Chairman. Mr. Quigley.

Mr. Quigley. Thank you, Mr. Chairman.

Ambassador, I want to direct your attention to a meeting you had with Ambassador Taylor and Mr. Yermak on September 14 in Kyiv. Do you recall this meeting, sir?

Ambassador Volker. I believe we had dinners around the time of the YES

Conference.

Mr. Quigley. Okay. And do you remember discussing with Mr. Yermak Ukraine's intent to investigate their former President, Mr. Poroshenko?

Ambassador Volker. I remember raising the issue of the possibility of prosecutions.

Mr. Quigley. Well, they brought it up. Is that -- you raised it --

Ambassador Volker. No. I believed there had --

Mr. Quigley. -- and they talked about their intention --

Ambassador Volker. Excuse me, Congressman. I'm sorry. To be clear, there was a lot of talk in Kyiv at that time about whether the new team would be prosecuting the former President. And I had met with President Poroshenko. I had met with others in the opposition as well. And I wanted to call Mr. Yermak's attention to the potential problems of this.

I'm very familiar with other examples of countries in the region that have gone for prosecutions of the former government, and these have created deep divisions in society. And, so, I cited President Zelensky's inauguration speech -- I'm sorry, his National Day speech from August 24 that was all about unifying the country.

And I cautioned Mr. Yermak to say that pursuing prosecution of President Poroshenko risks deepening the divisions in the country, exactly the opposite of what President Zelensky has said he wants to do.

Mr. Quigley. So it's fair to describe it as you discouraged him from such action?

Ambassador Volker. Yeah, I discouraged him. I raised concerns about what the potential impact would be.

Mr. Quigley. And what was Mr. Yermak's response?

Ambassador Volker. I believe, and I'm refreshed in this by seeing the testimony

of others --

Mr. Quigley. Mr. Taylor --

Ambassador Volker. Mr. Taylor's testimony --

Mr. Quigley. Ambassador Taylor and Mr. Kent?

Ambassador Volker. Right. And I believe based on that testimony, that Mr. Yermak said, what, you mean like asking us to investigate Clinton and Biden?

Mr. Quigley. So it was something along the lines of it's okay for you to ask us to investigate the manner in which you are, these so-called investigations, but you don't want us to investigate our own President. Is that a fair way to describe this?

Ambassador Volker. Well, I didn't quite understand what he was referring to because, to my knowledge, we weren't asking to investigate Clinton or Biden. And so I was kind of puzzled by the remark, and that's why I didn't respond.

Mr. Quigley. Did you go and investigate what he might have meant or ask anybody?

Ambassador Volker. No. I thought -- I took it something of a deflection from the point I was making about unifying Ukraine.

Mr. Quigley. But in all this time, I mean, Mr. Giuliani, in this time, in that May to September, he mentioned the Biden investigation. He mentioned Biden over 50 times and 20-something times in relation to Ukraine. None of that stirred your curiosity?

Ambassador Volker. Well --

Mr. Quigley. You've just now finally come to this point?

Ambassador Volker. Yeah. As I testified, I met with Mr. Giuliani once, and he did bring up Vice President Biden, and I pushed back on that. And I maintained a very clear distinction that Ukraine investigating its own citizens and corruption would be fine. Going beyond that to say we're going to investigate the Vice President is not fine.

Mr. Quigley. Sure. Did you have any discussions with anyone in the State Department or anywhere else in the administration about concerns about the investigation into Poroshenko?

Ambassador Volker. Yes. So I know that I raised this with Ambassador Taylor in advance of that. We'd been in some of the same meetings, some of the country team there. I don't remember whether I had raised it with George Kent or Phil Reeker or not. I may well have done. But it was something that we had discussed as part of our meetings in Kyiv at that time.

Mr. Quigley. I yield to the chairman.

The Chairman. So, Ambassador, when you had this conversation and you urged Ukrainians not to investigate or prosecute the former President Poroshenko, their response was, Oh, you mean like you're asking us to investigate the Clintons and the Bidens. That was their response?

Ambassador Volker. That's what I recall now from seeing Ambassador Taylor's testimony.

The Chairman. And you didn't understand that at the time, but then at the time had you read the call record?

Ambassador Volker. No.

The Chairman. Now that you've read the call record, that makes a little more sense, doesn't it?

Ambassador Volker. Yes.

The Chairman. You know, I was curious about something you said earlier when you said that the 2016 conspiracy theory of Lutsenko had no merit, but you didn't see any harm in Ukraine investigating it if they wanted to investigate it. Is that right?

Ambassador Volker. Yes.

The Chairman. Don't they have enough legitimate corruption to investigate without spending time investigating a debunk conspiracy theory?

Ambassador Volker. There is all kinds of corruption to investigate in Ukraine.

The Chairman. But nonetheless, you proposed that they go ahead and do this investigation as something you thought without merit because this was part of an effort to fix the problem that Giuliani was creating?

Ambassador Volker. Well, I did not propose it.

The Chairman. Well, I think you said you were okay with it, or you amended statements as we've seen to include it because, well, if it would help fix the Giuliani problem, was that the thinking?

Ambassador Volker. Yes, that's correct. If it threads the needle between what is reasonable for Ukraine to do and if it resets the negative perceptions held by Mr. Giuliani and then the President, then why not.

The Chairman. This is part of what you described in your opening statement as your effort to, when you see a problem, to fix it. Is it clear to you now, Ambassador Volker, based on the September 25 call, that you were not able to fix it?

Ambassador Volker. Based on the transcript that was released on the 25th, I can see now that there was a lot else going on that was about Vice President Biden than I knew at the time. And the efforts that I was making were clearly not in the context of what had already been discussed by the President on July 25.

The Chairman. So it's fair to say you were not able to fix the Giuliani problem?

Ambassador Volker. That's correct.

The Chairman. Ms. Stefanik.

Ms. Stefanik. Thank you, Ambassador Volker and Mr. Morrison, for your years of service and your professional expertise and leadership on national security issues. And I

want to particularly thank Mr. Morrison for his great work on the House Armed Services Committee on which I serve.

I wanted to start with the July 25 call between President Trump and President Zelensky. Mr. Morrison, you were on that call, and there was no mention of withholding aid on the call, correct?

Mr. Morrison. That is correct, Congresswoman.

Ms. Stefanik. And there was no quid pro quo, correct?

Mr. Morrison. Correct.

Ms. Stefanik. No bribery?

Mr. Morrison. Correct.

Ms. Stefanik. No extortion?

Mr. Morrison. Correct.

Ms. Stefanik. And, Ambassador Volker, I presume you got a readout of the call.

Is that correct?

Ambassador Volker. A very terse readout, but yes.

Ms. Stefanik. In this terse readout of the call, Ambassador, from the U.S. participants, was there any reference to withholding aid?

Ambassador Volker. No, there was not.

Ms. Stefanik. Any reference to bribery?

Ambassador Volker. No, there was not.

Ms. Stefanik. Any reference to quid pro quo?

Ambassador Volker. No, there was not.

Ms. Stefanik. Any reference to extortion?

Ambassador Volker. No, there was not.

Ms. Stefanik. And I presume you also got feedback from your Ukrainian

counterparts as to how the call went. Did they mention the withholding of aid?

Ambassador Volker. No, they did not.

Ms. Stefanik. Did they mention any quid pro quo?

Ambassador Volker. No, they did not.

Ms. Stefanik. And did they mention any bribery?

Ambassador Volker. No, they did not.

Ms. Stefanik. And, in fact, the day after the call you met with President Zelensky.

This would be on July 26.

Ambassador Volker. That's correct.

Ms. Stefanik. And in that meeting he made no mention of quid pro quo?

Ambassador Volker. No.

Ms. Stefanik. He made no mention of withholding the aid?

Ambassador Volker. No.

Ms. Stefanik. He made no mention of bribery?

Ambassador Volker. No.

Ms. Stefanik. So the fact is that Ukrainians were not even aware of this hold on aid. Is that correct?

Ambassador Volker. That's correct.

Ms. Stefanik. And in the coming weeks, you were in touch with Ukrainians as part of your official duties, and this included talking to Ukrainians over the phone, in person, on text, and the Ukrainians never brought up an investigation into the Bidens. Is that correct?

Ambassador Volker. That's correct.

Ms. Stefanik. They never brought up the withholding of the aid?

Ambassador Volker. That's correct.

Ms. Stefanik. They never brought up quid pro quo or bribery?

Ambassador Volker. Let me bring up the aid. They did bring that up after the Politico article appeared on the --

Ms. Stefanik. I'm going to get to that. But until the Politico article --

Ambassador Volker. Until then, no.

Ms. Stefanik. -- they did not bring it up?

And you said in your closed-door deposition, quote, "It never came up in conversation with them, and I believe they had trust in me that they would have asked if that was really what they were worried about." Is that correct?

Ambassador Volker. That is correct.

Ms. Stefanik. And as you pointed out, the Ukrainians never even knew their foreign aid was on pause until the article was published in Politico in August?

Ambassador Volker. That's correct.

Ms. Stefanik. So they didn't know during the call?

Ambassador Volker. That's correct.

Ms. Stefanik. And, in fact, you had to correct Chairman Schiff on this timeline in the closed-door deposition. The chairman of this committee asked you, quote, "When they became aware that military assistance was being withheld for a reason you couldn't explain, no one could explain, weren't they under even greater pressure to give the President what he asked for on the call?"

And you answered, Ambassador Volker, quote, "To my knowledge, the news about a hold on security assistance did not get into Ukrainian Government circles as indicated to me by the current foreign minister, then diplomatic adviser, until the end of August."

Is that your testimony?

Ambassador Volker. Yes, it is.

Ms. Stefanik. And Chairman Schiff also got the facts wrong again when he asked you this, quote: "At the point they learned their aid was paused, wouldn't that give them added urgency to meet the President's request on the Bidens?" And you answered, Ambassador Volker, quote: "I think the Ukrainians felt like they are going in the right direction and they had not done anything. They had not done anything on an investigation," end quote.

Isn't it the case, Ambassador Volker, at one point Chairman Schiff said to you, when you were truthfully testifying, quote, "Ambassador, you're making this much more complicated than it has to be," end quote. It's page 127 from the deposition. Is that correct?

Ambassador Volker. I remember that.

Ms. Stefanik. But the truth is, the facts are indeed not complicated. And I'm going to close out with two questions for the both of you. Did Ukraine open investigation into the Bidens, Mr. Morrison?

Mr. Morrison. Not to my knowledge, ma'am.

Ms. Stefanik. Ambassador Volker?

Ambassador Volker. Not to my knowledge either.

Ms. Stefanik. Did either of you ever have any evidence of quid pro quo, Mr. Morrison?

Mr. Morrison. No, ma'am.

Ms. Stefanik. Ambassador Volker?

Ambassador Volker. I did not.

Ms. Stefanik. Any evidence of bribery?

Mr. Morrison. No, ma'am.

Ambassador Volker. No, ma'am.

Ms. Stefanik. Any evidence of treason?

Mr. Morrison. No, ma'am.

Ambassador Volker. No evidence of treason.

Ms. Stefanik. With that, I yield back.

The Chairman. Mr. Swalwell.

Mr. Swalwell. Thank you.

Mr. Morrison, did Ambassador Bolton want the security aid hold lifted?

Mr. Morrison. Yes, Congressman, he did.

Mr. Swalwell. You testified that Ambassador Bolton had a one-on-one meeting with trump in late August related to Ukraine security assistance. Is that right?

Mr. Morrison. Sir, can you point to where I testified to that?

Mr. Swalwell. On page 266, you said Ambassador Bolton had a one-on-one meeting with President Trump in late August 2019, but the President was not yet ready to approve the release of the assistance. Do you remember that?

Mr. Morrison. Sir, this is 226?

Mr. Swalwell. Yes. 266 and 268. But I'm asking you, did that happen, or did it not?

Mr. Morrison. Sir, I just want to be clear in characterizing it. Okay. Yes, sir. I see. Yes.

Mr. Swalwell. And you testified to that?

Mr. Morrison. Yes, sir.

Mr. Swalwell. What was the outcome of that meeting between Ambassador Bolton and President Trump?

Mr. Morrison. Ambassador Bolton did not yet believe the President was ready to

approve the assistance.

Mr. Swalwell. Did Ambassador Bolton inform you of any reason for the ongoing hold that stemmed from this meeting?

Mr. Morrison. No, sir.

Mr. Swalwell. Mr. Morrison, do you consider yourself loyal to the President?

Mr. Morrison. Yes, sir.

Mr. Swalwell. And the President executes the foreign policy of the United States. Is that right?

Mr. Morrison. Well, sir, I would say he decides --

Mr. Swalwell. He sets the foreign policy?

Mr. Morrison. He sets it, yes, sir.

Mr. Swalwell. And as a staffer on the National Security Council, and even someone who serves in the military, it's your job to faithfully execute the foreign policy priorities of the President. Is that right?

Mr. Morrison. Sir, my oath is to obey all lawful orders.

Mr. Swalwell. On July 25 you listened to the President of the United States talk to the President of Ukraine. Is that correct?

Mr. Morrison. July 25, yes, sir.

Mr. Swalwell. And regardless of what you had prepared as far as talking points for that call for the President, you heard the President of the United States ask the President of Ukraine to investigate the Bidens. Is that correct?

Mr. Morrison. Yes, sir. He made a request.

Mr. Swalwell. And after the July 25 call between President Trump and the Ukrainian President, fair to say that you talked to your Ukrainian counterparts a number of times?

Mr. Morrison. Yes, sir.

Mr. Swalwell. How many times when you talked to your Ukrainian counterparts did you ask them to investigate the Bidens?

Mr. Morrison. Never, sir.

Mr. Swalwell. Why not?

Mr. Morrison. Sir, it was not a policy objective that I was aware of.

Mr. Swalwell. But with all due respect, Mr. Morrison, you're not in the White House to carry out your policy objectives. You just testified that the President sets the foreign policy objectives for the United States, and the one call that you listened to between the President of the United States and the President of Ukraine, the President of the United States' priorities were to investigate the Bidens. And I'm asking you, sir, why didn't you follow up on the President's priorities when you talked to the Ukrainians?

Mr. Morrison. Sir, I did not understand it as a policy objective.

Mr. Swalwell. Mr. Morrison, I know that you put that conversation in the server because, as you said, you feared the political consequences and some other reasons that you gave. But you also chose to defy the President's request to not come here as others have, like Mr. Mulvaney and Mr. Bolton, and you have come here and you've been truthful. And I appreciate that.

And, Mr. Morrison, whether you acknowledge it publicly or not, I believe that you knew that what the President asked the Ukrainians to do was wrong. And as you just described, your duty is to follow the foreign policy priorities of the President, but to also only follow something that is a lawful order. And I don't think you believe that was a lawful order and that's why you did not follow up on those priorities.

Mr. Volker, we've heard a lot today about this President being such an anti-corruption President. He really cared about fighting corruption. Is Russia a

corrupt country?

Ambassador Volker. We're talking about President Zelensky?

Mr. Swalwell. No, President Trump.

Ambassador Volker. President Trump.

Mr. Swalwell. Is Russia a corrupt country?

Ambassador Volker. Yes, it is.

Mr. Swalwell. And President Trump has met a number of times in person with President Putin. Is that right?

Ambassador Volker. Yes, a few times.

Mr. Swalwell. And he's had a number of phone calls with President Putin. Is that right?

Ambassador Volker. Yes.

Mr. Swalwell. Is Turkey a corrupt country?

Ambassador Volker. Yes, I believe so.

Mr. Swalwell. And just last week, despite their corruption, at the White House, President Erdogan had an audience with the President of the United States. Is that correct?

Ambassador Volker. Yes, he did.

Mr. Swalwell. Finally, Mr. Giuliani, on May 9, told The New York Times, President Trump basically knows what I'm doing as his lawyer. Are you familiar with that statement to The New York Times?

Ambassador Volker. No, I'm not.

Mr. Swalwell. But you agree, as someone who has a lawyer sitting next to you, that a lawyer acts on a client's behalf, and only on client's behalf. Is that right?

Ambassador Volker. I believe that a lawyer acts on his client's behalf. I'm not

sure about only on a client's behalf, because I think, as I understood Mayor Guiliani in this case, he was doing a lot that I considered to be on his own. I did not believe he was always instructed.

Mr. Swalwell. And when he said we're not meddling in an election, we're meddling in an investigation, he didn't say "I," he said "we." Is that correct?

Ambassador Volker. I'm taking that from the statement.

Mr. Swalwell. Yield back.

The Chairman. Mr. Hurd.

Mr. Hurd. Mr. Morrison, my colleague from California suggests he knows your opinions and your thoughts better than you do. Do you have anything -- he didn't give you the opportunity to respond. Do you have a response? Or want to give a response?

Mr. Morrison. No, sir. I heard the President make a request. I received no direction at any time to attempt to lead a policy process different from what I laid out in my deposition. I was directed by Dr. Kupperman to launch an interagency process to ensure a unity of opinion in the interagency as to the importance of continuing security sector assistance, and that's what I did. I acted upon the direction I was given.

Mr. Hurd. Good copy.

While we're with you, Mr. Morrison, thanks for your testimony, your clear and sober testimony today. Did you participate in, or overhear any conversations about how political information collected by Ukraine on the Bidens would be used for political gain?

Mr. Morrison. No, sir.

Mr. Hurd. Ambassador Volker, same question. Did you participate in or overhear any conversations about how potential information collected by Ukraine on the Bidens would be used for political gain?

Ambassador Volker. No, I did not.

Mr. Hurd. There has been a lot of discussions about a text exchange you had with Mr. Yermak on August 12 that talked about this proposed statement. And Mayor Guiliani provided some feedback on what he thought needed to be included in that. Did Mayor Guiliani get feedback from the President on what should go into that proposed statement?

Ambassador Volker. I have no reason to think that he had discussed it with the President.

Mr. Hurd. Based on your recollection, Ambassador Volker, who within the Zelensky regime has Mayor Guiliani interacted with, in addition to Mr. Yermak, which we've already talked about, and also the former attorney general, Mr. Lutsenko?

Ambassador Volker. Yeah. I don't know who else he would have interacted with in the Zelensky government. I am aware of him having claimed that he met with Mr. Lutsenko's predecessor as prosecutor general --

Mr. Hurd. Yeah. But that's not within current regime --

Ambassador Volker. That's not under the Zelensky government.

Mr. Hurd. -- in which we're talking about.

Ambassador Volker. I don't know who else he would have met with.

Mr. Hurd. In as few words as possible, what was your understanding of Ambassador Sondland's role in Ukraine?

Ambassador Volker. He cared about Ukraine. He wanted to see U.S. support for Ukraine increased. He wanted to see European Union support for Ukraine increased, including maintenance of sanctions, and he wanted to be helpful.

Mr. Hurd. Was Ambassador Sondland having conversations with senior Zelensky officials without letting other people know?

Ambassador Volker. I don't believe that he was not letting people know. I think he may have had some conversations, but I think he was just acting, you know, and I think we circled back quite frequently with myself, Ambassador Taylor, and others.

Mr. Hurd. Can you say that you have a clear understanding of what Ambassador Sondland and Mayor Guiliani were doing in all their interactions with Ukrainian officials?

Ambassador Volker. I can't say that I had a clear understanding. I thought that Ambassador Sondland and I were working on the same objective, which is getting a meeting between President Zelensky and President Trump, and that a statement, as I understood it, that mentioned Burisma and 2016 would be potentially helpful. I didn't know anything more about their interactions or what their thoughts were.

Mr. Hurd. If you didn't have a clear understanding as the special representative to Ukraine, do you think the Ukrainians had a clear understanding?

Ambassador Volker. No, I don't.

Mr. Hurd. You thought there was a difference between Burisma, Biden, and the 2016 election. Is that correct?

Ambassador Volker. That is correct.

Mr. Hurd. Do you think the Ukrainians had similar understanding?

Ambassador Volker. Yes, I do.

Mr. Hurd. There's also a perception that when Ambassador Yovanovitch, who we've all -- you know, her 33 years of being an awesome ambassador, that when she left Kyiv, that the U.S. position on corruption would weaken. That is kind of a narrative that's floating around. Who was the person that took over for her in the interim? Who was the Charge after --

Ambassador Volker. Immediately after Masha was Joe Pennington.

Mr. Hurd. Was this individual strong or weak on corruption?

Ambassador Volker. I would say, in line with all the rest of our policy.

Mr. Hurd. And after that individual, who was that person replaced with?

Ambassador Volker. Then that was Bill Taylor.

Mr. Hurd. Who you suggested for the position, correct?

Ambassador Volker. Yes.

Mr. Hurd. Was Ambassador Taylor strong or weak on corruption?

Ambassador Volker. Very strong.

Mr. Hurd. Mr. Morrison, in my last few minutes, who sets the official U.S. policy?

Mr. Morrison. Sir, the President.

Mr. Hurd. Not some other staffer within the NSC process?

Mr. Morrison. Sir, the NSC staff exists to ensure the President has the full array of options for his decision.

Mr. Hurd. Thank you. I yield back.

RPTR JOHNSON

EDTR SECKMAN

[7:37 p.m.]

The Chairman. Mr. Castro.

Mr. Castro. Thank you, Chairman. Thank you, gentlemen, for your testimony today.

Is it correct to say that both you gentlemen were either appointed or hired by the White House, by the Trump administration?

Mr. Morrison. Yes, sir.

Ambassador Volker. In my case, by Secretary Tillerson.

Mr. Castro. But part of the Trump administration?

Ambassador Volker. Yes, serving in the same administration.

Mr. Castro. Sure.

Ambassador Volker, you previously testified that Ambassador Gordon Sondland, quote: I just know that he had a relationship with President Trump that I did not have.

In fact, in one text message, dated July 26th, you wrote to Ambassador Sondland, quote: Great photo, Gordon. Can you get this to POTUS without intermediaries?

July 26th was the same day that Ambassador Sondland spoke to the President from a restaurant in Kyiv. Is that right?

Ambassador Volker. I'm sorry. The date again?

Mr. Castro. July 26th.

Ambassador Volker. Yes. I know that to be correct now.

Mr. Castro. Were you aware of that call?

Ambassador Volker. No, I was not.

Mr. Castro. This committee certainly is aware of it now, as we all are.

Were you aware that Ambassador Sondland had a direct line to the President?

Ambassador Volker. He claimed that he spoke to the President frequently.

Mr. Castro. Did you have reason to doubt that?

Ambassador Volker. Ambassador Sondland is a big personality and sometimes says things that might be a bit bigger than life.

Mr. Castro. But he, too -- he was a political appointee, he was handpicked by the President or somebody in the President's administration, to serve in his position?

Ambassador Volker. Correct, and I believe that he could speak with the President.

Mr. Castro. He had also been a large donor to one of Trump's -- President Trump's campaign committees. Is that correct?

Ambassador Volker. I have learned that, yes.

Mr. Castro. And, Mr. Morrison, you stated during your testimony that when you met Ambassador Sondland for the first time, he represented that, quote, his mandate from the President was to go make deals. And, in fact, you testified that between July 25th and September 11th of this year, you heard or learned that Ambassador Sondland and President Trump spoke on several occasions. Is it accurate that, every time you checked, you were able to confirm that Ambassador Sondland had, in fact, spoken to the President?

Mr. Morrison. Yes, Congressman.

Mr. Castro. Mr. Morrison, you also testified that Ambassador Sondland emailed you and several White House staff to say that he briefed President Trump in advance of his July 25th call with the Ukrainian President. Is that correct?

Mr. Morrison. Yes, Congressman.

Mr. Castro. Did Ambassador Sondland tell you what he briefed the President

on?

Mr. Morrison. It was -- he sent me an email, sir. It was a very succinct -- it was list of three items -- it was a very succinct item with respect to Ukraine. I briefed the President on the call.

Mr. Castro. And you testified that you personally confirmed that Ambassador Sondland and President Trump had spoken before the July 25th call.

Mr. Morrison. That is correct, Congressman.

Mr. Castro. And presumably the White House situation room keeps a record of those calls.

Mr. Morrison. Sir, that is how I was able to confirm it.

Mr. Castro. Okay. You separately testified that your staff prepared a briefing memo with suggested points for the President to raise on July 25th, points that were consistent with U.S. policy. Is that correct?

Mr. Morrison. Correct, Congressman.

Mr. Castro. But the President didn't use those points, did he?

Mr. Morrison. No, sir, he did not.

Mr. Castro. So I guess let me get this straight.

You prepared materials for the President, your materials did not include references to Biden or the 2016 election. Is that right?

Mr. Morrison. Correct, Congressman.

Mr. Castro. And then Ambassador Sondland, the guy who is the Gordon problem, the guy who has got the direct link to the President, the guy who is talking about making deals, briefed President Trump. Is that right?

Mr. Morrison. Correct, Congressman.

Mr. Castro. And then President Trump raised the 2016 election and Vice

President Biden and his son to the Ukrainian President after he was briefed by Ambassador Sondland. Is that right?

Mr. Morrison. Correct, Congressman.

Mr. Castro. It sounds like Ambassador Sondland and the President were on the same page. They both are working to benefit the President's personal political interests, even when that undermined U.S. foreign policy.

I would ask you in the short time that I have, both you gentlemen, who served the United States Government, whether -- putting President Trump aside, whether you believe that it's proper for any President, now or later, to ask a foreign government to investigate a U.S. citizen and specifically a U.S. citizen that could be a political rival?

Ambassador?

Ambassador Volker. I don't believe it is appropriate for the President to do that. If we have law enforcement concerns with a U.S. citizen generally, there are appropriate channels for that.

Mr. Castro. Mr. Morrison?

Mr. Morrison. I agree with Ambassador Volker, sir.

Mr. Castro. Thank you, Chairman.

I yield back.

The Chairman. Mr. Ratcliffe.

Mr. Ratcliffe. Thank you, Chairman.

Gentlemen, I appreciate both of you being here today. I know it's been a long day for you.

Mr. Morrison, I'm going to try and summarize some of what we've heard, to shorten this.

You were on the July 25th call; Colonel Vindman was on the July 25th call, correct?

Mr. Morrison. Yes, Congressman.

Mr. Ratcliffe. And I will tell you that he testified earlier today that he heard what he thought was a demand on that call that was improper and felt that he had a duty to report that.

I think we've established already that he did not discuss or report any of that to you, correct?

Mr. Morrison. Yes, Congressman.

Mr. Ratcliffe. But you did have a discussion with Colonel Vindman about other concerns that he had with the call, and I believe you said the fidelity of the translation and the fact that you both shared a discussion about not -- there not being a full-throated embrace of the Ukrainian reform agenda. Is that fair?

Mr. Morrison. Yes, Congressman.

Mr. Ratcliffe. Okay. But with respect to his concern about something improper, specifically at no point did he come to you and say, "I heard something that I thought was improper and was a crime"?

Mr. Morrison. Sir, I have no recollection of him doing that.

Mr. Ratcliffe. No bribe, no extortion, no quid pro quo, all of the things that Ms. Stefanik asked you?

Mr. Morrison. No, sir.

Mr. Ratcliffe. And as you were listening, did you hear President Trump make a demand of anything that would constitute a crime?

Mr. Morrison. Sir, I've been trying to stay on the safe side of making legal conclusions, but no, sir, I did not hear him make any sort of demand.

Mr. Ratcliffe. You have a law degree?

Mr. Morrison. I do, sir.

Mr. Ratcliffe. So you're at least generally familiar with bribery and extortion, generally.

Mr. Morrison. I'm not lawyer for the United States, sir.

Mr. Ratcliffe. But is it fair to say that, as you were listening to the call, you weren't thinking, wow, the President is bribing the President of Ukraine? That never crossed your mind?

Mr. Morrison. It did not, sir.

Mr. Ratcliffe. Or that he was extorting the President of Ukraine?

Mr. Morrison. It did not, sir.

Mr. Ratcliffe. Or doing anything improper?

Mr. Morrison. Correct, sir.

Mr. Ratcliffe. And have you heard or read in the media where President Zelensky agrees with you and said repeatedly and consistently that he didn't hear any demand, he didn't hear any conditions, he didn't feel any pressure, he didn't experience anything improper or corrupt on the call?

Mr. Morrison. Sir, I attended the bilat in New York at the U.N. General Assembly, and he made clear at the time in front of the press that he felt no pressure.

Mr. Ratcliffe. So did anyone on the National Security Council, after this call, express to you that some crime, bribery, extortion, quid pro quo, anything had occurred?

Mr. Morrison. No, sir.

Mr. Ratcliffe. I want to ask you, Mr. Morrison, about the whistleblower complaint. I don't want to ask you to speculate as to the identity, but I want to ask you about the accusations that started this, as to the veracity.

First of all, the whistleblower, who apparently was not on the call, advised the ICIG that he or she was concerned that the President's conduct constituted, under title 50

U.S.C., section 3033, quote, a serious problem, abuse, or violation of law or executive order, end quote.

Again, to be clear, you didn't hear a violation of law or executive order as you listened to the call?

Mr. Morrison. Sir, I made no judgment about any illegal conduct occurring.

Mr. Ratcliffe. The whistleblower also reported, in starting this inquiry, asserted that President Trump, quote, sought to pressure the Ukrainian leadership to take actions to help the President's 2020 reelection bid.

President Trump does not mention 2020 during the call, does he?

Mr. Morrison. No, sir, I don't believe he did.

Mr. Ratcliffe. President Trump doesn't mention his reelection bid during the call, does he?

Mr. Morrison. Sir, I don't believe he did.

Mr. Ratcliffe. And you did not hear President Trump pressure or have a demand of any kind as we've already established, correct?

Mr. Morrison. Correct, sir.

Mr. Ratcliffe. The whistleblower, like Colonel Vindman, also uses the word "demand."

Ms. Van Gelder. Did you say "whistleblower like Colonel Vindman"? I don't think that's a fact that's in evidence.

The Chairman. Counsel, you should use the microphone.

Ms. Van Gelder. Thank you. I'm sorry.

In all due respect, Congressman, I believe you just said "a whistleblower like Colonel Vindman."

Mr. Ratcliffe. No, I said -- I'm sorry.

Ms. Van Gelder. At least that's not in evidence.

Mr. Ratcliffe. The whistleblower, like Colonel Vindman, also use the word "demand." On page 4, the whistleblower asserted, quote: Ambassador Volker and Sondland purportedly provided advice to Ukrainian leadership about how to navigate the demands the President had made of Mr. Zelensky, end quote.

Again, there were no demands from your perspective, Mr. Morrison?

Mr. Morrison. That is correct, sir.

Mr. Ratcliffe. All right. So speculations about the whistleblower aside, with regard to motivations, the fact is that the whistleblower was wrong about many of the facts as well, correct?

Mr. Morrison. Sir, I'm not intimately familiar with the whistleblower complaint, but I did not hear a demand in that call.

Mr. Ratcliffe. I yield back.

The Chairman. The gentleman's time has expired.

Mr. Heck.

Mr. Heck. Thank you, Mr. Chairman.

Ambassador Volker, I want to thank you for being here today. And I, frankly, found some of your opening statement to be not just genuine but downright eloquent. In particular, I noted the passages about pushing back on Russian aggression and supporting the development of a strong, resilient, democratic, and prosperous Ukraine, one that overcomes a legacy of corruption and that this is critically important for U.S. national security.

Some of us believe that we're not pushing back strongly enough on Russia. Some of us believe we're not being supportive enough of the Ukraine. But one of our challenges is to go home to the people for whom we work and help explain to them why

it is in our national security interest.

You have an audience like you'll never have again, to -- to look into the camera and tell the American public why it is important to support Ukraine, why it should matter to them if the biggest issue in their life is getting their kids off to school, paying their bills and the like, sir.

Ambassador Volker. Thank you so much, Congressman.

I agree with you completely that we are not pushing back hard enough on Russia and that we owe Ukraine a great deal of support.

Mr. Heck. Why does it matter?

Ambassador Volker. Russia is trying to upend security in Europe. It's trying to reassert its domination of neighboring countries, whether it's Georgia or Ukraine or the Baltic states. It has led to war in Europe. The war in Ukraine has left more people dead in Europe in a European war than anything since the Balkans. More people displaced by a war in Europe since anything since World War II. These are people who stand up for freedom, for democracy. They want reform. They want to see their country be successful like Germany, like Sweden, like us, and they are fighting a war of aggression against them designed to hold them back.

And if we want to live in a world of freedom for the United States, we ought to be supporting freedom for people around the world.

Mr. Heck. Thank you for that.

So we're here in part because under cover of a concern for general corruption, some of us believe there wasn't -- in fact, there was something quite nefarious as the alternative -- that there wasn't a concern about general corruption.

But reviewing the record on that, sir, is it not true that, in March of this year, the Department of Defense certified Ukraine as having been sufficient -- having made

sufficient progress to continue to receive military assistance?

Ambassador Volker. I don't know the details of that, but I believe that to be correct.

Mr. Heck. Is it not true that, on April 21st, President Zelensky won an overwhelming mandate with 73 percent of the vote, based largely on his effort and advocacy for anticorruption?

Ambassador Volker. That is correct.

Mr. Heck. Is not true that this mandate was affirmed and expanded on July 21st when his party won one-party control, again on the basis of anticorruption?

Ambassador Volker. That is correct.

Mr. Heck. In fact, subsequently he enacted sweeping reforms to combat anticorruption, did he not?

Ambassador Volker. Yes, he has.

Mr. Heck. And is it not true that everybody on the ground thought or was filled in optimism that Ukraine was getting serious about combating corruption?

Ambassador Volker. That is correct.

Mr. Heck. Ambassador Volker, did you know that one of the very first anticorruption measures passed in the Ukraine was a law to provide for the impeachment of the President?

Ambassador Volker. I did not know that.

Mr. Heck. It's true. Because he thought we should start with himself.

I raise this because my friends on the other side of the aisle keep characterizing this impeachment inquiry as inherently wrong because -- and I'm quoting them -- it will overturn an election. Over and over, it will overturn an election. Well, impeachment is an anticorruption tool.

And for my friends on the other side of the aisle, yes, it does overturn an election. By definition it overturns an election. I don't know if they've got a problem with our Constitution and its provisions for impeachment, but I recommend they reread the relevant passages in Article I, sections 2 and 3, and some of the history about how we got there.

Look, none of us wants to be here, despite what is being said. None of us came to this easily. I didn't. I will recall for the rest of my life the 48 hours I spent at our family cabin, literally plunged in self-reflection and literally prayerful deliberation about this whole matter.

Collectively, we are going to have to grapple with this very grave decision. It's weighty. And it's going to get hard. And it's hard in proportion to its importance to our great Republic, a Republic if we can keep it.

I yield back, Mr. Chairman.

The Chairman. Mr. Jordan.

Mr. Jordan. Thank you, Mr. Chairman.

Ambassador Volker, in the now famous call transcript, the bottom of page 3, President Trump said this: I heard you had a prosecutor, and he was shut down, and that's really unfair.

Just for clarification, do you believe President Trump was talking about Lutsenko or Shokin?

Ambassador Volker. Shokin.

Mr. Jordan. Thank you so much. That's what I thought as well.

Mr. Morrison, you testified in your deposition you had issues with Colonel Vindman's judgment. Is that right?

Mr. Morrison. It is, sir.

Mr. Jordan. And you said specifically that you had concerns with Colonel Vindman exercising, quote, appropriate judgment as to who he said what. Is that right?

Mr. Morrison. It is, sir.

Mr. Jordan. You testified that Dr. Hill, your predecessor at NSC, told you that she had concerns about Colonel Vindman's judgment. Is that right?

Mr. Morrison. It is, sir.

Mr. Jordan. And you testified that Colonel Vindman did not always adhere to the chain of command. Is that right?

Mr. Morrison. I believe so, yes, sir.

Mr. Jordan. You testified that you were aware of issues with Colonel Vindman trying to access information outside his lane. Is that correct?

Mr. Morrison. Sir, I believe I stated that I was aware that there were those who were concerned about that, yes, sir.

Mr. Jordan. Okay. Thank you. You testified that Colonel Vindman was not included on certain trips. Is that right?

Mr. Morrison. Yes, sir.

Mr. Jordan. And you testified that colleagues expressed concerns to you about Colonel Vindman leaking information. Is that right?

Mr. Morrison. Yes, sir.

Mr. Jordan. Now, when I asked Colonel Vindman why he didn't go to you with his concerns about the call, even though you, his boss, had no concerns about anything being -- I think your language was nothing improper, nothing illegal on the call -- I asked Colonel Vindman earlier this morning why he didn't go to you and instead went and talked to the lawyers, his brother, Secretary Kent, and one other person that he wouldn't tell us and Chairman Schiff wouldn't allow him to tell us.

When I asked him why he did that, he indicated that the lawyers had instructed him to do that, and he tried to get ahold of you.

Is that fair?

Mr. Morrison. Sir, I watched part of the proceedings this morning. I heard him say that, yes, sir.

Mr. Jordan. Okay. Well, one thing that Chairman Schiff brought up at the end of this morning's hearing, he said -- he pointed out that you, Colonel Vindman's boss, also went to the lawyers. But your reason for going to the lawyers was a little different, wasn't it?

Mr. Morrison. Yes, sir.

Mr. Jordan. Yeah, I think you had a few things that Mr. Castor and you talked about earlier in today's hearing. But I think at the top of your list was you were concerned about the contents of the call leaking out. Is that fair?

Mr. Morrison. Yes, sir.

Mr. Jordan. And that's exactly what happened, isn't it?

Mr. Morrison. Sir, I don't know that the contents leaked out. There was a whistleblower complaint. The President chose to declassify the MEMCON.

Mr. Jordan. Well, it seems to me you were prophetic, Mr. Morrison, because you said in your statement today: As I stated during my deposition, I feared at the time of the call, on July 25th, how the disclosure of the contents of the call would play in Washington's political climate. My fears have been realized.

Seems to me you saw what might happen, and it sure enough did. Fair to say?

Mr. Morrison. Yes, sir.

Mr. Jordan. And we get all this -- I mean, we get all this, and that's the part that gets me. We get all of this, these hearings, these weeks of basement -- in the bunker in

the basement of the Capitol. And four facts that we keep coming back to have never changed, will never change.

We've heard from both of you today that confirmed these fundamental facts. We got the call transcript, as you both said, no linkage to security assistance dollars and investigations in the call transcript. We've got the two individuals who were on the call. They've both said no linkage, no pressure, no pushing. We've got the fact that the Ukrainians didn't even know aid had been withheld until August 29th, and, most importantly, the Ukrainians did nothing as far as starting, promising to start, announcing they were going to start investigation, did nothing, and the aid got released.

And I believe it got released because of what we've been talking about, the good work of Mr. -- excuse me -- Ambassador Volker and others. I believe that's why it happened. And yet here we are. And you called it all. You saw this coming. That's why you went to the lawyers. That's why you wanted to -- that's why the concern was there, and that's the part that's most troubling.

I yield back, Mr. Chair.

I yield to the gentleman from Ohio.

Mr. Turner. Ambassador Volker, on Daily Mail, they currently have this headline. It says Ukraine Special Envoy Kurt Volker walks back his closed-door testimony and says, quote, he has now learned there was a link between U.S. military aid and a Biden probe. That's not your testimony today, is it?

Ambassador Volker. I don't believe that's in my testimony.

Mr. Turner. Thank you.

I yield back.

The Chairman. Mr. Welch.

Mr. Welch. Thank you. Just following up on Mr. Jordan, the easiest way to

avoid investigation is to not do anything wrong.

I want to talk a little bit about why we're here. Official government actions can't be traded for helping a political campaign. Let me give an analogy and ask each of you if you agree.

Could a mayor of a city withhold funding for the police department budget unless the police chief agreed to open up an investigation on a political rival?

Mr. Morrison?

Mr. Morrison. In that hypothetical, no, I don't think he should do that.

Mr. Welch. Yeah.

And, Ambassador Volker, I'm sure you agree?

Ambassador Volker. Yes.

Mr. Welch. And the same would be true if it were a Governor withholding the budget request of the State police, unless the State police agreed to conduct an investigation on a political rival. You would agree?

Ambassador Volker. Correct.

Mr. Morrison. Yes, sir.

Mr. Welch. In your view, is it any different for a Member of Congress? Of course not, right?

Would you agree that the President has the same obligation as the mayor, as the Governor, as the Member of Congress, to not withhold aid unless he gets an investigation into a political rival?

Mr. Morrison?

Mr. Morrison. Yes, sir, I would agree with that hypothetical.

Ambassador Volker. I would agree.

Mr. Welch. Thanks.

And we're having a debate here, both sides, as to how to read what's plainly before us of the Presidential phone call where the President ignored the work of the advisors and the National Security Council, talking points, and instead chose to talk about the Bidens and talk about Hunter Biden and ask for an investigation. So we are just going to have to debate that.

But isn't the principle that no person, including the President, is above the law absolutely essential and worth the effort to make certain that we continue to guarantee, Ambassador Morrison?

Mr. Morrison. Sir, I haven't been promoted.

Mr. Welch. I'm sorry. Ambassador Volker. I'm sorry. Pardon me.

Ambassador Volker. Yes.

Mr. Welch. And Mr. Morrison?

Mr. Morrison. Sir, the rule of law is essential to our democracy.

Mr. Welch. It's so true.

You know, we've had some discussions and challenge from the other side that the President has authority in foreign policy to do what he likes. And, in fact, he does.

You know, a recent precedent by President Trump to take our troops out of Syria and allow the Turkish forces to go in literally meant that some Kurdish families went to bed Saturday night and woke up Sunday morning, packed their kids, and fled for their lives.

A lot of people, including both sides of the aisle, totally disagreed with that, but the President has the authority to do it, impulsive as that decision may have been, unwise as it may have been, as threatening to our national security.

We're not talking about that here.

And, Ambassador Volker, I've listened to your testimony and I take it -- and thank

you for making efforts to try to advance what had been a bipartisan Ukraine policy, help Ukraine get rid of corruption, help resist Russian aggression.

But what you came to learn painfully is that there was a sidebar Ukraine policy with Giuliani as the advocate, and it appears Ambassador Sondland is very much involved.

Is that correct?

Ambassador Volker. I don't know everything about that, sir.

Mr. Welch. You don't. But as you have been involved and with the benefit of hindsight, while you were working on what you thought was stopping aggression and ending -- and eliminating corruption, there was a side deal here to get investigations going, correct?

Ambassador Volker. And so my objective was purely focused on support for Ukraine, national security, and I now have learned, through other testimony, about the President's statement about investigating Biden and other conversations that I did not know about.

Mr. Welch. Right. And thank you for that and thank you for your candor about Vice President Biden's integrity and service.

But the bottom line here is, at the end of the day, we're going to have to make a judgment about what the President was up to with respect to that request for the favor and how it repudiated the policy that was the bipartisan effort in Ukraine and raises questions about how he, in that hypothetical example I gave of the mayor, held himself to be above the law.

I yield back.

The Chairman. Mr. Maloney.

Mr. Maloney. Gentlemen, thank you for being here.

Ambassador Volker, I was struck by your opening statement. You moved a long

way from the testimony you presented to us in October. And I know you gave a reason for that, which is that you were in the dark about a lot of these things.

Is that fair to say?

Ambassador Volker. That is one thing, is that I learned a lot out of the testimony of --

Mr. Maloney. You learned a lot. You learned a lot. And what you said on page 8 -- I'm referring to the statement that you gave this morning -- excuse me -- this afternoon -- that: I did not know -- this is quoting -- I did not know that President Trump or others had raised Vice President Biden with the Ukrainians or had conflated the investigation of possible Ukrainian corruption with investigation of the former Vice President Biden, right?

Ambassador Volker. Right, correct.

Mr. Maloney. You didn't know Burisma meant Biden? That's what you're saying?

Ambassador Volker. Right. I had separated the two.

Mr. Maloney. I got it. Well, you didn't know, right? You were -- do we have to go through it, sir? I mean, you were there on May 23rd for the meeting with the President when he said talk to Rudy. And Rudy sure cared about the investigations, which you know now meant Biden, right? But you missed on May 23rd, right?

Ambassador Volker. No, sir. I understood at the time that Hunter Biden, Vice President Biden's son, had been a board member of Burisma.

Mr. Maloney. I understand. But you didn't read that as a request to investigate the Bidens at that time. That's all I'm saying.

Ambassador Volker. Correct.

Mr. Maloney. And on July 10th, you were at not one but two meetings at the

White House where Ambassador Sondland raised the investigations, but you didn't know it was about the Bidens. That's your testimony, right, at the time?

Ambassador Volker. I did not think he was talking about anything specific.

Mr. Maloney. Right. You heard him say investigations, and you thought it was inappropriate, and the chairman asked you about that, but you said: Oh, it's because I didn't know it was the Bidens; I just thought it was inappropriate.

And then I guess when they were in the Ward Room and Ambassador Sondland raised Burisma and the Bidens and 2016, you missed that, too, as I understand it?

Ambassador Volker. That is correct.

Mr. Maloney. Right. And then, of course, on July 18th, you knew aid was withheld. And then, in August, you spent a good part of the time with this statement with Rudy Giuliani, right? I mean, you were the guy making the changes and interacting with the Ukrainians; you were putting in Rudy's changes, which included a call for investigating Burisma and the 2016 elections, which you now know meant Bidens, right? You didn't know it at the time, right? But now we know it, right?

And then, on September 1st, you were in Warsaw -- I mean, you're at every point in this. You were in Warsaw, and you were there when Ambassador Sondland told Andriy Yermak that he was not going to get security assistance, he wasn't going to get a White House meeting, unless there was the investigation -- and I understand you missed that; you were out of the loop then.

Ambassador Volker. That's not correct, sir. I was not in Warsaw at these meetings.

Mr. Maloney. Oh, excuse me. You were not in Warsaw, but you heard about it right after from Sondland. Is that right?

Ambassador Volker. No, that's not quite correct either. It was sometime later.

Mr. Maloney. I got it. So but now we know, right? Now you know what it meant, and you said: In retrospect, I should have seen that connection differently and had I done so, I would have raised my own objections.

Ambassador Volker. Right. That is correct.

Mr. Maloney. What are the objections you would have raised, sir?

Ambassador Volker. What I would have raised is that people are conflating investigating the Bidens with investigating these Ukrainian companies --

Mr. Maloney. But would you have objected to the President asking for an investigation of the Bidens? As you sit here now, you said: I would have raised my own objections.

Ambassador Volker. Yes.

Mr. Maloney. If you knew it was the Bidens.

Ambassador Volker. If I knew we were talking about investigating Vice President Biden and asking the Ukrainians --

Mr. Maloney. And his son.

Ambassador Volker. -- to do that, that would have been inappropriate, and I would have objected to that.

Mr. Maloney. Right. And so, if you had heard him ask for it on the call and you said, in retrospect, the Ukrainians clearly would have been -- it would have been confusing, right?

Ambassador Volker. Correct.

Mr. Maloney. Is confusing the right word, sir? I mean, it would have put them in the position of having to do some something inappropriate, right, investigate the Bidens?

Ambassador Volker. I think confusing is the right word, because they were

clearly hearing something from the President in one conversation and different from me as a U.S. Special Representative, different from --

Mr. Maloney. Maybe, sir, they understood that investigating Burisma and investigating 2016, in fact, meant the Bidens, even though you didn't. I mean, in fact, at the time you were talking to Yermak and putting those changes in the statement, he had talked to Sondland, right, at the same time, and so the point being that they were put in an impossible position. They were being asked to do something inappropriate. And you now know that, right? And you would have raised your own objections.

Ambassador Volker. I know they were asked in the phone call to do that. In the conversations that I had with the Ukrainians, we were not asking them to do that. And even at that point, the Ukrainians, perhaps with the knowledge of this phone call, which I did not have knowledge of at the time, is that we just don't want to go there.

Mr. Maloney. Right. So, in retrospect, though, you would have raised objections. You would have said it was inappropriate for the President --

Ambassador Volker. Correct.

Mr. Maloney. -- to do this?

Ambassador Volker. Correct.

Mr. Maloney. Mr. Morrison, can I just ask you, sir, so -- I'm stuck on this issue of you didn't see anything wrong with the call, but you went straight to NSC legal to report it.

Is that your testimony to us today?

Mr. Morrison. Yes, sir.

Mr. Maloney. Thank you, sir.

I yield back.

The Chairman. Mrs. Demings.

Mrs. Demings. Thank you, Mr. Chairman.

Mr. Morrison and -- to both of you, thank you so much for your service. Thanks for being here. It's been a long day.

Mr. Morrison, just to follow up on the question from my colleague, you responded earlier to a series of questions about the call and basically saw nothing wrong with it, yet you skipped your chain of command to go to legal counsel to find out -- I guess, to find out what to do because you were concerned about the political fallout, not about anything being inappropriate or wrong with the call. Is that correct?

Mr. Morrison. Ma'am, I don't agree with the premise, no.

Mrs. Demings. Okay. Could you tell me why you felt the need? You saw nothing basically wrong with the call, yet you skipped your chain of command to go to counsel because of what? What was the reason for that?

Mr. Morrison. I don't know that I -- again, I don't agree with the premise, ma'am. I don't think I did skip my chain of command. If I had seen something wrong, I would have --

Mrs. Demings. And who is your direct report?

Mr. Morrison. The Deputy National Security Advisor.

Mrs. Demings. And the name of the person?

Mr. Morrison. Dr. Charles Kupperman.

Mrs. Demings. Okay. Dr. Kupperman. Did you speak with him before you spoke with legal counsel?

Mr. Morrison. No. No, ma'am.

Mrs. Demings. But you don't feel you skipped your chain of command in doing so, going directly to counsel?

Mr. Morrison. Ma'am, if I may, I viewed my engagement with the NSC legal

advisor as one largely focused on administrative matters. I was interested in locking down the transcript. That's an administrative matter. I was interested in making sure that the legal advisor was aware of the call because I didn't see anybody from the legal advisor's office.

Mrs. Demings. And why were you so concerned about the legal advisor being aware of this call that you saw nothing basically wrong with the substance or content of the call?

Mr. Morrison. Because I did not see anybody from the legal advisor's office in the listening room, and I wanted to make sure somebody from the legal advisor's office was aware, and I wanted to make sure it was a senior person.

Mrs. Demings. And what is it that you wanted them to be aware of specifically?

Mr. Morrison. I wanted them to be aware of the call, because I wanted them to know what had transpired.

Mrs. Demings. What concerned you to the point where you wanted them to know what had transpired that you went directly to legal counsel to inform them of?

Mr. Morrison. My equivalent of the head of NSC legal was and is John Eisenberg. He was my equivalent in that position. I wouldn't go to somebody subordinate to him; I would go to him.

Mrs. Demings. Didn't you testify earlier that you were concerned about the political fallout based on the political climate in D.C.?

Mr. Morrison. Yes, ma'am. Yes, ma'am.

Mrs. Demings. Okay. All right. And so how long have you supervised Lieutenant Colonel Vindman?

Mr. Morrison. Ma'am, approximately -- well, I guess not approximately -- July 15th to October 31st or so.

Mrs. Demings. Okay. All right. Thank you.

Ambassador Volker, you testified that you believe congressional pressure helped unfreeze the security assistance being released.

Do you still stand by that testimony today?

Ambassador Volker. I believe it was important. I met with staff members of the Senate Armed Services Committee. And I then saw the letter that several senators signed and sent to Chief of Staff Mulvaney. And I was briefed about the possibility of a couple of phone calls from some senior members of the Senate as well.

Mrs. Demings. Thank you.

Mr. Chairman, I yield my remaining time to you.

The Chairman. I thank the gentlewoman for yielding.

Ambassador Volker, I just wanted to follow up on a couple of questions about Ukrainians not being aware of the aid being withheld.

You're aware, I'm sure, of the testimony of Colonel Vindman that, in fact, he was contacted by someone within the Ukrainian Embassy who was concerned about the hold prior to its becoming public?

Ambassador Volker. I was not aware of that, but I take that.

The Chairman. Are you aware of Ms. Croft's testimony and transcripts that have been released that, in fact, the Ukrainians found out quite quickly after the hold was placed in July that she was impressed with Ukrainian tradecraft and that the Ukrainians had a reason to keep it silent and not make it public?

Ambassador Volker. I saw that in her testimony.

The Chairman. You don't have any reason to question whether, in fact, that testimony was accurate, do you?

Ambassador Volker. No, I don't.

The Chairman. So the Ukrainians did find out before it was public, at least according to these two witnesses. But, nevertheless, the Ukrainians certainly found out it was public when it was published in the newspaper, right?

Ambassador Volker. That is correct, in August 29th.

The Chairman. And at the time they found out from the newspaper, they still hadn't had the White House meeting, and they still didn't have the aid. And at that point, they had already had the conversation with the President in which he asked them to investigate the Bidens, correct?

Ambassador Volker. That is correct.

The Chairman. Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good evening to both of you, and thank you for your service.

Ambassador Volker, on page 7 of your opening statement today, you said, since events surrounding your earlier testimony, October 3rd, quote/unquote, "A great deal of additional information and perspectives have come to light. I have learned many things that I did not know at the time of the events in question," correct?

Ambassador Volker. Yes, that is correct.

Mr. Krishnamoorthi. That includes conversations that occurred as well as meetings that occurred of which you weren't a part, correct?

Ambassador Volker. That's correct.

Mr. Krishnamoorthi. Sir, you obviously were not a part of the July 25th call. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. You were not aware that Ambassador Sondland, according to your opening statement, had a call with President Trump on July 26th, correct?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. On September 1st, you weren't present for the sidebar meeting between Ambassador Sondland and Special Advisor Yermak. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. And you certainly weren't part of the phone call between Ambassador Taylor and Ambassador Sondland in which Ambassador Sondland, according to multiple people now, said that everything, a White House meeting as well as military aid, were dependent on public announcements of investigations. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. And, certainly, sir, you weren't part of the phone call on September 7th between Ambassador Sondland and President Trump in which President Trump insisted that President Zelensky go to a mike and publicly announce investigations of President Trump's domestic rivals. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. And certainly you weren't part of the September 8th phone call between Ambassador Sondland and President Trump where President Trump again insists that these announcements have to happen. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. Sir, you say you weren't a witness to any kind of quid pro quo or conditionality between military assistance and investigations, what someone called missiles for misinformation today. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. But, sir, you weren't present for many, if not all, of the phone calls and conversations where these alleged instances of quid pro quo occurred. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. Sir, let me turn your attention to another topic that's come up today or actually came up last Friday.

You have high regard for Ambassador Yovanovitch, correct?

Ambassador Volker. Yes, I do.

Mr. Krishnamoorthi. I presume you were aware that when the Ambassador was testifying, President Trump actually tweeted very disparaging remarks about her, right?

Ambassador Volker. I saw that moment.

Mr. Krishnamoorthi. And I presume that you disapprove of those types of tweets, correct?

Ambassador Volker. Yes. I don't think that's appropriate.

Mr. Krishnamoorthi. You've supervised many, many people over the years during your career in the Foreign Service, right?

Ambassador Volker. Yes, I have.

Mr. Krishnamoorthi. And you would never do that to one of your direct reports or anybody who worked in your organization, right?

Ambassador Volker. No, I would not.

Mr. Krishnamoorthi. It's just wrong.

Ambassador Volker. I believe that, even when you feel like you need to criticize, criticism is private, praise is public.

Mr. Krishnamoorthi. And I also believe that you're a man of honor and you would not attack a veteran; you would not attack someone who is currently serving in the military who is doing their duty, correct?

Ambassador Volker. I respect the service of our members in uniform.

Mr. Krishnamoorthi. In fact, there's a certain man that we both admire, the late

Senator John McCain --

Ambassador Volker. Yes.

Mr. Krishnamoorthi. -- who, unfortunately, was attacked, not only when he was alive but after he died, by the current President. Isn't that right?

Ambassador Volker. That is true.

Mr. Krishnamoorthi. And I presume that you would disapprove of all of those attacks on John McCain, right?

Ambassador Volker. Yes. I knew John McCain very, very well for a very long time. He's an honorable man and very much a war hero for his country.

Mr. Krishnamoorthi. Well, today, sir, as Lieutenant Colonel Vindman was testifying, our President used the official Twitter account of the Office of the President to attack Lieutenant Colonel Vindman's credibility. I presume you don't approve of those types of tweets either, do you?

Ambassador Volker. I was not aware of that. And as with Ambassador Yovanovitch, it's not appropriate.

Mr. Krishnamoorthi. Thank you, sir. Thank you for your service.

And thank you, Mr. Morrison, for yours as well.

The Chairman. That concludes the member questioning.

I now recognize ranking member for any closing comments he has.

Mr. Nunes. Thank you. As the first day of this week's impeachment TV marathon draws to a close, I'd like to remind the American people what we're watching.

The public hearings are the culmination of 3 years of incessant Democrat efforts to find a crime to impeach the President. First, they tried to manufacture evidence that the President colluded with Russia. To accomplish this task, the DNC and the Clinton campaign worked with a former British spy, Christopher Steele. Steele assembled a

dossier of false information alleging the Trump campaign colluded with Russia. That dossier was largely assembled from Russian and Ukrainian sources that the Democrat contractors worked with.

Next, they primed their hopes on the work of Robert Mueller. Mueller spent 2 years and millions of taxpayer dollars seeking evidence of a crime that we know wasn't committed. Mueller's failure was a devastating blow to Democrats, who clearly hoped his work to be the basis for the removal of the President.

Today, we are witnessing the Ukraine hoax, the direct-to-TV sequel to the Russia collusion hoax. The plot of the Ukraine hoax is hard to follow. It shifts from day-to-day. First, the Democrats claimed they had evidence of quid pro quo; then extortion and witness intimidation. Now Democrats are pinning their hopes on bribery.

Like any good Hollywood production, Democrats needed a screen test before releasing their latest attack on the President. They leveraged the secrecy of the House Intelligence Committee to interview a cast of characters in preparation for these public hearings. With the media's enthusiastic support, they built a narrative based on the selectively leaked testimony.

If Speaker Pelosi and the Democrats on this committee are seeking the truth, they would want to know the answers to the following questions that they refuse to ask: To what extent did the whistleblower coordinate with the Democrats on this committee and/or his staff? What is the full extent of Ukraine's election meddling against the Trump campaign in 2016? Why did Burisma hire Hunter Biden, and what did he do for them, and did his position impact any U.S. Government actions under the Obama administration?

The American people were promised a grave and somber impeachment inquiry. Instead, they got the salacious spy screen comedy that they've been working on for 3

years.

Good night. See you in the morning.

The Chairman. I thank the gentleman.

And I thank you both for your testimony today.

I would highlight a couple of things about what we've heard this afternoon.

First, Ambassador Volker, your written testimony in which you say, "In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them as very different -- the former being appropriate and unremarkable the latter being unacceptable."

"In retrospect," you said, "I should have seen that connection differently, and had I done so, I would have raised my own objections."

Ambassador, we appreciate your willingness to amend your earlier testimony in light of what you now know. And I think you made it very clear that, knowing what you do today, that, in fact, the President sought an investigation of his political rival, Vice President Biden, that you would not have countenanced any effort to encourage the Ukrainians to engage in such conduct.

I appreciate also that you were able to debunk, I hope for the last time, the idea that Joe Biden did something wrong when he, in accordance with U.S. policy, sought to replace a corrupt prosecutor, something that not only the U.S. State Department wanted, not only the European Union wanted, and not only the IMF wanted, but was the consensus position of the United States national security infrastructure. You didn't get a lot of questions about that today as other witnesses did because I think you effectively said that was not all nonsense. And we appreciate your candor about that.

Mr. Morrison, I think what is most remarkable about your testimony is the

acknowledgment that, immediately after the Vice President met with President Zelensky in Warsaw, you witnessed Gordon Sondland meeting with Andriy Yermak, a top advisor to President Zelensky, and then, immediately thereafter, Sondland told you that he had informed the Ukrainians that, if they wanted that \$400 million in military aid, they were going to have to do those investigations that the President wanted.

And you were later informed -- and this is also significant, as you have testified here today -- that the Ambassador Sondland had a subsequent conversation with President Trump and informed you that it wasn't going to be enough for the Ukrainian prosecutor general to announce the investigations the President wanted; President Zelensky had to do it himself if he wanted to get that aid, let alone the meeting in the White House.

Now, you have been asked to opine on the meaning of the term "bribery," although you weren't asked to opine on the meaning of the terms "high crimes and misdemeanors."

But bribery, for those watching at home, is the conditioning of official acts in exchange for something of personal value. The official acts we're talking about here are a White House meeting that President Zelensky desperately sought and, as you have acknowledged, Ambassador Volker, was deeply important to this country at war with Russia, to show the United States had this new President's back. That meeting was important. That meeting is an official act. The military assistance is even more significant because Ukrainians are dying every day in their war with Russia.

And so the withholding of military assistance to get these investigations, which you now have acknowledged, Ambassador Volker, was wrong for the President to request, the idea of withholding that military aid to get these political investigations should be anathema to -- repugnant to every American because it means the sacrifice,

not just to the Ukrainian national security but American national security, for the interest of the President personally and politically.

Now, my Republican colleagues, all they seem to be upset about with this is not that the President sought an investigation of his political rival, not that he withheld a White House meeting and \$400 million in aid we all passed on a bipartisan basis to pressure Ukraine to do those investigations; their objection is he got caught. Their objection is that someone blew the whistle. And they would like this whistleblower identified. And the President wants this whistleblower punished. That's their objection -- not that the President engaged in this conduct, but that he got caught. Their defense is, well, he ended up releasing the aid. Yes, after he got caught. That doesn't make this any less odious.

Americans may be watching this and asking, why should the United States care about Ukraine? Why should we care about Ukraine? And this was the import, I think, of the conversation -- the now infamous conversation in that Kyiv restaurant with Gordon Sondland holding the phone away from his head because the President was talking so loud.

What does the President ask in that call the day after the now infamous call he had with Zelensky? What does he ask on that cellphone call? Not whether the Rada had passed some new anticorruption reform. No. Are you Ukrainians going to do the investigation? Meaning into Biden. And Sondland's answer is: They're going to do it. They'll do essentially anything the President wants.

But what is more telling is the conversation, I think, that Sondland has with the Foreign Service Officer Holmes afterwards, in which the President says, basically, Donald Trump doesn't give an expletive about Ukraine; he cares about the big things.

And Mr. Holmes says: Well, Ukraine is at war with Russia; the Russians, that's

kind of a big thing.

And Sondland's answer is: No, no, he cares about big things that affect his personal interests.

This is why Americans should care about this. The Americans should care about what happens to our allies who are dying. But Americans should care about their own national security and their own President and their own Constitution.

And they all need to ask themselves, as we will have to ask ourselves in Congress, are we prepared to accept that a President of the United States can leverage official acts, military assistance, White House meetings, to get an investigation of a political rival? Are we prepared to say, well, you know, I guess that's just what we should expect of a President of the United States?

I don't think we want to go there. I don't think our Founding Fathers would have wanted us to go there. Indeed, I think when the Founding Fathers provided a remedy, that remedy being impeachment, they had the very concern that the President of the United States may betray the national security interests of the country for personal interests.

They put that remedy in the Constitution, not because they wanted to willy-nilly overturn elections; no, because they wanted a powerful anticorruption mechanism when that corruption came from the highest office in the land.

We are adjourned.

[Whereupon, at 8:28 p.m., the committee was adjourned.]

**Opening Statement of Timothy Morrison**  
**Before the House Permanent Select Committee on Intelligence**  
**November 19, 2019**

Chairman Schiff, Ranking Member Nunes, and Members of the Committee, I appear before you today under subpoena to answer your questions about my time as Senior Director for European Affairs at the White House and the National Security Council (“NSC”), as related to Ukraine and U.S. security sector assistance to that country. I will provide you the most complete and accurate information I can, consistent with my obligations to protect classified and privileged information. Whether the conduct that is the subject of this inquiry merits impeachment is a question for the U.S. House of Representatives: I appear here today only to provide factual information based upon my knowledge and recollections of events.

I will not waste time restating the details of my opening statement from my deposition on October 31, 2019, which has recently been made public. However, I will highlight the following key points:

First, as previously stated, I do not know who the whistleblower is, nor do I intend to speculate as to who the individual may be.

Second, I have great respect for my former colleagues from the NSC and the rest of the interagency. I am not here today to question their character or integrity. My recollections and judgments are my own. Some of my colleagues’ recollections of conversations and interactions may differ from mine, but I do not view those differences as the result of an untoward purpose.

Third, I continue to believe Ukraine is on the front lines of a strategic competition between the West and Vladimir Putin’s revanchist Russia. Russia is a failing power, but it is still a dangerous one. The United States aids Ukraine and her people so they can fight Russia over

there and we don't have to fight Russia here. Support for Ukraine's territorial integrity and sovereignty has been a bipartisan objective since Russia's military invasion in 2014. It must continue to be. As I stated during my deposition, I feared at the time of the call on July 25<sup>th</sup> how its disclosure would play in Washington's political climate. My fears have been realized.

I understand the gravity of these proceedings, but I beg you to not lose sight of the military conflict underway in Eastern Ukraine today, the ongoing illegal occupation of Crimea, and the importance of reform of Ukraine's politics and economy. Every day that the focus of discussion involving Ukraine is centered on these proceedings instead of those matters is a day when we are not focused on the interests Ukraine, the United States, and Western-style Liberalism share.

Finally, I concluded my active service at the National Security Council the day after I last appeared before you. I left the NSC completely of my own volition. I felt no pressure to resign nor have I feared any retaliation for my testimony. I made this career choice some time before I decided to testify on October 31<sup>st</sup>.

I am prepared to answer your questions to the best of my ability and recollection.

## Testimony before the House Impeachment Inquiry

Amb. Kurt Volker  
Former U.S. Special Representative for Ukraine Negotiations

November 19, 2019

Thank you very much for the opportunity to provide this testimony today.

As you know, I was the first person to come forward to testify as part of this Inquiry. I did so voluntarily, and likewise voluntarily provided relevant documentation in my possession, in order to be as cooperative, clear and complete as possible. I am here today voluntarily, and I remain committed to cooperating fully and truthfully with this Committee.

All I can do is provide the facts as I understood them at the time. I did this on October 3 in private, and I will do so again today.

Like many others who have testified in this inquiry, I am a career foreign policy professional. I began my career as an intelligence analyst for Northern Europe for the Central Intelligence Agency in 1986, before joining the State Department in 1988. I served in diplomatic postings, primarily focused on European political and security issues, for over twenty years, under Presidents Ronald Reagan, George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama. My last three positions before leaving the Senior Foreign Service in 2009 were as Director for NATO and West European Affairs at the National Security Council, Principal Deputy Assistant Secretary of State for European Affairs at the State Department, and, finally, as U.S. Ambassador to NATO.

In the Spring of 2017, then-Secretary of State Tillerson asked if I would come back to government service as U.S. Special Representative for Ukraine Negotiations. I did this on a part-time, voluntary basis, with no salary paid by the U.S. taxpayer, simply because I believed it was important to serve our country in this way. I believed I could steer U.S. policy in the right direction.

For over two years, as U.S. Special Representative for Ukraine Negotiations, my singular focus was advancing the foreign policy and national security interests of the United States. In particular, that meant pushing back on Russian aggression and supporting the development of a strong, resilient, democratic, and prosperous Ukraine – one that overcomes a legacy of corruption and becomes integrated into a wider transatlantic community.

This is critically important for U.S. national security. If we can stop and reverse Russian aggression in Ukraine, we can prevent it elsewhere. If Ukraine, the cradle of Slavic civilization predating Moscow, succeeds as a freedom-loving, prosperous and secure democracy, it gives us enormous hope that Russia may one day change – providing a better life for Russian people,

and overcoming its current plague of authoritarianism, corruption, aggression toward neighbors, and threats to NATO Allies and the United States. The stakes for the United States in a successful Ukraine could not be higher.

At no time was I aware of or knowingly took part in an effort to urge Ukraine to investigate former Vice President Biden. As you know from the extensive, real-time documentation I have provided, Vice President Biden was not a topic of our discussions. I was not on the July 25 phone call between President Trump and President Zelenskyy. I was not made aware of any reference to Vice President Biden or his son by President Trump, until the transcript of that call was released on September 25, 2019.

From July 7, 2017 until September 27, 2019, I was the lead U.S. diplomat dealing with Russia's war on Ukraine. My role was not some irregular channel, but the official channel. I reported directly to Secretaries of State Tillerson and Pompeo, kept the National Security Advisor and Secretary of Defense well-informed of my efforts, and worked closely with Ambassador Masha Yovanovitch, NSC Senior Director Fiona Hill and her successor Tim Morrison, then-Assistant Secretary Wess Mitchell and his successor, Acting Assistant Secretary Philip Reeker, Deputy Assistant Secretary George Kent, Deputy Assistant Secretary of Defense Laura Cooper, NSC Director Alex Vindman, and many, many others. I have known many of them for several years. It was a team effort.

When Ambassador Yovanovitch left Kyiv, I identified and recommended Bill Taylor to Secretary Pompeo, so we would still have a strong, seasoned professional on the ground.

For two years before the events at the heart of this investigation took place, I was the most senior U.S. diplomat visiting the conflict zone; meeting with victims of Russia's aggression; urging increased U.S. security assistance, including lethal defensive weapons; working with Ukrainian President Poroshenko and then his successor, President Zelenskyy, and their teams; working with France and Germany and the so-called "Normandy Process," pressing for support from NATO, the EU, and OSCE; supporting the OSCE's special monitoring mission; and engaging in negotiations and other contacts with Russian officials.

At the time I took the position in the summer of 2017, there were major, complicated questions swirling in public debate about the direction of U.S. policy toward Ukraine. Would the Administration lift sanctions against Russia? Would it make some kind of "grand bargain" with Russia, in which it would trade recognition of Russia's seizure of Ukrainian territory for some other deal in Syria or elsewhere? Would the Administration recognize Russia's claimed annexation of Crimea? Will this just become another frozen conflict? There were also a vast number of vacancies in key diplomatic positions, so no one was really representing the United States in the negotiating process about ending the war in eastern Ukraine.

During over two years of my tenure as U.S. Special Representative, we fundamentally turned U.S. policy around. U.S. policy toward Ukraine was strong, consistent, and enjoyed support

across the Administration, bipartisan support in Congress, and support among our Allies and Ukraine.

- We changed the language commonly used to describe Russia's aggression. I was the Administration's most outspoken, public figure highlighting Russia's invasion and occupation of parts of Ukraine, and calling out Russia's responsibility to end the war.
- I visited the war zone three times, meetings with soldiers and civilians alike – always bringing media with me, to try to raise the public visibility of Russia's aggression and the humanitarian impact on the lives of the citizens of the Donbas.
- We coordinated closely with our European Allies and Canada, to maintain a united front against Russian aggression, and for Ukraine's democracy, reform, sovereignty, and territorial integrity. Ukraine policy is perhaps the one area where the U.S. and its European Allies had been in lock-step.
- This coordination helped to strengthen U.S. sanctions against Russia, and to maintain EU sanctions as well.
- Along with others in the Administration, I strongly advocated for lifting the ban on the sale of lethal defensive arms to Ukraine, advocated for increasing U.S. security assistance to Ukraine, and urged other countries to follow the U.S. lead.
- My team and I drafted the "Pompeo Declaration" of July 25, 2018, in which the Secretary clearly and definitively laid out the United States' policy of non-recognition of Russia's claimed annexation of Crimea.
- I engaged with our Allies, with Ukraine, and with Russia in negotiations to implement the Minsk Agreements, holding a firm line on insisting on the withdrawal of Russian forces, dismantling of the so-called "People's Republics," and restoring Ukrainian sovereignty and territorial integrity.
- Together with others in the Administration, we kept U.S. policy steady through Presidential and Parliamentary elections in Ukraine, and worked hard to strengthen the U.S.-Ukraine bilateral relationship under the new President and government, helping shepherd in a peaceful transition of power in Ukraine.

In short, whereas two years ago, most observers would have said that time is on Russia's side, by September of 2019, when I departed, we had turned the tables, and time was now on Ukraine's side.

It is a tragedy for the United States and for Ukraine that our efforts in this area, which were bearing fruit, have now been thrown into disarray.

One of the critical aspects of my role as U.S. Special Representative was that as the most senior U.S. official appointed to work solely on the Ukraine portfolio, I needed to step forward to provide leadership. If we needed to adopt a policy position, I made the case for it. If anyone needed to speak out publicly, I would do it. When we failed to get a timely statement about Russia's illegal attack on Ukraine's navy and seizure of Ukraine's sailors, I tweeted about it in order to condemn the act. If a problem arose, I knew that it was my job to try to fix it.

That was my perspective when I learned in May 2019 that we had a significant problem that was impeding our ability to strengthen our support for Ukraine's new president in his effort to ramp up Ukraine's fight against corruption and implementation of needed reforms. I found myself faced with a choice: to be aware of a problem and to ignore it, or to accept that it was my responsibility to try to fix it. I tried to fix it.

The problem was that despite the unanimous, positive assessment and recommendations of those of us who were part of the U.S. Presidential Delegation that attended the inauguration of President Zelenskyy, President Trump was receiving a different, negative narrative about Ukraine and President Zelenskyy. That negative narrative was fueled by accusations from Ukraine's then-Prosecutor General and conveyed to the President by former Mayor Rudy Giuliani.

As I previously told this committee, I became aware of the negative impact this was having on our policy efforts when four of us, who were part of the Presidential Delegation to the inauguration, met as a group with President Trump on May 23. We stressed our finding that President Zelenskyy represented the best chance for getting Ukraine out of the mire of corruption it had been in for over 20 years. We urged him to invite President Zelenskyy to the White House.

The President was very skeptical. Given Ukraine's history of corruption, that is understandable. He said that Ukraine was a corrupt country, full of terrible people. He said they "tried to take me down." In the course of that conversation, he referenced conversations with Mayor Giuliani. It was clear to me that despite the positive news and recommendations being conveyed by this official delegation about the *new* President, President Trump had a deeply rooted negative view on Ukraine rooted in the past. He was clearly receiving other information from other sources, including Mayor Giuliani, that was more negative, causing him to retain this negative view.

Within a few days, on May 29, President Trump indeed signed the congratulatory letter to President Zelenskyy, which included an invitation to the President to visit him at the White House.

However, more than four weeks passed and we could not nail down a date for the meeting. I came to believe that the President's long-held negative view toward Ukraine was causing hesitation in actually scheduling the meeting, much as we had seen in our Oval Office discussion.

After weeks of reassuring the Ukrainians that it was just a scheduling issue, I decided to tell President Zelenskyy that we had a problem with the information reaching President Trump from Mayor Giuliani. I did so in a bilateral meeting at a conference on Ukrainian economic reform in Toronto, on July 2, 2019, where I led the U.S. delegation. I suggested that he call President Trump directly in order to renew their personal relationship, and to assure President

Trump that he was committed to investigating and fighting corruption, things on which President Zelenskyy had based his presidential campaign. I was convinced that getting the two Presidents to talk with each other would overcome the negative perception of Ukraine that President Trump still harbored.

President Zelenskyy's senior aide, Andrey Yermak, approached me several days later to ask to be connected to Mayor Giuliani. I agreed to make that connection. I did so because I understood that the new Ukrainian leadership wanted to convince those, like Mayor Giuliani, who believed such a negative narrative about Ukraine, that times have changed and that, under President Zelenskyy, Ukraine is worthy of U.S. support. The Ukrainians believed that if they could get their own narrative across in a way that convinced Mayor Giuliani that they were serious about fighting corruption and advancing reform, Mayor Giuliani would convey that assessment to President Trump, thus correcting the previous, negative narrative.

That made sense to me and I tried to be helpful. I made clear to the Ukrainians that Mayor Giuliani was a private citizen, the President's personal lawyer, and not representing the U.S. government. Likewise, in my conversations with Mayor Giuliani, I never considered him to be speaking on the President's behalf, or giving "instructions." Rather, the information flow was the other way – from Ukraine to Mayor Giuliani, in the hopes this would clear up the information reaching President Trump.

On July 10, after hearing from Mr. Yermak, I wrote to Mayor Giuliani to seek to get together, and finally on July 19 we met for breakfast for a longer discussion. At that meeting, I told Mr. Giuliani that in my view, the Prosecutor General with whom he had been speaking, Mr. Lutsenko, was not credible and was acting in a self-serving capacity. To my surprise, Mr. Giuliani said that he had already come to the same conclusion. Mr. Giuliani also mentioned both the accusations about Vice President Biden, and about interference in the 2016 election, and stressed that all he wanted to see was for Ukraine to investigate what happened in the past and apply its own laws.

Concerning the allegations, I stressed that no one in the new team governing Ukraine had anything to do with anything that may have happened in 2016. They were making television shows at the time. I also said that it is not credible to me that former Vice President Biden would have been influenced in any way by financial or personal motives in carrying out his duties as Vice President.

A different issue is whether some individual Ukrainians may have attempted to influence the 2016 election or thought they could buy influence: that is at least plausible, given Ukraine's reputation for corruption. But the accusation that Vice President Biden acted inappropriately did not seem at all credible to me.

After that meeting, I connected Mr. Giuliani and Mr. Yermak by text and later by phone. They met in person on August 2, 2019. In conversations with me following their meeting, which I did not attend, Mr. Giuliani said that he had stressed the importance of Ukraine conducting

investigations into what happened in the past, and Mr. Yermak stressed that he told Mr. Giuliani it is the government's program to root out corruption and implement reforms, and they would be conducting investigations as part of this process anyway.

Mr. Giuliani said he believed the Ukrainian President needed to make a statement about fighting corruption, and that he had discussed this with Mr. Yermak. I said that I did not think this would be a problem, since that is the government's position anyway.

I followed up with Mr. Yermak, and he said that they would indeed be prepared to make a statement. He said it would reference Burisma and 2016, in a wider context of bilateral relations and rooting out corruption anyway. There was no mention of Vice President Biden. Rather, in referencing Burisma and 2016 election interference, it was clear to me he was only talking about whether any Ukrainians had acted inappropriately.

At this time, I was focused on our goal of getting President Zelenskyy and President Trump to meet with each other, and I believed that their doing so would overcome the chronically negative view President Trump had toward Ukraine. I was seeking to solve the problem I saw when we met with President Trump in the Oval Office on May 23. As a professional diplomat, I was comfortable exploring whether there was a statement Ukraine could make about its own intentions to investigate possible corruption that would be helpful in convincing Mr. Giuliani to convey to President Trump a more positive assessment of the new leadership in Ukraine.

On August 16, Mr. Yermak shared a draft with me, which I thought looked perfectly reasonable. It did not mention Burisma or 2016 elections, but was generic. Ambassador Sondland and I had a further conversation with Mr. Giuliani, who said that in his view, in order to be convincing that this government represented real change in Ukraine, the statement should include specific reference to "Burisma" and "2016." Again, there was no mention of Vice President Biden in these conversations.

Amb. Sondland and I discussed these points, and I edited the statement drafted by Mr. Yermak to include these points to see how it looked. I then discussed it further with Mr. Yermak. He said that for a number of reasons – including the fact that Mr. Lutsenko was still officially the Prosecutor General -- they did not want to mention Burisma or 2016. I agreed –and the idea of putting out a statement was shelved.

These were the last conversations I had about this statement, which were on or about August 17-18. My last contact with Mr. Giuliani, according to my records, was on August 13 (until he tried to reach me on September 20 after the impeachment inquiry was launched). At this time, I thought the idea of issuing this statement had been definitely scrapped.

In September, I was surprised to learn that there had been further discussions with the Ukrainians about President Zelenskyy possibly making a statement in an interview with U.S. media similar to what we had discussed in August.

Since these events, and since I gave my testimony on October 3, a great deal of additional information and perspectives have come to light. I have learned many things that I did not know at the time of the events in question.

First, at the time I was connecting Mr. Yermak and Mr. Giuliani, and discussing with Mr. Yermak and Amb. Sondland a possible statement that could be made by the Ukrainian President, I did not know of any linkage between the hold on security assistance and Ukraine pursuing investigations. No one had ever said that to me – and I never conveyed such a linkage to the Ukrainians.

- I opposed the hold on U.S. security assistance as soon as I learned about it on July 18, and thought we could turn it around before the Ukrainians ever knew or became alarmed about it. I did not know the reason for the hold, but I viewed it as a U.S. policy problem that we needed to fix internally, and I was confident we would do so.
- I believe that the Ukrainians became aware of the hold on August 29, not before. That date is the first time any of them asked me about the hold, by forwarding an article that had been published in Politico.
- When I spoke to the Ukrainians about the hold after August 29, instead of telling them that they needed to do something to get the hold released, I told them the opposite – that they should not be alarmed, it was an internal U.S. problem, and we were working to get it fixed. I did not know others were conveying a different message to them around that same time.

Second, I did not know about the strong concerns expressed by then-National Security Advisor John Bolton to members of his NSC staff regarding the discussion of investigations.

- I participated in the July 10 meeting between National Security Advisor Bolton and then-Ukrainian Chairman of the National Security and Defense Council, Alex Danylyuk. As I remember, the meeting was essentially over when Amb. Sondland made a generic comment about investigations. I think all of us thought it was inappropriate; the conversation did not continue and the meeting concluded. Later on, in the Ward Room, I may have been engaged in a side conversation, or had already left the complex, because I do not recall further discussion regarding investigations or Burisma.

Third, I did not understand that others believed that any investigation of the Ukrainian company, Burisma, which had a history of accusations of corruption, was tantamount to investigating Vice President Biden. I drew a sharp distinction between the two.

- It has long been U.S. policy under multiple administrations to urge Ukraine to investigate and fight internal corruption. I was quite comfortable with Ukraine making its own statement, about its own policy, of investigating and fighting corruption at home.

- At the one in-person meeting I had with Mayor Giuliani on July 19, Mayor Giuliani raised, and I rejected, the conspiracy theory that Vice President Biden would have been influenced in his duties as Vice President by money paid to his son. As I testified previously, I have known Vice President Biden for 24 years. He is an honorable man and I hold him in the highest regard.
- At no time was I aware of or knowingly took part in an effort to urge Ukraine to investigate former Vice President Biden. As you know from the extensive documentation I have provided, Vice President Biden was not a topic of discussion. I was not on the July 25 phone call between President Trump and President Zelenskyy. I was not made aware of any reference to Vice President Biden or his son by President Trump, until the transcript of that call was released on September 25, 2019.
- Throughout this time, I understood that there was an important distinction between “Burisma” and “Biden”, and urged the Ukrainians to maintain such a distinction. I did not know that President Trump or others had raised Vice President Biden with the Ukrainians, or had conflated the investigation of possible Ukrainian corruption, with investigation of the former Vice President. In retrospect, for the Ukrainians, it clearly would have been confusing.
- In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company, “Burisma,” as equivalent to investigating former Vice President Biden. I saw them as very different – the former being appropriate and unremarkable, the latter being unacceptable. In retrospect, I should have seen that connection differently, and had I done so, I would have raised my own objections.

Fourth, much has been made of the term “three amigos” in reference to Secretary Perry, Ambassador Sondland and myself. I never used that term – and frankly cringe when I hear it – because for me, the “three amigos” will always refer to Senator John McCain, Senator Joseph Lieberman, and Senator Lindsey Graham, in reference to their work to support the surge in Iraq.

- Moreover, I was never aware of any designation by President Trump or anyone else putting Amb. Sondland, or the three of us as a group, in charge of Ukraine policy. Rather, as I understood it, each of us, in our own respective official capacities, continued to work together after our attendance at President Zelenskyy’s inauguration to push for greater U.S. support for Ukraine. Leading the diplomacy around Ukraine negotiations had long been my official responsibility, but I welcomed the added support and influence of a cabinet secretary and our EU Ambassador.

Fifth, I was not aware that Amb. Sondland spoke with President Trump on July 26, while Ambassador Taylor and I were visiting the conflict zone.

Mr. Chairman and members of the Committee, allow me to thank you again for the opportunity to provide this testimony. I believe that U.S. foreign policy and national security interests in Ukraine are of critical importance. I would be pleased to answer your questions.



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IMPEACHMENT INQUIRY: AMBASSADOR MARIE "MASHA" YOVANOVITCH

Friday, November 15, 2019

U.S. House of Representatives,

Permanent Select Committee on Intelligence,

Washington, D.C.

The committee met, pursuant to call, at 9:05 a.m., in Room 1100, Longworth House Office Building, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

The Chairman. The committee will come to order.

Good morning, everyone. This is the second in a series of public hearings the committee will be holding as part of the House's impeachment inquiry.

Without objection, the chair is authorized to declare a recess of the committee at any time. There is a quorum present.

We will proceed today in the same fashion as our first hearing. I will make an opening statement, and then Ranking Member Nunes will have the opportunity to make a statement. Then we will turn to our witness for an opening statement and then to questions.

For audience members, we welcome you and respect your interest in being here. In turn, we ask for your respect as we proceed with today's hearing. It is the intention of the committee to proceed without disruptions. As chairman, I will take all necessary and appropriate steps to maintain order and to ensure that the committee is run in accordance with House rules and House Resolution 660.

With that, I now recognize myself to give an opening statement in the impeachment inquiry into Donald J. Trump, the 45th President of the United States.

In April 2019, the United States ambassador to Ukraine, Marie Yovanovitch, was in Kyiv when she was called by a senior State Department official and told to get on the next plane back to Washington. Upon her return to D.C., she was informed by her superiors that although she had done nothing wrong, she could no longer serve as ambassador to Ukraine because she did not have the confidence of the President.

It was a stunning turn of events for this highly regarded career diplomat, who had done such a remarkable job fighting corruption in Ukraine at a short time earlier she had

been asked by the State Department to extend her tour.

Ambassador Yovanovitch has been in the Foreign Service for 33 years and served much of that time in the former Soviet Union. Her parents had fled Stalin and later Hitler before settling in the United States. She is an exemplary officer who is widely praised and respected by her colleagues. She is known as an anticorruption champion whose tour in Kyiv was viewed as very successful.

Ambassador Michael McKinley, who had served with her in the Foreign Service for several decades, stated that from the earliest days of her career in the Foreign Service she was "excellent, serious, committed. I certainly remember her being one of those people who seemed to be destined for greater things."

Her successor as acting chief of mission in Ukraine, Ambassador Bill Taylor, described her as "very frank. She was very direct. She made points very clearly, and she was, indeed, tough on corruption. And she named names, and that sometimes is controversial out there, but she's a strong person and made those charges."

In her time in Kyiv, Ambassador Yovanovitch was tough on corruption, too tough on corruption for some, and her principled stance made her enemies. As George Kent told this committee on Wednesday, "You can't promote principled anticorruption action without pissing off corrupt people."

And Ambassador Yovanovitch did not just "piss off" corrupt Ukrainians, like the corrupt former Prosecutor General Yuriy Lutsenko, but also certain Americans, like Rudy Giuliani, Donald Trump's personal attorney, and two individuals now indicted who worked with him, Igor Fruman and Lev Parnas.

Lutsenko, Giuliani, Fruman, Parnas, and others, who would come to include the President's own son, Don, Jr., promoted a smear campaign against her based on false allegations. At the State Department, there was an effort to push back, to obtain a

statement of support from Secretary Pompeo, but those efforts failed when it became clear that President Trump wanted her gone.

Some have argued that a President has the ability to nominate or remove any ambassador he wants, that they serve at the pleasure of the President, and that is true. The question before us is not whether Donald Trump could recall an American ambassador with a stellar reputation for fighting corruption in Ukraine, but why would he want to? Why did Rudy Giuliani want her gone? And why did Donald Trump?

And why would Donald Trump instruct the new team he put in place, the "Three Amigos," Gordon Sondland, Rick Perry, and Kurt Volker, to work with the same man, Rudy Giuliani, who played such a central role in the smear campaign against her?

Rudy Giuliani has made no secret of his desire to get Ukraine to open investigations into the Bidens, as well as a conspiracy theory of Ukrainian interference in the 2016 election. As he said in one interview in May 2019, "We're not meddling in an election. We're meddling in an investigation, which we have a right to do."

More recently, he told CNN's Chris Cuomo, "Of course I did," when asked if he had pressed Ukraine to vetting Joe Biden.

And he has never been shy about who he is doing this work for, his client, the President.

One powerful ally Giuliani had in Ukraine to promote these political investigations was Lutsenko, the corrupt former prosecutor general, and one powerful adversary Lutsenko had was a certain United States ambassador named Marie Yovanovitch.

It is no coincidence that in the now infamous July 25th call with Zelensky, Donald Trump brings up a corrupt Ukrainian prosecutor and praises him. Against all evidence, Trump claims that this former prosecutor general "was very good, and he was shut down and that's really unfair."

But the woman known for fighting corruption, his own former ambassador, the woman ruthlessly smeared and driven from her post, the President does nothing but disparage, or worse, threaten. "Well, she's going to go through some things," the President declares. That tells you a lot about the President's priorities and intentions.

Getting rid of Ambassador Yovanovitch helped set the stage for an irregular channel that could pursue the two investigations that mattered so much to the President: the 2016 conspiracy theory, and most important, an investigation into the 2020 political opponent he apparently feared most, Joe Biden.

And the President's scheme might have worked but for the fact that the man who would succeed Ambassador Yovanovitch, whom we heard from on Wednesday, Acting Ambassador Taylor, would eventually discover the effort to press Ukraine into conducting these investigations and would push back, but for the fact also that someone blew the whistle.

Ambassador Yovanovitch was serving our Nation's interest in fighting corruption in Ukraine, but she was considered an obstacle to the furtherance of the President's personal and political agenda. For that, she was smeared and cast aside.

The powers of the Presidency are immense, but they are not absolute, and they cannot be used for corrupt purpose. The American people expect their President to use the authority they grant him in the service of the Nation, not to destroy others to advance his personal or political interests.

I now recognize Ranking Member Nunes for his remarks.

[The statement of The Chairman follows:]

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Mr. Nunes. I thank the gentleman.

It's unfortunate that today, and for most of next week, we will continue engaging in the Democrats' day-long TV spectacles instead of solving the problems we were all sent to Washington to address.

We now have a major trade agreement with Canada and Mexico ready for approval, a deal that would create jobs and boost our economy. Meanwhile, we have not yet approved funding for the government, which expires next week, along with funding for our men and women in uniform.

Instead, the Democrats have convened us once again to advance their operation to topple a duly elected President. I'll note that five -- five -- Democrats on this committee had already voted to impeach this President before the Trump-Zelensky phone call occurred. In fact, Democrats have been vowing to oust President Trump since the day he was elected. So Americans can rightly suspect that his phone call with President Zelensky was used as an excuse for the Democrats to fulfill their Watergate fantasies.

But I'm glad that on Wednesday, after the Democrats staged 6 weeks of secret depositions in the basement of the Capitol like some kind of strange cult, the American people finally got to see this farce for themselves. They saw us sit through hours of hearsay testimony about conversations that two diplomats who had never spoken to the President heard secondhand, thirdhand, and fourthhand from other people. In other words, rumors.

The problem of trying to overthrow a President based on this type of evidence is obvious, but that's what their whole case relies on, beginning with secondhand and thirdhand information cited by the whistleblower. That's why on Wednesday, the

Democrats were forced to make the absurd argument that hearsay can be much better evidence than direct evidence.

And just when you thought the spectacle couldn't get more bizarre, committee Republicans received a memo from the Democrats threatening ethics referrals if we out the whistleblower. As the Democrats are well aware, no Republicans here know the whistleblower's identity because the whistleblower only met with Democrats, not with Republicans.

Chairman Schiff claimed not to know who it is, yet he also vowed to block us from asking questions that could reveal his or her identity. Republicans on this committee are left wondering how it's even possible for the chairman to block questions about a person whose identity he claims not to know.

The American people may be seeing these absurdities for the first time, but Republicans on this dais are used to them. Until they secretly met with the whistleblower, Democrats showed little interest for the last 3 years in any topic aside from the ridiculous conspiracy theories that President Trump is a Russian agent.

When you find yourself on the phone, like the Democrats did with Russian pranksters offering you nude pictures of Trump, and afterwards you order your staff to follow up and get the photos, as the Democrats also did, then it might be time to ask yourself if you've gone out too far on a limb.

Even as they were accusing Republicans of colluding with the Russians, the Democrats themselves were concluding with the Russians by funding the Steele dossier, which was based on Russian and Ukrainian sources. Meanwhile, they turn a blind eye to Ukrainians meddling in our elections because the Democrats were cooperating with that operation.

This was the subject of a July 20th, 2017, letter sent by Senator Grassley to then

Deputy Attorney General Rod Rosenstein. The letter raised concerns about the activities of Alexandra Chalupa, a contractor for the Democratic National Committee, who worked with Ukrainian Embassy officials to spread dirt on the Trump campaign.

As Senator Grassley wrote, quote, "Chalupa's actions appear to show that she was simultaneously working on behalf of a foreign government, Ukraine, and on behalf of the DNC and the Clinton campaign in an effort to influence not only the U.S. voting population, but U.S. Government officials," unquote.

After touting the Steele dossier and defending the FBI's Russia investigation, which are now being investigated by Inspector General Horowitz and Attorney General Barr, Democrats on this committee ignore Ukrainian election meddling even though Chalupa publicly admitted to the Democrats' scheme.

Likewise, they are blind to the blaring signs of corruption surrounding Hunter Biden's well-paid position on the board of a corrupt Ukrainian company while his father served as Vice President and point man for Ukraine issues in the Obama administration. But the Democrats' media hacks only cared about that issue briefly, when they were trying to stop Joe Biden from running against Hillary Clinton in 2015.

As I previously stated, these hearings should not be occurring at all until we get the answers to three crucial questions the Democrats refuse to ask.

First, what is the full extent of the Democrats' prior coordination with the whistleblower, and who else did the whistleblower coordinate this effort with?

Second, what is the full extent of Ukraine's election meddling against the Trump campaign?

And third, why did Burisma hire Hunter Biden, what did he do for them, and did his position affect any government actions under the Obama administration?

I will note that House Democrats vowed they would not put the American people

through a wrenching impeachment process without bipartisan support, and they have none. Add that to their ever-growing list of broken promises and destructive deceptions.

In closing, Mr. Chair, the President of the United States released his transcript right before the hearing began. I think it's important that I read this into the record so that there's no confusion over this first phone call that occurred on April 21st with President-Elect Zelensky, and I'd like to read it.

The President: I'd like to congratulate you on a job well done, and congratulations on a fantastic election.

Zelensky: Good to hear from you. Thank you so very much. It's nice to hear from you, and I appreciate the congratulations.

The President: That was an incredible election.

Zelensky: Again, thank you so very much. As you can see, we tried very hard to do our best. We had you as a great example.

The President: I think you will do a great job. I have many friends in Ukraine who know you and like you. I have many friends from Ukraine and, frankly, expected you to win, and it's really an amazing thing that you've done. I guess in a way, I did something similar. We're making tremendous progress in the U.S. We have the most tremendous economy ever. I just wanted to congratulate you. I have no doubt you will be a fantastic President.

Zelensky: First of all, thank you so very much again for the congratulations. We in Ukraine are an independent country, an independent Ukraine. We're going to do everything for the people. You are, as I said, a great example. We are hoping we can expand on our jobs as you did. You will also be a great example for many. You are a great example for our new managers. I'd also like to invite you, if possible, to the

inauguration. I know how busy you are, but if it's possible for you to come to the inauguration ceremony, that would be great, great for you to do to be with us on that day.

The President: That's very nice. I'll look into that. And give us a date. At the very minimum, we'll have a great representative or more from the United States will be with you on that great day. So we will have somebody at a minimum, a very, very high level, and will be with you. Really an incredible day for an incredible achievement.

Zelensky: Again, thank you. We're looking forward to your visit, to the visit of a high level delegation, but there's no words that can describe our wonderful country, how nice, warm, and friendly our people are, how tasty and delicious our food is, and how wonderful Ukraine is. Words cannot describe our country, so it would be best for you to see it yourself. So if you can come, that would be great. So again, I invite you to come.

The President: Well, I agree with you about your country, and I look forward to it. When I owned Miss Universe, they always had great people, Ukraine always very well represented, was always very well represented. When you are settled in and ready, I'd like to invite you to the White House. We'll have a lot of things to talk about, but we're with you all the way.

Zelensky: Thank you for the invitation. We accept the invitation and look forward to the visit. Thank you again. The whole team and I are looking forward to the visit. Thank you for the congratulations, and I think it will still be great if you could come and be with us on this important day. The results are incredible. They're very impressive for us. So it will be absolutely fantastic if you could come on that day.

The President: Very good. We'll let you know very soon. And we will see you very, very soon regardless. Congratulations. And please say hello to the Ukrainian

people and your family. Let them know I send my best regards.

Well, thank you -- Zelensky: Well, thank you. You have a safe flight and see you soon.

The President: Take care of yourself and give a great speech today. You take care of yourself, and I'll see you soon.

Zelensky: Thank you very much. It's difficult for me, but I will practice English, and I will meet in English. Thank you very much.

The President, laughing: Oh, that's beautiful to hear. That's really good. I could not do it in your language. I'm very impressed. Thank you so much.

Zelensky: Thank you so much.

The President: Good day. Good luck.

I was able to read that into the record so now the American people know the very first call that President Trump had with President Zelensky.

And with that, I yield back the balance of my time.

[The statement of Mr. Nunes follows:]

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Ms. Stefanik. Mr. Chairman, I have a parliamentary inquiry.

The Chairman. The gentlewoman is not recognized.

I do want to comment and allow --

Ms. Stefanik. Mr. Chairman, I have a point of order under H. Res. 660.

The Chairman. The gentlewoman will state her point of order.

Ms. Stefanik. The point of order is, will the chairman continue to prohibit witnesses from answering Republican questions as you've done in closed hearings and as you did --

The Chairman. The gentlewoman will suspend. That is not a proper --

Ms. Stefanik. -- this week when you interrupted our question?

The Chairman. That is not a proper point of order. The gentlewoman will suspend.

Mr. Jordan. Mr. Chairman, I have --

The Chairman. The gentleman is not recognized.

Mr. Jordan. Mr. Chairman, I have a point of order.

The Chairman. The gentleman is not recognized.

Mr. Jordan. I have a point of order, though.

The Chairman. The gentleman is not recognized.

I do want to respond and allow the ranking member --

Mr. Jordan. I have a point of order.

The Chairman. The gentleman is not recognized.

Mr. Jordan. Mr. Chairman --

The Chairman. The gentleman --

Mr. Jordan. -- there are four transcripts that have not been released.

The Chairman. The gentleman is not recognized.

Mr. Jordan. Holy cow.

The Chairman. The ranking member was allowed to exceed the opening statement, and I was happy to allow him to do so.

I do want to respond to the call record. First of all, I'm grateful that the President has released the call record. I would now ask the President to release the thousands of other records that he has instructed the State Department not to release, including Ambassador Taylor's notes, including Ambassador Taylor's cable, including George Kent's memo, including documents from the Office of Management and Budget about why the military aid was withheld, including --

Mr. Jordan. Mr. Chairman, I want you to release the four transcripts of depositions.

The Chairman. The gentleman is not recognized. The gentleman will suspend.

Mr. Jordan. That's my point of order.

The Chairman. The gentleman will suspend.

Mr. Jordan. Gee.

The Chairman. We would ask the President to stop obstructing the impeachment inquiry. And while we are grateful he has released a single document, he has nonetheless obstructed witnesses in their testimony and the production of thousands and thousands of other records.

And finally, I would say this: Mr. President, I hope you'll explain to the country today why it was after this call and while the Vice President was making plans to attend the inauguration that you instructed the Vice President not to attend Zelensky's inauguration.

Today --

Ms. Stefanik. Mr. Chairman, I have a point of order. Mr. Chairman, I have a point of order under --

The Chairman. The gentlewoman is not recognized.

Ms. Stefanik. So we know clearly you're going to interrupt us throughout this hearing.

The Chairman. The gentlewoman is not recognized.

Today --

Mr. Conaway. Mr. Chairman, I have a unanimous consent request.

The Chairman. Today -- no.

Mr. Conaway. Mr. Chairman, I have a unanimous consent request.

The Chairman. The gentleman is not recognized.

Today we are joined by Ambassador Marie Yovanovitch. She was born in Canada to parents who fled the Soviet Union and the Nazis. Ambassador Yovanovitch emigrated to Connecticut at 3, became a naturalized American at 18, and entered the U.S. Foreign Service in 1986.

She has served as U.S. ambassador three times and has been nominated by Presidents of both parties. George W. Bush nominated her to be ambassador to the Kyrgyz Republic, where she served from 2005 to 2008. President Obama then nominated her to be U.S. ambassador to Armenia, where she served from 2008 until 2011, and U.S. ambassador to Ukraine, where she served from 2016 until she was recalled to Washington by President Trump this May.

Beyond these ambassadorial posts, she has held numerous other senior positions at the State Department, including in the Bureau of European and Eurasian Affairs. She served as a dean at the Foreign Service Institute and taught national security strategy at the Defense University. She also previously served at U.S. Embassies in Kyiv, Ottawa,

Moscow, London, and Mogadishu.

Ambassador Yovanovitch has received multiple honors from the Department for her diplomatic work, including the Presidential Distinguished Service Award and the Secretary's Diplomacy in Human Rights Award.

Two final points before our witness is sworn.

First, witness depositions as part of this inquiry were unclassified in nature and all open hearings will also be held at the unclassified level. Any information that may touch on classified information will be addressed separately.

Second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for testifying before Congress, including you or any of your colleagues.

If you would please rise and raise your right hand, I will begin by swearing you in.

Do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Ambassador Yovanovitch. I do.

The Chairman. Let the record show that the witness has answered in the affirmative.

Thank you, and please be seated.

Without objection, your written statement will be made part of the record.

With that, Ambassador Marie Yovanovitch, you are recognized for your opening statement.

Ambassador Yovanovitch. Mr. Chairman, Ranking Member Nunes, and other members of the committee --

The Chairman. And, Ambassador, you'll need to speak very close to the microphone.

Ambassador Yovanovitch. Thank you for the opportunity to start with this statement, to reintroduce myself to the committee, and to highlight parts of my biography and experience.

I come before you as an American citizen who has devoted the majority of my life, 33 years, to service to the country that all of us love.

Like my colleagues, I entered the Foreign Service understanding that my job was to implement the foreign policy interests of this Nation as defined by the President and Congress and to do so regardless of which person or party was in power. I had no agenda other than to pursue our stated foreign policy goals.

My service is an expression of gratitude for all that this country has given to me and to my family. My late parents did not have the good fortune to come of age in a free society. My father fled the Soviets before ultimately finding refuge in the United States. My mother's family escaped the USSR after the Bolshevik Revolution, and she grew up stateless in Nazi Germany, before also eventually making her way to the United States.

Their personal histories, my personal history, gave me both deep gratitude towards the United States and great empathy for others like the Ukrainian people who want to be free.

I joined the Foreign Service during the Reagan administration and subsequently served three other Republican Presidents as well as two Democratic Presidents. It was my great honor to be appointed to serve as an ambassador three times, twice by George W. Bush and once by Barack Obama.

There is a perception that diplomats lead a comfortable life, throwing dinner parties in fancy homes. Let me tell you about some of my reality. It has not always been easy. I have moved 13 times and served in 7 different countries, 5 of them

hardship posts.

My first tour was Mogadishu, Somalia, an increasingly dangerous place as that country's civil war kept grinding on, and the government was weakening. The military took over policing functions in a particularly brutal way, and basic services disappeared.

Several years later, after the Soviet Union collapsed, I helped open our embassy in Tashkent, Uzbekistan. As we were establishing relations with a new country, our small embassy was attacked by a gunman who sprayed the embassy building with gunfire.

I later served in Moscow. In 1993, during the attempted coup in Russia, I was caught in crossfire between Presidential and parliamentary forces. It took us three tries, me without a helmet or body armor, to get into a vehicle to go to the embassy. We went because the ambassador asked us to come, and we went because it was our duty.

From August 2016 until May 2019, I served as the U.S. ambassador to Ukraine. During my tenure in Ukraine, I went to the front line approximately 10 times during a hot war to show the American flag, to hear what was going on, sometimes literally as we heard the impact of artillery, and to see how our assistance dollars were being put to use.

I worked to advance U.S. policy, fully embraced by Democrats and Republicans alike, to help Ukraine become a stable and independent democratic state with a market economy integrated into Europe.

A secure, democratic, and free Ukraine serves not just the Ukrainian people, but the American people as well. That's why it was our policy and continues to be our policy to help the Ukrainians achieve their objectives. They match our objectives.

The U.S. is the most powerful country in the history of the world in large part because of our values, and our values have made possible the network of alliances and partnerships that buttresses our own strength.

Ukraine, with an enormous land mass and a large population, has the potential to

be a significant commercial and political partner for the United States as well as a force multiplier on the security side.

We see the potential in Ukraine. Russia sees, by contrast, sees the risk.

The history is not written yet, but Ukraine could move out of Russia's orbit. And now Ukraine is a battleground for great power competition with a hot war for the control of territory and a hybrid war to control Ukraine's leadership.

The U.S. has provided significant security assistance since the onset of the war against Russia in 2014, and the Trump administration strengthened our policy by approving the provision to Ukraine of antitank missiles, known as Javelins.

Supporting Ukraine is the right thing to do. It's also the smart thing to do. If Russia prevails and Ukraine falls to Russian dominion, we can expect to see other attempts by Russia to expand its territory and its influence.

As critical as the war against Russia is, Ukraine's struggling democracy has an equally important challenge: battling the Soviet legacy of corruption which has pervaded Ukraine's government.

Corruption makes Ukraine's leaders ever vulnerable to Russia, and the Ukrainian people understand that. That's why they launched the Revolution of Dignity in 2014, demanding to be a part of Europe, demanding the transformation of the system, demanding to live under the rule of law.

Ukrainians wanted the law to apply equally to all people, whether the individual in question is the President or any other citizen. It was a question of fairness, of dignity.

Here again, there is a coincidence of interests. Corrupt leaders are inherently less trustworthy while an honest and accountable Ukrainian leadership makes a U.S.-Ukrainian partnership more reliable and more valuable to the United States.

A level playing field in this strategically located country, bordering four NATO

allies, creates an environment in which U.S. business can more easily trade, invest, and profit.

Corruption is also a security issue, because corrupt officials are vulnerable to Moscow.

In short, it is in America's national security interest to help Ukraine transform into a country where the rule of law governs and corruption is held in check. It was and remains a top U.S. priority to help Ukraine fight corruption, and significant progress has been made since the 2014 Revolution of Dignity.

Unfortunately, as the past couple of months have underlined, not all Ukrainians embraced our anticorruption work. Thus, perhaps, it was not surprising that when our anticorruption efforts got in the way of a desire for profit or power, Ukrainians who preferred to play by the old corrupt rules sought to remove me.

What continues to amaze me is that they found Americans willing to partner with them, and working together, they apparently conceded in orchestrating the removal of a U.S. ambassador.

How could our system fail like this? How is it that foreign corrupt interests could manipulate our government? Which countries' interests are served when the very corrupt behavior we have been criticizing is allowed to prevail?

Such conduct undermines the U.S., exposes our friends, and widens the playing field for autocrats like President Putin. Our leadership depends on the power of our example and the consistency of our purpose. Both have now been opened to question.

With that background in mind, I'd like to briefly address some of the factual issues I expect you may want to ask me about, starting with my timeline in Ukraine and the events about which I do and do not have firsthand knowledge.

I arrived in Ukraine on August 22nd, 2016, and left Ukraine permanently on May

20th, 2019. There are a number of events you are investigating to which I cannot bring any firsthand knowledge. The events that predated my Ukraine service include the release of the so-called black ledger and Mr. Manafort's subsequent resignation from President Trump's campaign and the departure from office of former Prosecutor General Viktor Shokin.

Several other events occurred after I returned from Ukraine. These include President Trump's July 25th, 2019, call with President Zelensky, the discussions surrounding that phone call, and any discussions surrounding the delay of security assistance to Ukraine in the summer of 2019.

As for events during my tenure in Ukraine, I want to reiterate first that the allegation that I disseminated a do not prosecute list was a fabrication. Mr. Lutsenko, the former Ukrainian prosecutor general who made that allegation, has acknowledged that the list never existed. I did not tell Mr. Lutsenko or other Ukrainian officials who they should or should not prosecute.

Instead, I advocated the U.S. position that rule of law should prevail, and Ukrainian law enforcement, prosecutors, and judges should stop wielding their power selectively as a political weapon against their adversaries and start dealing with all consistently and according to the law.

Also untrue are unsourced allegations that I told unidentified embassy employees or Ukrainian officials that President Trump's orders should be ignored because he was going to be impeached or for any other reason. I did not, and I would not say such a thing. Such statements would be inconsistent with my training as a Foreign Service officer and my role as an ambassador.

The Obama administration did not ask me to help the Clinton campaign or harm the Trump campaign, nor would I have taken any such steps if they had. Partisanship of

this type is not compatible with the role of a career Foreign Service officer.

I have never met Hunter Biden, nor have I had any direct or indirect conversations with him. And although I have met former Vice President Biden several times over the course of our many years in government service, neither he nor the previous administration ever raised the issue of either Burisma or Hunter Biden with me.

With respect to Mayor Giuliani, I have had only minimal contact with him, a total of three, none related to the events at issue. I do not understand Mr. Giuliani's motives for attacking me, nor can I offer an opinion on whether he believed the allegations he spread about me. Clearly, no one at the State Department did.

What I can say is that Mr. Giuliani should have known those claims were suspect, coming, as they reportedly did, from individuals with questionable motives and with reason to believe that their political and financial ambitions would be stymied by our anticorruption policy in Ukraine.

After being asked by the under secretary of state for political affairs in early March 2019 to extend my tour until 2020, the smear campaign against me entered a new public phase in the United States. In the wake of the negative press, State Department officials suggested an earlier departure, and we agreed upon July 2019. I was then abruptly told, just weeks later in late April, to come back to Washington from Ukraine on the next plane.

At the time I departed, Ukraine had just concluded game-changing Presidential elections. It was a sensitive period, with much at stake for the United States, and called for all the experience and expertise we could muster.

When I returned to the United States, Deputy Secretary of State Sullivan told me there had been a concerted campaign against me, that the President no longer wished me to serve as ambassador to Ukraine, and that, in fact, the President had been pushing

for my removal since the prior summer.

As Mr. Sullivan recently recounted during his Senate confirmation hearing, neither he nor anyone else ever explained or sought to justify the President's concerns about me, nor did anyone in the Department justify my early departure by suggesting I had done something wrong. I appreciate that Mr. Sullivan publicly affirmed at his hearing that I have served capably and admirably.

Although then and now I have always understood that I served at the pleasure of the President, I still find it difficult to comprehend that foreign and private interests were able to undermine U.S. interests in this way.

Individuals who apparently felt stymied by our efforts to promote stated U.S. policy against corruption, that is, to do our mission, were able to successfully conduct a campaign of disinformation against a sitting ambassador using unofficial back channels.

As various witnesses have recounted, they shared baseless allegations with the President and convinced him to remove his ambassador despite the fact that the State Department fully understood that the allegations were false and the sources highly suspect.

These events should concern everyone in this room. Ambassadors are the symbol of the United States abroad. They are the personal representative of the President. They should always act and speak with full authority to advocate for U.S. policies. If our chief representative is kneecapped it limits our effectiveness to safeguard the vital national security interests of the United States.

This is especially important now when the international landscape is more complicated and more competitive than it has been since the dissolution of the Soviet Union.

Our Ukraine policy has been thrown into disarray, and shady interests the world

over have learned how little it takes to remove an American ambassador who does not give them what they want.

After these events, what foreign official, corrupt or not, could be blamed for wondering whether the U.S. ambassador represents the President's views? And what U.S. ambassador could be blamed for harboring the fear they can't count on our government to support them as they implement stated U.S. policy and protect and defend U.S. interests?

I'd like to comment on one other matter before taking your questions.

At the closed deposition, I expressed grave concerns about the degradation of the Foreign Service over the past few years and the failure of State Department leadership to push back as foreign and corrupt interests apparently hijacked our Ukraine policy. I remain disappointed that the Department's leadership and others have declined to acknowledge that the attacks against me and others are dangerously wrong.

This is about far, far more than me or a couple of individuals. As Foreign Service professionals are being denigrated and undermined, the institution is also being degraded. This will soon cause real harm if it hasn't already.

The State Department, as a tool of foreign policy, often doesn't get the same kind of attention or even respect as the military might of the Pentagon. But we are, as they say, the pointy end of the spear. If we lose our edge, the U.S. will inevitably have to use other tools even more than it does today, and those other tools are blunter, more expensive, and not universally effective.

Moreover, attacks are leading to a crisis in the State Department as the policy process is visibly unraveling. Leadership vacancies go unfilled, and senior and midlevel officers ponder an uncertain future.

The crisis has moved from the impact on individuals to an impact on the

institution itself. The State Department is being hollowed out from within at a competitive and complex time on the world stage. This is not a time to undercut our diplomats.

It is the responsibility of the Department's leaders to stand up for the institution and the individuals who make that institution still today the most effective diplomatic force in the world.

And Congress has a responsibility to reinvest in our diplomacy. That's an investment in our national security. It's an investment in our future, in our children's future.

As I close, let me be clear on who we are and how we serve this country. We are professionals, we are public servants who by vocation and training pursue the policies of the President, regardless of who holds that office or what party they affiliate with. We handle American citizen services, facilitate trade and commerce, work security issues, represent the U.S., and report to and advise Washington, to mention just some of our functions. And we make a difference every day. We are people who repeatedly uproot our lives, who risk and sometimes give our lives for this country.

We are the 52 Americans who 40 years ago this month began 444 days of deprivation, torture, and captivity in Tehran.

We are the dozens of Americans stationed at our embassy in Cuba, in consulates in China, who mysteriously and dangerously, and in some cases perhaps even permanently, were injured and attacked from unknown sources several years ago.

And we are Ambassador Chris Stevens, Sean Patrick Smith, Ty Woods, and Glen Doherty, people rightly called heroes for their ultimate sacrifice to this Nation's foreign policy interests in Libya 8 years ago.

We honor these individuals. They represent each one of you here and every

American. These courageous individuals were attacked because they symbolized America.

What you need to know, what Americans need to know, is that while, thankfully, most of us answer the call to duty in far less dramatic ways, every Foreign Service officer runs the same risks.

And very often so do our families. They serve, too. As individuals, as a community, we answer the call to duty to advance and protect the interests of the United States.

We take our oath seriously, the same oath that each one of you takes to support and defend the Constitution of the United States against all enemies, foreign and domestic, and to bear true faith and allegiance to the same.

I count myself lucky to be a Foreign Service officer, fortunate to serve with the best America has to offer, blessed to serve the American people for the last 33 years.

I thank you for your attention. I welcome your questions.

[The statement of Ambassador Yovanovitch follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. Thank you, Ambassador. We count ourselves lucky to have you serve the country as you have for decades.

We will now move to the 45-minute rounds. I recognize myself and majority counsel for 45 minutes.

Ambassador Yovanovitch, thank you again for appearing today. All Americans are deeply in your debt. Before I hand it over to Mr. Goldman, our staff counsel, I want to ask you about a few of the pivotal events of interest to the country.

First of all, was fighting corruption in Ukraine a key element of U.S. policy and one on which you placed the highest priority?

Ambassador Yovanovitch. Yes, it was.

The Chairman. And can you explain why?

Ambassador Yovanovitch. It was important -- and it was actually stated in our policy and in our strategy -- it was important because corruption was undermining the integrity of the governance system in Ukraine.

And as I noted in my statement, countries that have leaders that are honest and trustworthy make better partners for us. Countries where there is a level playing field for our U.S. business makes it easier for our companies to do business there, to trade and to profit in those countries. And what had been happening since the Soviet Union, and this is very much a Soviet legacy, is that corrupt interests were undermining not only the governance, but also the economy of Ukraine.

We see enormous potential in Ukraine and would like to have a more capable, more trustworthy partner there.

The Chairman. And I know this may be awkward for you to answer since it's a question about yourself and your reputation, but is it fair to say that you earned a

reputation for being a champion of anticorruption efforts in Ukraine?

Ambassador Yovanovitch. Yes. Yes.

The Chairman. I don't know if you had a chance to watch George Kent's testimony yesterday, but would you agree with his rather frank assessment that if you fight corruption, you're going to piss off some corrupt people?

Ambassador Yovanovitch. Yes.

The Chairman. And in your efforts fighting corruption to advance U.S. policy interests, did you anger some of the corrupt leaders in Ukraine?

Ambassador Yovanovitch. Yes.

The Chairman. Was one of those corrupt people Prosecutor General Yuriy Lutsenko?

Ambassador Yovanovitch. Yes, I believe so.

The Chairman. Was another one of those corrupt people Lutsenko's predecessor, another corrupt prosecutor general named Viktor Shokin?

Ambassador Yovanovitch. Apparently so, although I've never met him.

The Chairman. At some point, did you come to learn that both Lutsenko and Shokin were in touch with Rudy Giuliani, President Trump's lawyer and representative?

Ambassador Yovanovitch. Yes.

The Chairman. In fact, did Giuliani try to overturn a decision that you participated in to deny Shokin a visa?

Ambassador Yovanovitch. Yes. That is what I was told.

The Chairman. And that denial was based on Mr. Shokin's corruption?

Ambassador Yovanovitch. Yes, that's true.

The Chairman. And was it Mr. Lutsenko, among others, who coordinated with Mr. Giuliani to peddle false accusations against you as well as the Bidens?

Ambassador Yovanovitch. Yes, that is my understanding.

The Chairman. And were these smears also amplified by the President's son, Donald Trump, Jr., as well as certain hosts on FOX?

Ambassador Yovanovitch. Yes. Yes, that is the case.

The Chairman. In the face of this smear campaign, did colleagues at the State Department try to get a statement of support for you from Secretary Pompeo?

Ambassador Yovanovitch. Yes.

The Chairman. Were they successful?

Ambassador Yovanovitch. No.

The Chairman. Did you come to learn that they couldn't issue such a statement because they feared it would be undercut by the President?

Ambassador Yovanovitch. Yes.

The Chairman. And then were you told that though you had done nothing wrong, you did not enjoy the confidence of the President and could no longer serve as ambassador?

Ambassador Yovanovitch. Yes, that is correct.

The Chairman. And, in fact, you flew home from Kyiv on the same day as the inauguration of Ukraine's new President?

Ambassador Yovanovitch. That's true.

The Chairman. That inauguration was attended by three who have become known as the Three Amigos, Ambassadors Sondland, Volker, and Perry, was it?

Ambassador Yovanovitch. Yes.

The Chairman. And 3 days after that inauguration, in a meeting with President Trump, are you aware that the President designated these Three Amigos to coordinate Ukraine policy with Rudy Giuliani?

Ambassador Yovanovitch. Since then, I have become aware of that.

The Chairman. This is the same Rudy Giuliani who orchestrated the smear campaign against you?

Ambassador Yovanovitch. Yes.

The Chairman. And the same Rudy Giuliani who, during the now infamous July 25th phone call, the President recommended to Zelensky in the context of the two investigations the President wanted into the 2016 election and the Bidens?

Ambassador Yovanovitch. Yes.

The Chairman. And finally, Ambassador, in that July 25th phone call the President praises one of these corrupt former Ukrainian prosecutors and says they were treated very unfairly. They were treated unfairly, not you who was smeared and recalled, but one of them.

What message does that send to your colleagues in the U.S. Embassy in Kyiv?

Ambassador Yovanovitch. I'm just not sure what the basis for that kind of a statement would be, certainly not from our reporting over years.

The Chairman. Did you have concern, though, and do you have concern today about what message the President's action sends to the people who are still in Ukraine representing the United States when a well-respected ambassador can be smeared out of her post with the participation and acquiescence of the President of the United States?

Ambassador Yovanovitch. Well, it's, I think, been a big hit from around both at U.S. Embassy Kyiv, but also more broadly in the State Department.

The Chairman. Is it fair to say that other ambassadors and others of lesser rank who serve the United States in embassies around the world might look at this and think, "If I take on corrupt people in these countries, that could happen to me"?

Ambassador Yovanovitch. I think that's a fair statement, yes.

The Chairman. Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman.

Ambassador Yovanovitch, on April 24th of this year, at approximately 10 p.m., you received a telephone call while you were at the embassy in Kyiv from the director general of the State Department. This was just 3 days after President Zelensky's election and the call between President Trump and President Zelensky that we just heard from Ranking Member Nunes.

At the time that this urgent call came in, what were you in the middle of doing?

Ambassador Yovanovitch. I was hosting an event in honor of Kateryna Handziuk, who is an anticorruption activist -- was an anticorruption activist in Ukraine. We had given her the Women of Courage award from Ukraine. And, in fact, the worldwide Women of Courage event -- at the worldwide Women of Courage event in Washington, D.C., Secretary Pompeo singled her out for her amazing work in Ukraine to fight corrupt interests in the south of Ukraine.

She very tragically died because she was attacked by acid, and several months later died a very, very painful death. We thought it was important that justice be done for Kateryna Handziuk and for others who fight corruption in Ukraine because this is -- it is not a, you know, kind of a tabletop exercise there. Lives are in the balance.

And so we wanted to bring attention to this. We held an event and gave her father -- who, of course, is still mourning her -- that award, the Women of Courage event.

Mr. Goldman. And her Women of Courage award stemmed from her anticorruption efforts in Ukraine?

Ambassador Yovanovitch. Yes, that is true.

Mr. Goldman. Was it ever determined who threw the acid and killed her?

Ambassador Yovanovitch. There have been investigations, but while some of the

lower ranking individuals that were involved in this have been arrested, those who ordered this have not yet been apprehended.

Mr. Goldman. After you stepped away from this anticorruption event to take this call, what did the director general tell you?

Ambassador Yovanovitch. She said that there was great concern on the seventh floor of the State Department. That's where the leadership of the State Department sits. There was great concern. They were worried. She just wanted to give me a heads up about this. And, you know, things seemed to be going on, and so she just wanted to give me a heads-up.

I -- you know, it's hard to know how to react to something like that. I asked her what it was about, what did she think it was about. She didn't know. She said that she was going to try and find out more, but she had wanted to give me a heads-up. In fact, I think she may have even been instructed to give me a heads-up on that.

And so I asked her, you know, kind of what is the next step here. So she said she would try to find out more, and she would try to call me by midnight.

Mr. Goldman. What happened next?

Ambassador Yovanovitch. Around 1 o'clock in the morning she called me again, and she said that there were great concerns, there were concerns up the street, and she said I needed to get on -- come home immediately, get on the next plane to the U.S.

And I asked her why, and she said she wasn't sure, but there were concerns about my security. I asked her, my physical security? Because sometimes Washington knows more than we do about these things. And she said no, she hadn't gotten that impression that it was a physical security issue, but they were concerned about my security, and I needed to come home right away.

You know, I argued this is extremely irregular, and no reason given. But in the

end, I did get on the next plane home.

Mr. Goldman. You said there were concerns up the street. What did you understand that to mean?

Ambassador Yovanovitch. The White House.

Mr. Goldman. Did she explain in any more detail what she meant by concerns about your security?

Ambassador Yovanovitch. No, she didn't. I did specifically ask whether this had to do with the -- Mayor Giuliani's allegations against me and so forth, and she said she didn't know. It didn't even actually appear to me that she seemed to be aware of that. No reason was offered.

Mr. Goldman. Did she explain what the urgency was for you to come back on the next flight?

Ambassador Yovanovitch. The only thing that's pertinent to that was that when she said that there were -- there were concerns about my security. That's all. But it was not further explained.

Mr. Goldman. Now, prior to this abrupt call back to Washington, D.C., had you been offered an extension of your post by the State Department?

Ambassador Yovanovitch. Yes. Under secretary -- the under secretary for political affairs had asked whether I would extend for another year, departing in July of 2020.

Mr. Goldman. When was that request made?

Ambassador Yovanovitch. In early March.

Mr. Goldman. So about a month and a half before this call?

Ambassador Yovanovitch. Yes.

Mr. Goldman. Did anyone at the State Department ever express concerns about

your job performance?

Ambassador Yovanovitch. No.

Mr. Goldman. Now, after you returned to Washington a couple days after that, you met with the deputy secretary of state, and at your deposition, you said that the deputy secretary of state told you that you had done nothing wrong but that there was a concerted campaign against you. What did he mean by that?

Ambassador Yovanovitch. I'm not exactly sure, but I took it to mean that the allegations that Mayor Giuliani and others were putting out there, that that's -- that that's what it was.

Mr. Goldman. And who else was involved in this concerted campaign against you?

Ambassador Yovanovitch. There were some members of the press and others in Mayor Giuliani's circle.

Mr. Goldman. And who from Ukraine?

Ambassador Yovanovitch. In Ukraine, I think -- well, Mr. Lutsenko, the prosecutor general. Mr. Shokin, his predecessor, certainly.

Mr. Goldman. And at this time, Mr. Lutsenko was the lead prosecutor general. Is that right?

Ambassador Yovanovitch. Yes, that's correct.

Mr. Goldman. And had President Zelensky indicated whether or not he was going to keep him on after the election?

Ambassador Yovanovitch. He had indicated he would not be keeping on Mr. Lutsenko.

Mr. Goldman. And I believe you testified earlier that Mr. Lutsenko had a reputation for being corrupt. Is that right?

Ambassador Yovanovitch. That's correct.

Mr. Goldman. Now, during this conversation, did the deputy secretary tell you about your future as the ambassador to Ukraine?

Ambassador Yovanovitch. Well, he told me I needed to leave.

Mr. Goldman. What did he say?

Ambassador Yovanovitch. He said that -- I mean, there was a lot of back and forth, but ultimately he said the words that, you know, every Foreign Service officer understands: The President has lost confidence in you. That was, you know, a terrible thing to hear. And I said well, you know, I guess I have to go, then.

But no -- no real reason was offered as to why I had to leave and why it was being done in such a manner.

Mr. Goldman. Did you have any indication that the State Department had lost confidence in you?

Ambassador Yovanovitch. No.

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[10:06 a.m.]

Mr. Goldman. And were you provided any reason why the President lost confidence in you?

Ambassador Yovanovitch. No.

Mr. Goldman. Now, you testified at your deposition that you were told, at some point, that Secretary Pompeo had tried to protect you, but that he was no longer able to do that. Were you aware of these efforts to protect you?

Ambassador Yovanovitch. No, I was not, until that meeting with Deputy Secretary Sullivan.

Mr. Goldman. Did you understand who he was trying to protect you from?

Ambassador Yovanovitch. Well, my understanding was that the President had wanted me to leave, and there was some discussion about that over the prior months.

Mr. Goldman. Did you have any understanding why Secretary Pompeo was no longer able to protect you?

Ambassador Yovanovitch. No. It was just a statement made that he was no longer able to protect me.

Mr. Goldman. So just like that, you had to leave Ukraine as soon as possible?

Ambassador Yovanovitch. Yes.

Mr. Goldman. How did that make you feel?

Ambassador Yovanovitch. Terrible, honestly. I mean, after 33 years of service to our country, it was terrible. It's not the way I wanted my career to end.

Mr. Goldman. Now, you also told this Deputy Secretary that this was a dangerous precedent. What did you mean by that?

Ambassador Yovanovitch. I was worried -- I was worried about our policy, but also personnel, that -- and I asked him, how -- how are you going to explain this to people in the State Department, the press, the public, Ukrainians? Because everybody is watching. And so, if people see somebody who -- and, of course, it had been very public frankly, the attacks on me by Mayor Giuliani and others and Mr. Lutsenko in Ukraine -- if people see that I, who have been, you know, promoting our policies on anti-corruption, if they can undermine me and get me pulled out of Ukraine, what does that mean for our policy? Do we still have that same policy? How are we going to affirmatively put that forward, number one.

Number two, when other countries, other actors, and other countries see that private interests, foreign interests, can come together and get a U.S. ambassador removed, what's going to stop them from doing that in the future in other countries? Often the work we do, we try to be diplomatic about it, but as Deputy Assistant Secretary George Kent said, you know, sometimes we get people really angry with us. It's uncomfortable. And we are doing our jobs, but sometimes people become very angry with us. And if they realize that they can just remove us, they're going to do that.

Mr. Goldman. How did the Deputy Secretary respond?

Ambassador Yovanovitch. He said those were good questions, and he would get back to me.

Mr. Goldman. Did he ever get back to you?

Ambassador Yovanovitch. He asked to see me the following day.

Mr. Goldman. What did he say to you then?

Ambassador Yovanovitch. He -- really the conversation was more -- and, you know, again, I'm grateful for this -- but really more to see how I was doing, and, you know, what would I do next, kind of -- how could he help.

Mr. Goldman. But he didn't address the dangerous precedent that you flagged for him?

Ambassador Yovanovitch. No.

Mr. Goldman. Now, you understood, of course, that the President of the United States could remove you and that you served at the pleasure of the President. Is that right?

Ambassador Yovanovitch. That's right.

Mr. Goldman. But in your 33 years as a Foreign Service officer, have you ever heard of a President of the United States recalling another ambassador without cause based on allegations that the State Department itself knew to be false?

Ambassador Yovanovitch. No.

Mr. Goldman. Now, you testified in your opening statement that you had left Ukraine by the time of the July 25th call between President Trump and President Zelensky. When was the first time that you saw the call record for this phone call?

Ambassador Yovanovitch. When it was released publicly at the end of September, I believe.

Mr. Goldman. And prior to reading that call record, were you aware that President Trump had specifically made reference to you in that call?

Ambassador Yovanovitch. No.

Mr. Goldman. What was your reaction to learning that?

Ambassador Yovanovitch. I was shocked. Absolutely shocked. And devastated, frankly.

Mr. Goldman. What do you mean by "devastated"?

Ambassador Yovanovitch. I was shocked and devastated that I would feature in a phone call between two heads of state in such a manner where President Trump said

that I was bad news to another world leader, and that I would be going through some things. So I was -- it was -- it was a terrible moment. A person who saw me actually reading the transcript said that the color drained from my face. I think I even had a physical reaction. I think, you know, even now, words kind of fail me.

Mr. Goldman. Well, without upsetting you too much, I'd like to show you the excerpts from the call, and the first one, where President Trump says, "The former ambassador from the United States, the woman, was bad news, and the people she was dealing with in the Ukraine were bad news, so I just want to let you know." What was your reaction when you heard the President of the United States refer to you as "bad news"?

Ambassador Yovanovitch. I couldn't believe it. I mean, again, shocked, appalled, devastated, that the President of the United States would talk about any ambassador like that to a foreign head of state. And it was me. I mean, I couldn't believe it.

Mr. Goldman. The next excerpt when the President references you is a short one, but he said, "Well, she's going to go through some things." What did you think when President Trump told President Zelensky and you read that you were going to go through some things?

Ambassador Yovanovitch. I didn't know what to think, but I was very concerned.

Mr. Goldman. What were you concerned about?

Ambassador Yovanovitch. She's going to go through some things. It didn't sound good. It sounded like a threat.

Mr. Goldman. Did you feel threatened?

Ambassador Yovanovitch. I did.

Mr. Goldman. How so?

Ambassador Yovanovitch. I didn't know exactly. It's not, you know, a very precise phrase, but I think it didn't feel like I was -- I really don't know how to answer the question any further except to say that it kind of felt like a vague threat, and so, I wondered what that meant. It concerned me.

Mr. Goldman. Now, in the same call where the President, as you just said, threatens you, to a foreign leader, he also praises, rather, the corrupt Ukraine prosecutor who led the false smear campaign against you. I want to show you another excerpt or two from the transcript, or the call record rather, where the President of the United States says, "Good, because I heard you had a prosecutor who was very good and he was shut down, and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down, and you had some very bad people involved."

And he went on later to say, "I heard the prosecutor was treated very badly, and he was a very fair prosecutor. So good luck with everything."

Now, Ambassador Yovanovitch, after nearly 3 years in Ukraine where you tried to clean up the prosecutor general's office, was it the U.S. embassy's view that the former prosecutor general was a very good and very fair prosecutor?

Ambassador Yovanovitch. No, it was not.

Mr. Goldman. And in fact, he was rather corrupt. Is that right?

Ambassador Yovanovitch. That was our belief.

Mr. Goldman. The prosecutor general's office is a long running problem in Ukraine. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Goldman. So how did you feel when you heard President Trump speak so highly of the corrupt Ukrainian prosecutor who helped to execute the smear campaign to have you removed?

Ambassador Yovanovitch. Well, it was disappointing. It was concerning. It wasn't certainly based on anything that the State Department would have reported, or frankly anybody else in the U.S. Government. There was an interagency consensus that while -- when Mr. Lutsenko came into office, we were very hopeful that he would actually do the things that he said he would set out to do, including reforming the prosecutor general's office, but that did not materialize.

Mr. Goldman. So this was not the uniform position of the official U.S. policymakers. Is that right?

Ambassador Yovanovitch. Right.

Mr. Goldman. Now, let's go back to the smear campaign that you referenced, and in March, when you said it became public, and you previously testified that you had learned that Rudy Giuliani, President Trump's lawyer and representative, who was also mentioned in that July 25th call, was in regular communication with the corrupt prosecutor general in late 2018 and early 2019. And at one point in your deposition, you said that they -- that being Giuliani and the corrupt foreign prosecutor general -- had plans to, quote, "do things to me." What did you mean by that?

Ambassador Yovanovitch. I didn't -- I didn't really know, but that's what I had been told by Ukrainian officials.

Mr. Goldman. Did you subsequently understand a little bit more what that meant?

Ambassador Yovanovitch. Well, you know, now, with the advantage of hindsight, I think that meant removing me from my job in Ukraine.

Mr. Goldman. Who did you understand to be working with Mr. Giuliani as his associates in Ukraine?

Ambassador Yovanovitch. Well, certainly, Mr. Lutsenko, Mr. Shokin. I believe

that they were also Ukrainian Americans, Mr. Parnas and Mr. Fruman, who have recently been indicted.

Mr. Goldman. Those are the two who have been indicted in New York?

Ambassador Yovanovitch. Southern District of New York.

Mr. Goldman. Now, at the end of March, this effort by Giuliani and his associates, resulted in a series of articles in The Hill publication that were based on allegations in part from Lutsenko, the corrupt prosecutor general. And just to summarize some of these allegations, there were, among others, three different categories: One category included the attacks against you, which you referenced in your opening statement, including that you had bad-mouthed the President, and had given the prosecutor general a do-not-prosecute list. There was another that included allegations of Ukrainian interference in the 2016 election. And then there was a third that related to allegations concerning Burisma and the Bidens. Is that accurate?

Ambassador Yovanovitch. Yeah. Yes.

Mr. Goldman. Were these articles and allegations then promoted by others associated with the President in the United States?

Ambassador Yovanovitch. They seemed to be promoted by those around Mayor Giuliani.

Mr. Goldman. I'm going to show you a couple of exhibits, including a tweet here by President Trump himself on March 20th, which was the first day that one of these articles was published. It appears to be a quote that says, John Solomon, who is the author of the articles, colon, as Russia collusion fades, Ukrainian plot to help Clinton emerges, unquote, @SeanHannity, @FoxNews.

And then if I could go to another tweet 4 days later, this is the President's son, Donald Trump, Jr., who tweets, "We need more @RichardGrenells," who is the

ambassador to Germany -- is that right?

Ambassador Yovanovitch. That's correct.

Mr. Goldman. -- "and less of these jokers as ambassadors." And it's a retweet of one of John Solomon's articles, or an article referencing the allegations that says, "Calls grow to remove Obama's U.S. ambassador to Ukraine." Were you aware of these tweets at the time?

Ambassador Yovanovitch. Yes.

Mr. Goldman. What was your reaction to seeing this?

Ambassador Yovanovitch. Well, I was worried.

Mr. Goldman. What were you worried about?

Ambassador Yovanovitch. That this didn't seem -- these attacks were, you know, being repeated by the President himself and his son.

Mr. Goldman. And were you aware whether they received attention on prime time television on Fox News as well?

Ambassador Yovanovitch. Yes, I did.

Mr. Goldman. Now, was the allegation that you were bad-mouthing President Trump true?

Ambassador Yovanovitch. No.

Mr. Goldman. Was the allegation that you had created a do-not-prosecute list to give to the prosecutor general in Ukraine true?

Ambassador Yovanovitch. No.

Mr. Goldman. In fact, didn't the corrupt prosecutor general, himself, later recant those allegations?

Ambassador Yovanovitch. Yes.

Mr. Goldman. Now, when these articles were first published, did the State

Department issue a response?

Ambassador Yovanovitch. As you said, there was a series of articles, so after the first article, which was an interview with Mr. Lutsenko, and was only really about me, and made certain allegations about me, the State Department came out the following day with a very strong statement, saying that, you know, these allegations were fabrications.

Mr. Goldman. So the statement addressed the falsity of the allegations themselves?

Ambassador Yovanovitch. Yes.

Mr. Goldman. It didn't say anything about your job performance in any way?

Ambassador Yovanovitch. You know, honestly, I haven't looked at it in a very long time. I mean, it was generally probably laudatory, but I can't recall.

Mr. Goldman. Did anyone in the State Department raise any concerns with you or express any belief in these allegations?

Ambassador Yovanovitch. No. I mean, people thought it was ridiculous.

Mr. Goldman. Now, after these false allegations were made against you, did you have any discussions with anyone in leadership in the State Department about a potential statement of support from the Department or the Secretary himself?

Ambassador Yovanovitch. Yes. After the tweets that you just showed us, I mean, it seemed to me that if the President's son is saying things like this, that it would be very hard to continue in my position and have authority in Ukraine, unless the State Department came out pretty strongly behind me. And so, you know, over -- over the weekend of, like, March 22nd -- I think that's about the date -- there was a lot of discussion on email among a number of people about what could be done. I and Under Secretary -- the Under Secretary for Political Affairs called me on Sunday, and I said, You know, it's really important that the Secretary, himself, come out and be supportive,

because otherwise it's hard for me to be the kind of representative you need here. And he said he would talk to the Secretary. I mean, that was -- that's my recollection of the call. That may not be exactly how it played out, but that was my recollection.

Mr. Goldman. This is David Hale, the Under Secretary of Political Affairs, as the number three person at the State Department?

Ambassador Yovanovitch. Yes.

Mr. Goldman. Did he indicate to you that he supported such a statement of support for you?

Ambassador Yovanovitch. I think he must have, because I don't think he would have gone to the Secretary if he -- if he didn't support it. I mean, you wouldn't bring a bad idea to the Secretary of State.

Mr. Goldman. And your general understanding is that you did have the full support of the State Department. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Goldman. And, in fact, during your 33-year career as a Foreign Service officer, did you ever hear of any serious concerns about your job performance?

Ambassador Yovanovitch. No.

Mr. Goldman. Was this statement of support ultimately issued for you?

Ambassador Yovanovitch. No, it was not.

Mr. Goldman. Did you learn why not?

Ambassador Yovanovitch. Yeah. Yes. I was told that there was a concern on the seventh floor that if a statement of support was issued, whether by the State Department or by the Secretary personally, that it could be undermined.

Mr. Goldman. How could it be undermined?

Ambassador Yovanovitch. That the President might issue a tweet contradicting

that, or something to that effect.

Mr. Goldman. So let me see if I got this right. You were one of the most senior diplomats in the State Department. You've been there for 33 years. You've won numerous awards. You've been appointed as an ambassador three times by both Republican and Democratic Presidents, and the State Department would not issue a statement in support of you against false allegations because they were concerned about a tweet from the President of the United States?

Ambassador Yovanovitch. That's my understanding.

The Chairman. Just a moment, if I could follow up on that question, it seems like an appropriate time. Ambassador Yovanovitch, as we sit here testifying, the President is attacking you on Twitter, and I'd like to give you a chance to respond. I'll read part of one of his tweets. "Everywhere Marie Yovanovitch went turned bad. She started off in Somalia, how did that go?" He goes on to say, later in the tweet, "It is a U.S. President's absolute right to appoint ambassadors."

First of all, Ambassador Yovanovitch, the Senate has a chance to confirm or deny an ambassador, do they not?

Ambassador Yovanovitch. Yes. Advise and consent.

The Chairman. What would you like to respond to the President's attack that everywhere you went turned bad?

Ambassador Yovanovitch. Well, I mean, I don't think I have such powers, not in Mogadishu, Somalia, and not in other places. I actually think that where I've served over the years, I and others have demonstrably made things better, you know, for the U.S., as well as for the countries that I've served in.

Ukraine, for example, where there are huge challenges, including, you know, on the issue that we're discussing today, of corruption. Huge challenges. But they have

made a lot of progress since 2014, including in the years that I was there, and I think in part -- I mean, the Ukrainian people get the most credit for that, but a part of that credit goes to the work of the United States, and to me as the ambassador in Ukraine.

The Chairman. Ambassador, you've shown the courage to come forward today and testify. Notwithstanding the fact you were urged by the White House or State Department not to, notwithstanding the fact that as you testified earlier, the President implicitly threatened you in that call record; and now, the President, in real time, is attacking you, what effect do you think that has on other witnesses willingness to come forward and expose wrongdoing?

Ambassador Yovanovitch. Well, it's very intimidating.

The Chairman. It's designed to intimidate, is it not?

Ambassador Yovanovitch. I mean, I can't speak to what the President is trying to do, but I think the effect is to be intimidating.

The Chairman. Well, I want to let you know, Ambassador, that some of us here take witness intimidation very, very seriously. Mr. Goldman.

Mr. Goldman. Ambassador Yovanovitch, you indicated that those same articles in March that included the smear campaign also included allegations related to Ukraine's interference in the 2016 election, and the Burisma/Biden connection. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Goldman. So I'm going to end my questioning where we were before, which was the July 25th call. And President Trump not only insults you and praises the corrupt prosecutor general, but he also, as you know by now, references these two investigations. First, immediately after President Zelensky thanks President Trump for his, quote, "great support in the area of defense," unquote, President Trump responds, "I would like you to do us a favor, though, because our country has been through a lot and Ukraine knows a

lot about it. I would like you to find out what happened with this whole situation with Ukraine. They say CrowdStrike. I guess you have one of your wealthy people, the server, they say Ukraine has it." And then he goes on in that same paragraph to say, "Whatever you can do, it's very important that you do it, if that's possible."

Now, Ambassador Yovanovitch, from your experience as the ambassador in Ukraine for almost 3 years, and understanding that President Zelensky was not in politics before he ran for President, and was a new President on this call, how would you expect President Zelensky to interpret a request for a favor?

Ambassador Yovanovitch. The U.S. relationship for Ukraine is the single most important relationship. And so, I think that President Zelensky, any president, would, you know, do what they could to, you know, lean in on a favor request. I'm not saying that that's a yes, I'm saying they would try to lean in and see what they could do.

Mr. Goldman. Fair to say that a President of Ukraine that is so dependent on the United States would do just about anything within his power to please the President of the United States if he could?

Ambassador Yovanovitch. You know, if he could. I mean, I'm sure there are limits, and I understand there were a lot of discussions in the Ukrainian Government about all of this. But, yeah, I mean, we are an important relationship on the security side and on the political side. And so, the President of Ukraine, one of the most important functions that individual has, is to make sure the relationship with the U.S. is rock solid.

Mr. Goldman. Now, are you familiar with these allegations of Ukrainian interference in the 2016 election?

Ambassador Yovanovitch. I mean, there have been rumors out there about things like that; but, you know, there was nothing hard, at least nothing that I was aware

of.

Mr. Goldman. There was nothing based in fact --

Ambassador Yovanovitch. Right.

Mr. Goldman. -- to support these allegations?

Ambassador Yovanovitch. Yes.

Mr. Goldman. And, in fact, who was responsible for interfering and meddling in the 2016 election?

Ambassador Yovanovitch. Well, the U.S. Intelligence Community has concluded that it was Russia.

Mr. Goldman. Ambassador Yovanovitch, are you aware that in February of 2017, Vladimir Putin, himself, promoted this theory of Ukrainian interference in the 2016 election?

Ambassador Yovanovitch. You know, maybe I knew that once and have forgotten, but I'm not familiar with it now.

Mr. Goldman. Well, let me show you a press statement that President Putin made in a joint press conference with Viktor Orban of Hungary on February 2nd of 2017, where he says, "Second, as we all know, during the Presidential campaign in the United States, the Ukrainian Government adopted a unilateral position in favor of one candidate. More than that, certain oligarchs, certainly with the approval of the political leadership, funded this candidate, or female candidate, to be more precise."

Now, how would this theory of Ukraine interference in the 2016 election be in Vladimir Putin's interest?

Ambassador Yovanovitch. Well, I mean, President Putin must have been aware that there were concerns in the U.S. about Russian meddling in the 2016 elections, and what the potential was for Russian meddling in the future. So, you know, classic for an

intelligence officer to try to throw off the scent and, you know, create an alternative narrative that maybe might get picked up and get some credence.

Mr. Goldman. An alternative narrative that would absolve his own wrongdoing?

Ambassador Yovanovitch. Yeah.

Mr. Goldman. And when he talks about an oligarch, and he talks about the support of the Ukrainian Government, there's also a reference in the July 25th call to a wealthy Ukrainian. Is it your understanding that what Vladimir Putin is saying here, in this press statement in February 2017, is similar to what President Trump says on the July 25th call related to the 2016 election?

Ambassador Yovanovitch. Maybe.

Mr. Goldman. Now, let me show you another exhibit from the call related to the Bidens, which I'm sure you're familiar with. President Trump says, "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of people want to find out about that. So whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution. So if you can look into it, it sounds horrible to me." Now, are you familiar with the allegations, these allegations related to Vice President Biden?

Ambassador Yovanovitch. Yes.

Mr. Goldman. Do you know whether he ever went around bragging that he stopped the prosecution of anyone?

Ambassador Yovanovitch. No.

Mr. Goldman. And, in fact, when Vice President Biden acted to remove the former corrupt prosecutor in Ukraine, did he do so as part of official United States policy?

Ambassador Yovanovitch. Official U.S. policy --

Mr. Goldman. And that was --

Ambassador Yovanovitch. -- endorsed and was the policy of a number of other international stakeholders, other countries, other monetary institutions, financial institutions.

Mr. Goldman. And in fact, if he helped to remove a corrupt Ukrainian prosecutor general, who was not prosecuting enough corruption, that would increase the chances that corrupt companies in Ukraine would be investigated. Isn't that right?

Ambassador Yovanovitch. One would think so.

Mr. Goldman. And that could include Burisma, right?

Ambassador Yovanovitch. Yes.

Mr. Goldman. Now, at the time of this call, Vice President Biden was the frontrunner for the Democratic nomination for President, and President Trump's potential next opponent in the election. Is it your understanding that President Trump's request to have Vice President Biden investigated, was that part of official U.S. policy as you knew it?

Ambassador Yovanovitch. Well, I should say that I had, at the time of this phone call, I had already departed Ukraine 2 months prior.

Mr. Goldman. Right. But you're familiar with -- it didn't change that much in 2 months, right?

Ambassador Yovanovitch. It certainly would not have been the policy in May when I left.

Mr. Goldman. And were these two investigations part of the anti-corruption platform that you championed in Ukraine for 3 years?

Ambassador Yovanovitch. No.

Mr. Goldman. And those investigations, do they appear to you to benefit the President's personal and political interests rather than the national interests?

Ambassador Yovanovitch. Well, they certainly could.

Mr. Goldman. Now, just returning to the allegations in The Hill publication in March that were promoted by Mr. Giuliani, the President's lawyer, were those two allegations similar to the two allegations that the President wanted President Zelensky to investigate?

Ambassador Yovanovitch. Yes.

Mr. Goldman. So ultimately in the July 25th phone call with the Ukrainian President, the President of the United States endorsed the false allegations against you and the Bidens. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Goldman. I yield back, Mr. Chairman.

Mr. Conaway. Mr. Chairman, I have a parliamentary inquiry, please.

The Chairman. The gentleman will suspend. Votes are fairly imminent. We are going to take a brief recess. I would ask everyone to remain seated to allow the witness to exit the room and we will resume after votes.

Mr. Conaway. Mr. Chairman, I have a parliamentary inquiry.

The Chairman. The gentleman can seek recognition after we resume.

We're in recess subject to the call of the chair.

[Recess.]

RPTR PANGBURN

EDTR CRYSTAL

[12:20 p.m.]

The Chairman. The committee will come to order.

Mr. Conaway. Mr. Chairman, I have a parliamentary inquiry.

The Chairman. The gentleman will state his inquiry.

Mr. Conaway. Thank you, sir.

It appears that counsel for the witness this morning has paper copies of the slides that were used during the questioning. If that's true, does that mean that you and/or your team has been in coordination with him and/or her with respect to her testimony this morning? And if that's true, how does that comport with H. Res 660 and the fairness that is purportedly associated with that resolution?

The Chairman. The gentlemen -- the TV for the witnesses wasn't working, so they were given copies this morning.

It is now 45 minutes to Ranking Member Nunes and minority counsel.

Mr. Conaway. You said that the screen in front of them was not working?

The Chairman. My understanding is the screen was not working in front of them, so they were given copies so they could read along since they can't see the screens that we can.

Mr. Nunes, you are recognized for 45 minutes along with minority counsel.

Mr. Nunes. First, Mr. Chair, I want to submit for the record Senator Grassley's letter to the Department of Justice dated July 20th, 2017. I read a portion of that into the record during my opening statement.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Nunes. Ambassador, I congratulate you. You've been down in the secret deposition meeting rooms. You've graduated for your performance today.

Later this afternoon, I should note that -- to the public -- that we will be back down in the basement of the Capitol doing more of these secret depositions.

Ambassador, I just have -- I don't really have very many questions for you. You admitted in your opening statement that you don't have any firsthand knowledge of the issues that we're looking into. But I do want to talk a little bit about Senator Grassley very briefly.

I assume that you know who Senator Grassley is.

Ambassador Yovanovitch. Yes, sir, I do.

Mr. Nunes. Do you believe that Senator Grassley is a serious and credible elected official?

Ambassador Yovanovitch. I have no reason to think otherwise.

Mr. Nunes. Were you involved in the July 25th Trump-Zelensky phone call or preparations for the call?

Ambassador Yovanovitch. No, I was not.

Mr. Nunes. Were you involved in the deliberations about the pause in military sales to Ukraine as the Trump administration reviewed newly elected President Zelensky's commitment to corruption reforms?

Ambassador Yovanovitch. For the delay in --

Mr. Nunes. For the pause.

Ambassador Yovanovitch. For the pause. No, I was not.

Mr. Nunes. Were you involved in the proposed Trump-Zelensky, later Pence-Zelensky meetings in Warsaw, Poland, on September 1st?

Ambassador Yovanovitch. No, I was not.

Mr. Nunes. Did you ever talk to President Trump in 2019?

Ambassador Yovanovitch. No, I have not.

Mr. Nunes. Mick Mulvaney?

Ambassador Yovanovitch. No, I have not.

Mr. Nunes. Thank you, Ambassador.

I'm not exactly sure what the ambassador's doing here today. This is the House Intelligence Committee that's now turned into the House Impeachment Committee. This seems more appropriate for the Subcommittee on Human Resources at the Foreign Affairs Committee. If there's issues with employment disagreements with the administration, it would seem like this would be a more appropriate setting instead of an impeachment hearing where the ambassador is not a material fact witness to anything, any of the accusations that are being hurled at the President for this impeachment inquiry.

I have several questions I think Mr. Castor wants to get to.

I know Ms. Stefanik, you had a few quick questions for the ambassador. I yield to you, Ms. Stefanik.

Ms. Stefanik. Thank you, Mr. Nunes.

Ambassador Yovanovitch, thank you for being here today.

The Chairman. The gentlewoman will suspend. The gentlewoman will suspend.

Ms. Stefanik. What is the interruption for this time? It is our time.

The Chairman. The gentlewoman will suspend. You're not recognized.

Mr. Nunes, you or minority counsel --

Mr. Nunes. I just -- I just recognized Ms. Stefanik.

The Chairman. Under the House Resolution 660 you're not allowed to yield time except to minority counsel.

Ms. Stefanik. The ranking member yielded time to another Member of Congress.

The Chairman. No. No. That is not accurate.

Mr. Nunes. You're gagging the young lady from New York?

Ms. Stefanik. That is accurate.

Ambassador Yovanovitch, I want to thank you for being here today.

The Chairman. The gentlewoman will suspend. You're not recognized.

Ms. Stefanik. This is the fifth time you have interrupted Members of Congress, duly elected Members of Congress.

The Chairman. The gentlewoman is not recognized. The gentlewoman will suspend.

Mr. Nunes. Mr. Chair, we control the time. It's been customary to this committee that whoever controls the time can yield to whoever they wish. If we have Members of Congress that have a few questions it seems appropriate that we be able to let Ms. Stefanik ask her questions.

The Chairman. Mr. Nunes, you or minority counsel are recognized.

Mr. Nunes. All right.

Mr. Castor, you're recognized.

Mr. Castor. Thank you, Mr. Nunes.

Ambassador, welcome. Thank you for your service. Thirty-three years, an extraordinary career. It really has been a remarkable tenure for you at the State Department.

I'd also like to thank you for participating here today. This is a crazy environment. This hearing room has turned into a television studio. Before today, you

spent, on Friday, the 11th, you were with us for early in the morning until, I believe, it was 8 o'clock at night. People missed trains back to New York. And it was a complete -- a very complete day. So thank you.

You were serving a 3-year assignment in the Ukraine. Is that correct?

Ambassador Yovanovitch. Yes.

Mr. Castor. And it began in 2016 and was scheduled to end in 2019?

Ambassador Yovanovitch. Yes, that's correct.

Mr. Castor. And nobody disputes that it's up to the President to decide who his envoy -- who his envoys are to posts around the world, correct?

Ambassador Yovanovitch. I stated that clearly in my statement.

Mr. Castor. And you returned from the Ukraine on May 20, 2019?

Ambassador Yovanovitch. That's correct.

Mr. Castor. And your return coincided with the inauguration of President Zelensky?

Ambassador Yovanovitch. Yes.

Mr. Castor. And you remain employed by the State Department?

Ambassador Yovanovitch. I do.

Mr. Castor. And after you returned to Washington, the deputy secretary, John Sullivan, asked you what you wanted to do next. Is that correct?

Ambassador Yovanovitch. Yes. That's correct.

Mr. Castor. And then you met with the director general, Ambassador Perez?

Ambassador Yovanovitch. Yes, that's correct.

Mr. Castor. To identify a meaningful new assignment?

Ambassador Yovanovitch. Yes.

Mr. Castor. And you now serve at Georgetown University as a fellow?

Ambassador Yovanovitch. That's true.

Mr. Castor. And this is a rewarding position for you?

Ambassador Yovanovitch. I'm very grateful to be in that position after what happened.

Mr. Castor. Today is the second big hearing for the Democrats' impeachment initiative, but we don't understand -- or we do understand that you -- you don't have a lot of facts and information relating to the part of this that we're investigating, and those are the events from May 20 up until September 11th, the release of the security assistance funds. Is that correct?

Ambassador Yovanovitch. Uh-huh. Yes. That's correct.

Mr. Castor. So you were not part of the delegation to the inauguration, that was the day you returned. You were not part of the Oval Office meeting May 23, correct?

Ambassador Yovanovitch. Yes, that's correct.

Mr. Castor. And you were not part of the decisionmaking relating to whether there would be a White House meeting with President Zelensky?

Ambassador Yovanovitch. That's correct.

Mr. Castor. And you were not a part of any decisionmaking in the leadup to the July 25th call?

Ambassador Yovanovitch. That's correct.

Mr. Castor. And you first learned about the call on September 25th. Is that correct?

Ambassador Yovanovitch. Well, I heard about the call, as I indicated in the first deposition, from Deputy Assistant Secretary George Kent.

Mr. Castor. And what did he tell you about the call?

Ambassador Yovanovitch. Well, as it turns out, it wasn't correct. But what I

recall is that he said that President Trump had asked President Zelensky whether he could help him out and -- which I understood to be these investigations -- and that President Zelensky had said that he is putting in a new prosecutor general and that he doesn't control -- I mean, this is approximately what he said -- that that person is the independent individual.

Mr. Castor. Okay. And you learned about that before the call was made public?

Ambassador Yovanovitch. That's correct.

Mr. Castor. Likewise, you were not involved in any discussions surrounding the security sector assistance funds to Ukraine? They were paused for about 55 days from July 18th to September 11th?

Ambassador Yovanovitch. No discussions.

Mr. Castor. Okay. In your opening statement, on page 9, you stated: Although, then and now, I've always understood that I served at the pleasure of the President, I still find it difficult to comprehend that foreign and private interests were able to undermine U.S. interests in this way. Individuals who apparently felt stymied by our efforts to promote stated U.S. policy against corruption, that is, to do the mission, were able to successfully conduct a campaign of disinformation against a sitting ambassador using unofficial back channels.

Do you believe that President Trump was aiming to weaponize corruption in Ukraine by removing you?

Ambassador Yovanovitch. I don't know that.

Mr. Castor. Okay. Do you believe your removal was part of some scheme to make it easier for elements of the Ukrainian establishment to do things counter to U.S. interests?

Ambassador Yovanovitch. I think that's certainly what the Ukrainian establishment hoped. I think that, in addition, there were Americans, these two individuals who were working with Mayor Giuliani, Mr. Parnas and Mr. Fruman, who have recently been indicted by the Southern District of New York, who indicated that they wanted to change out the ambassador, and I think they must have had some reason for that.

Mr. Castor. And do you think they were seeking a different type of ambassador that would allow them to achieve some of their objectives?

Ambassador Yovanovitch. I don't know what other reason there would be.

Mr. Castor. Okay. Is Ambassador Taylor the type of person that would facilitate those objectives?

Ambassador Yovanovitch. No.

Mr. Castor. So Ambassador Taylor is a man of high integrity?

Ambassador Yovanovitch. Absolutely.

Mr. Castor. And he's a good pick for the post?

Ambassador Yovanovitch. He is. I would note that he is the charge out there as, of course, you understand. So no ambassador has yet been -- or no candidate has yet been named to the position.

Mr. Castor. But he certainly has had a decorated career serving his country?

Ambassador Yovanovitch. Absolutely. A man of the highest integrity.

Mr. Castor. You testified about when you first learned that Mayor Giuliani and some of his associates were -- had a concerted campaign against you. When did that first come to your attention?

Ambassador Yovanovitch. We were picking up rumors from Ukrainians. I think you know, kind of in the November-December 2018 time period, but then in

January-February, and, of course, March, it became more obvious.

Mr. Castor. At some point I believe you testified that Minister Avakov alerted you to this campaign?

Ambassador Yovanovitch. Yes.

Mr. Castor. And when was that?

Ambassador Yovanovitch. He had -- he had a conversation with me in February of 2019.

Mr. Castor. Okay. And do you remember what he related to you?

Ambassador Yovanovitch. Yes. He said that Mr. Lutsenko was working with Mayor Giuliani through these two individuals, Mr. Parnas and Mr. Fruman, that they basically wanted to remove me from post, and that they were -- they were working on that.

Mr. Castor. And did you have any awareness at that point in time of precisely why they were seeking your ouster?

Ambassador Yovanovitch. You know, I didn't. I didn't understand that at all, because I had never met Mr. Parnas and Mr. Fruman, and so it was unclear to me why -- why that they were interested in doing this.

Mr. Castor. Were you especially influential implementing policies that stymied their interests in Ukraine, were advocating for the -- some sort of environment or policies that would be adverse to them?

Ambassador Yovanovitch. I think that just the general idea that obviously U.S. ambassadors, U.S. embassies, one of our most important functions is to facilitate U.S. business abroad, right? Whether it's trade, whether it's commerce, that's one of the things that we do. And -- but, you know, everything has to be aboveboard. We believe in a level playing ground and so forth, but we obviously advocate for U.S.

business.

These two individuals, you know, with hindsight in what we learned later, looking to open up a new energy company exporting liquefied national gas -- natural gas -- to the Ukraine, never actually came to the embassy, which is unusual because that would usually be a first stop, going to the American Chamber of Commerce, going to the U.S. Embassy, get the lay of the land, see how we could provide assistance.

Mr. Castor. And was that source of frustration ever expressed to you or did you just learn that separately?

Ambassador Yovanovitch. Source of frustration?

Mr. Castor. Right.

Ambassador Yovanovitch. What do you mean? On whose part?

Mr. Castor. On Fruman and Parnas.

Ambassador Yovanovitch. I don't know that they were frustrated. I mean, I -- frustrated by what?

Mr. Castor. Okay. Well, you mentioned that there were -- they had business interests. And I asked you whether they had been stymied by anything in particular that you had advocated for or you were a roadblock to them being successful. I wondered if there was any connection.

Ambassador Yovanovitch. I've never met them. When I heard those names for the first time, which was in February of 2019, I asked my team -- the econ and the commercial sections are the ones who would usually meet with American businessmen and -women -- and nobody had heard of them.

So all I can conclude is that it was the general -- general U.S. policies that we were implementing that might have been of concern to them.

Mr. Castor. Okay. At any point, did you ever try to reach out to the prosecutor

general, Mr. Lutsenko, and find out why he was participating in this concerted campaign?

Ambassador Yovanovitch. No.

Mr. Castor. And why didn't you do that?

Ambassador Yovanovitch. I didn't feel that there was any purpose to it.

Mr. Castor. Why not?

Ambassador Yovanovitch. He is -- he clearly had, I would say, a -- an animus for doing this. And he was working with Americans, so I reached out to the American side, in this case the State Department, to try and find out what was going on.

Mr. Castor. When did you first realize that your relationship with Lutsenko had reached an adversarial point?

Ambassador Yovanovitch. Probably around that time, maybe a little bit earlier.

Mr. Castor. And this is March?

Ambassador Yovanovitch. Yeah. And what I would say, adversarial, that's a really strong word. We at the U.S. Embassy or visiting key people from the State Department and other agencies, we were pushing the Ukrainians, including Mr. Lutsenko, to do what they said that they were going to do when Mr. Lutsenko entered office -- that he was going to clean up the PGO and make reforms, that he was going to bring justice to the -- what they call the Heavenly Hundred, the people who died on the Maidan in 2016 -- 2014 -- the Revolution of Dignity, and he was going to prosecute cases to repatriate the approximately \$40 billion it's believed that former President Yanukovich and his cronies fled the country with.

And he didn't do any of that. And we, you know, kept on trying to encourage him to do the right thing. That's what the Ukrainian people wanted him to do and we thought it was a good plan and that he should do it.

Mr. Castor. And then you mentioned you contacted the State Department in

late March. Was that Under Secretary Hale?

Ambassador Yovanovitch. So contacted about what?

Mr. Castor. About the concerns you had about the campaign against you.

Ambassador Yovanovitch. I contacted the State Department much earlier than that. I mean, it was an ongoing, sort of -- discussion makes it sound very formal. We had many ways of going back and forth with Washington. And so, you know, on phone calls or DVCs we would have this discussion.

Mr. Castor. When did you realize this --

Ambassador Yovanovitch. And if I could just amplify my answer. We had the discussion because we were concerned that Ukrainian policymakers, Ukrainian leaders were hearing that, you know, I was going to be leaving, that, you know, there was maybe somebody else waiting in the wings, et cetera, and that undermined not only my position but our U.S. position. The Ukrainians didn't know what to think. And we need to be out there all the time firing on all cylinders to promote our national security interests. So it was a concern.

Mr. Castor. And when did you realize this concerted campaign against you was a real threat?

Ambassador Yovanovitch. A threat?

Mr. Castor. A threat to your ability to do the job in Kyiv.

Ambassador Yovanovitch. Well, I would say that the -- you know, when you go into a meeting with somebody and they ask, "Are you going to be leaving?" that is concerning.

So that probably -- I don't know exactly when that started happening, but in that timeframe.

Mr. Castor. And did you undertake any efforts to push back on this narrative

either inside the State Department or publicly?

Ambassador Yovanovitch. Well, certainly with the Ukrainians I said, you know, there's nothing to this, this is, you know, a distraction, and we are focused on the job, our policy remains the same.

And, yes, we had discussions in the State Department about this.

Mr. Castor. In hindsight, do you think you did enough inside the State Department to alert them to this mounting campaign against you?

Ambassador Yovanovitch. I did what I could.

Mr. Castor. And what was that?

Ambassador Yovanovitch. Reached out to the European Bureau. I think you've also heard that Dr. Fiona Hill was aware of this as well, so the NSC, and they had other discussions with more senior people.

Mr. Castor. Okay. And did you get any feedback from your chain of command? I mean, did you engage Ambassador Reeker, Under Secretary Hale?

Ambassador Yovanovitch. Yes. Yes.

Mr. Castor. And did you develop sort of a game plan to push back against these allegations?

Ambassador Yovanovitch. So, I mean, there are different timeframes here that we're talking about.

So fast-forwarding to March, I did, when Under Secretary Hale asked whether I would consider extending, I did raise, because I wasn't sure that he was aware of it, I wanted to make sure that he knew that Mayor Giuliani had been out there saying things about me, untrue things, and I wanted him to be aware of that. And he said he understood. He still was hoping that I could extend for another year.

So that was early March. And then fast forward to, you know, late March, and,

you know, the discussions about this issue continued, but obviously it became -- once it became a public political story here in the United States the tenor of everything changed, because I think that the State Department felt that it wasn't manageable anymore and that the more prudent thing would be for me to come back in July.

Mr. Castor. Do you think there's anything you could have done differently to get ahead of the story and to lobby the secretary and his counselor, Mr. Brechbuhl, that these -- there was a concerted campaign against you, that you didn't believe the allegations lodged were accurate, and you needed their assistance?

Ambassador Yovanovitch. I think that, sure, maybe I could have done that, but I think they were aware. And as I subsequently learned from Deputy Secretary Sullivan, the Secretary of State had been well aware of this since the summer of 2018.

Mr. Castor. Corruption's endemic in the country of Ukraine, right?

Ambassador Yovanovitch. I would say that corruption is a serious issue everywhere in the former Soviet Union. It's a post-Soviet legacy. And we talk about it a lot in Ukraine because there's actually an opportunity to do something, to actually help the Ukrainians tackle the issue. They want to tackle the issue.

In other countries, like Russia, you can't even talk about it. So I think it's a post-Soviet legacy and it's important to deal with it.

Mr. Castor. You testified rampant corruption has long permeated Ukrainian's political and economic systems?

Ambassador Yovanovitch. Yes, that's a fair statement.

Mr. Castor. And it's your belief that it should be the U.S. foreign policy to help Ukraine curb its corruption problem?

Ambassador Yovanovitch. Yes, because it's good for the Ukrainians, but it's also in our interest.

Mr. Castor. And anticorruption efforts, you mentioned, serve a national security purpose?

Ambassador Yovanovitch. I believe that to be true.

Mr. Castor. Are oligarchs a big part of the problem in Ukraine?

Ambassador Yovanovitch. Probably, because so much wealth is concentrated in the hands of a very, very few, six or seven individuals, and they also have political power and control the media.

Mr. Castor. And a lot of their power has been acquired through what we here in the U.S. would consider improperly, improper ways?

Ambassador Yovanovitch. Yeah, I think that's a fair comment.

Mr. Castor. The head of Burisma, Mr. Zlochevsky, you familiar with him?

Ambassador Yovanovitch. I don't know him, but I know who you're talking about.

Mr. Castor. George Kent testified a couple days ago that he was investigated for stealing millions and millions of dollars, some of which had been supplied by the U.S., Great Britain. He was subject to an investigation, trying to get the money back. That was a big part of Mr. Kent's initiatives when he was there, that a bribe was paid to the prosecutors and Zlochevsky was left off the hook. This was in 2014.

Is this something that you're familiar with?

Ambassador Yovanovitch. I've heard about it. This was before my arrival. And I would just say my understanding, but, you know, please correct me if I'm wrong, is that the U.S. money that you're referring to was the money that we -- that we used to fund an FBI team that was embedded with the prosecutor general's office to go after -- not to go after, but to do the investigation of Burisma and Zlochevsky.

Mr. Castor. Mr. Kent testified that this bribe was paid, the prosecution went

away, and, you know, essentially nothing has been further done with regards to Burisma. During your tenure in Ukraine, has there ever been any focus on reexamining allegations, whether it's at Burisma or other powerful interests like Zlochevsky, reexamining it?

Ambassador Yovanovitch. Is that on the part of the Ukrainian Government? Is that what you're talking about?

Mr. Castor. Yeah. Trying to lean on the various prosecutors general to clean up the oligarchical system?

Ambassador Yovanovitch. I think, yes, there have been some efforts. And as I mentioned earlier in my testimony, the U.S. was welcoming of Mr. Lutsenko's nomination to the position of prosecutor general because we were hoping he would clean that up. That, in fact, is not what happened.

And because, you know, it's kind of hard to explain to a U.S. audience, but in Ukraine and in the former Soviet Union more broadly, including in Russia, justice -- the justice system, whether it's the -- whether it's cops on the beat, whether it's investigators, whether it is prosecutors, whether it is judges, are used as a tool of the political system to be used against your political adversaries.

And so I think that, going back to your question about Burisma and Zlochevsky, my understanding -- this was, as I told you earlier in the previous deposition, this did not loom large when I arrived. I arrived in 2016, August 2016, but over time my understanding was that the -- that the case was basically sort of on a pause, that it wasn't an active case, but it also was not fully closed.

And that is a way, as I mentioned before, for those in power to keep a little hook into Burisma and Mr. Zlochevsky.

Mr. Castor. And right around the time the bribe was paid Burisma undertook an effort to spruce up their board and they added, I believe, the President of Poland and

some other luminaries. Are you familiar with that?

Ambassador Yovanovitch. Yeah. I don't exactly know what the timing of all this was.

Mr. Castor. Okay.

Ambassador Yovanovitch. But yes, I mean, to the elements.

Mr. Castor. And one of the folks they added to the board was the Vice President's son, Hunter Biden, which, you know, raises questions, is he a genius on the corporate governance front, is he a genius with the Ukrainian oligarchical systems in cleaning that up, or was he just added to the board because he's the Vice President's son? Was that ever, you know, a concern or at least the perception of that concern addressed?

Ambassador Yovanovitch. As I said, I arrived in August of 2016, several months before the elections and several months before President Trump took office, and it was not a focus of what I was doing in that 6-month period.

Mr. Castor. Okay. Was the issue ever raised at all?

Ambassador Yovanovitch. You know, not --

Mr. Castor. He was still on the board, I think, at the time?

Ambassador Yovanovitch. Yeah. My understanding from newspaper accounts is that he just recently left, in 2019.

I never met him, never talked to him. And, I'm sorry, what was your question?

Mr. Castor. He was still on the board when you arrived at post. And I was just wondering if at least the perception problem was brought to your attention as the ambassador.

Ambassador Yovanovitch. I was aware of it because, as I told you before in the deposition, there had been a -- in terms of the preparation for my Senate confirmation hearings for Ukraine, there was a question about that and a select answer. So I was

aware of it, yes.

Mr. Castor. Okay.

In your deposition, you acknowledged that the President has longstanding concerns about corruption in Ukraine. Is that true?

Ambassador Yovanovitch. That's what he says.

Mr. Castor. Well, going back to there was a meeting with President Poroshenko in September of 2017 in the Oval Office, and I believe you testified that, you know, he expressed his concerns then.

Ambassador Yovanovitch. Yeah. He said that a friend of his had told him that Ukraine was the most corrupt country in the world.

Mr. Castor. Okay. Several witnesses have testified that the President has concerns that there are certain elements of the Ukrainian establishment that during 2016 were out to get him. Is that something you were aware of at any point in time?

Ambassador Yovanovitch. Well, I'm certainly aware of it now. Obviously, there's been a lot of press attention on that. It was not -- it was not brought to my attention during the two and a half years that I served under President Trump as our ambassador to Ukraine.

Mr. Castor. We've gone through at the deposition some of these elements that, you know, maybe they loom larger now, but, you know, in hindsight was there any discussion at the embassy that there's these indications of some Ukrainians trying to, you know, at least advocate against then candidate Trump?

Ambassador Yovanovitch. Actually, there weren't. I mean, we didn't really see it that way.

Mr. Castor. And were you aware of -- I know Mr. Nunes mentioned this earlier -- the consultant, Alexandra Chalupa, had reportedly, at least according to her and

according to Ken Vogel at the Politico, was trying to work with the Ukrainian embassy in D.C. to trade information, share leads of that sort, sort of thing?

Ambassador Yovanovitch. I saw the article. I, you know, didn't have any further information about that.

Mr. Castor. Did you see the article at the time or did you only -- did that only come to your attention subsequently?

Ambassador Yovanovitch. It's certainly been brought to my attention subsequently. I think I did see something to that effect at the time as well.

Mr. Castor. And you're the ambassador in country at this point, did you aim to get to the bottom of that? Because, you know, if true, if the reporting's true, if what Ms. Chalupa told Mr. Vogel is accurate, that would be concerning, correct?

Ambassador Yovanovitch. Well, I was the ambassador in Ukraine starting in August of 2016, and what you're describing, if true as you said, what you're describing took place in the United States. So if there were concerns about what Ms. Chalupa was doing, I think that that would have been handled here.

Mr. Castor. And do you know Ms. Chalupa?

Ambassador Yovanovitch. I don't believe so.

Mr. Castor. Have you ever met her?

Ambassador Yovanovitch. I don't think so. I mean, if she worked for the Ukrainian Embassy, it's possible that I met her in a large group or something, but I don't -- I don't believe I know her.

Mr. Castor. Okay. Are you aware of the role that investigative journalist Mr. Leshchenko played in publicizing the Manafort black ledgers?

Ambassador Yovanovitch. Yes.

Mr. Castor. And he publicized some information in a pretty grand way in August

of 2016 that almost immediately coincided with Mr. Manafort leaving the Trump campaign. Was there anything about that issue when it was occurring that concerned you?

Ambassador Yovanovitch. Well, I certainly noticed it because I was, you know, a week or so away from arriving in Ukraine.

I think that from the Ukrainian perspective -- I realize we are looking at this from an American perspective -- from a Ukrainian perspective, I think that what Mr. Leshchenko and others who were looking into the black ledger were most concerned about was actually not Mr. Manafort, but former President Yanukovich and his political party and the amount of money that they allegedly stole and where it went and so forth.

I mean, I think, there's just a difference in perspective depending on which country you're in.

Mr. Castor. But you can understand the President, at least from his perspective, looking at these facts, it certainly is reasonable to conclude that there are elements of the Ukrainian establishment that are advocating against him at this point in time, correct?

Ambassador Yovanovitch. Well, you know, just speaking about Mr. Leshchenko, he's an investigative journalist, as you said, and he got access to the black ledger, and he published it, as I think journalists would do. And again, I'm not sure that that -- I don't have any information to suggest that that was being -- that was targeting President Trump.

Mr. Castor. But the way the events unfolded, I mean, Mr. Manafort was -- you know, subsequently left the campaign. And it certainly did begin a period of interest in Manafort's ties to Russia and so forth.

Ambassador Yovanovitch. I think -- again, I think that that may have been the effect here in the United States, and obviously it was of interest to journalists and others

here that Mr. Manafort was former President Yanukovich's political adviser and he was the political adviser, head of a campaign here. And so we all know that there have been court cases and so forth where Mr. Manafort was found guilty of certain actions. But at the end of the day, President Trump won the election.

Mr. Castor. With Mr. Leshchenko's reporting, I mean, there's been a question of whether all the information that he published was authentic, correct?

Ambassador Yovanovitch. I'm sorry. Could you repeat that?

Mr. Castor. There's been a -- some have questioned whether the information Mr. Leshchenko published was all correct or whether it was doctored.

Ambassador Yovanovitch. Okay. I wasn't aware of that.

Mr. Castor. Okay. You know, Ambassador Chaly during the August timeframe, he wrote an op-ed in The Hill taking issue with then candidate Trump. Were you aware of that when it occurred?

Ambassador Yovanovitch. Yes.

Mr. Castor. And did you have any communications with the ambassador to express concerns?

Ambassador Yovanovitch. No.

Mr. Castor. And how frequently did you communicate with the ambassador? Obviously, you're in different posts in different countries?

Ambassador Yovanovitch. Yeah. Didn't actually see him or talk to him that often.

Mr. Castor. So you weren't in frequent communication?

Ambassador Yovanovitch. No.

Mr. Castor. Can you see how writing an op-ed, even -- you know, given the substance -- we've discussed the substance of it, that there's some sensitivities. But can

you see how just the simple fact of writing an op-ed, the Ukrainian ambassador to the U.S., might create a perception that there are elements of the Ukrainian establishment that were advocating against then candidate Trump?

Ambassador Yovanovitch. My recollection of that op-ed was that he was taking a -- he was critical of a policy position that President Trump had with regard to Crimea and whether Crimea was, you know, a part of Ukraine or a part of Russia.

That's a tremendously sensitive issue in Ukraine, and my recollection is that that is what Ambassador Chaly was writing about.

Mr. Castor. And do you know whether the ambassador or anybody from the embassy tried to make contact with the Trump camp to talk about their concerns before lodging an op-ed?

Ambassador Yovanovitch. I don't know.

Mr. Castor. Okay. During the same time period in the run-up to the election, Minister Avakov had said some especially candid things about then candidate Trump on some various social media platforms. Are you aware of that?

Ambassador Yovanovitch. Yes, as a result of the deposition, the previous deposition.

Mr. Castor. But during the relevant time period when it was happening, you weren't aware of that?

Ambassador Yovanovitch. You know, I don't recall it.

Mr. Castor. Okay. He's one of the more influential officials in the Ukraine, correct?

Ambassador Yovanovitch. Yes.

Mr. Castor. I believe he's one of the few that span both the Poroshenko administration and the Zelensky administration?

Ambassador Yovanovitch. Yes, that's correct.

Mr. Castor. Looking back on his comments in hindsight, do you see how that might create a perception that a very influential Ukrainian was, you know, advocating against then candidate Trump?

Ambassador Yovanovitch. That he was doing what, I'm sorry?

Mr. Castor. Just advocating -- he was out to get him. I mean, he was -- he was -- he said some real nasty things.

Ambassador Yovanovitch. Well, sometimes that happens on social media. And I -- you know, are you asking me whether it's appropriate? Probably not.

But I would say that Minister Avakov has been -- as well as others, both in President Poroshenko's administration as well as in the Zelensky administration -- has been a good partner to the United States. As I think I told you before, he's a very practical man in looking for partners and getting the job done.

Mr. Castor. I'm shocked that social media would be the site of negative comments.

You certainly can understand that the President aware of Minister Avakov's statements, aware of what Mr. Leshchenko was up to, what Ambassador Chaly was up to, and these other elements that we've discussed, that there certainly forms a reasonable basis to wonder whether there are influential, you know, elements of the Ukrainian establishment that were out to get the President?

Ambassador Yovanovitch. You know, again, I mean, I can't speak for what President Trump thought or what others thought. I would just say that those elements that you've recited don't seem to me to be the Ukrainian, you know, kind of a plan or a plot of the Ukrainian Government to work against President Trump or anyone else.

I mean, they're isolated incidents. We all know -- I'm coming to find out

myself -- that public life can be -- you know, people are critical. And that does not mean that someone is or a government is undermining either a campaign or interfering in elections.

And I would just remind, again, that our own U.S. Intelligence Community has conclusively determined that those who interfered in the election were in Russia.

Mr. Castor. Turn our attention to Ambassador Volker. He's been a friend and colleague of yours for many years. Is that correct?

Ambassador Yovanovitch. Yes, that's true.

Mr. Castor. And I believe you testified he's a man of honor?

Ambassador Yovanovitch. I believe that to be true.

Mr. Castor. And a brilliant diplomat?

Ambassador Yovanovitch. Yes.

Mr. Castor. And you have no reason to think that he would be undertaking any initiatives that was counter to U.S. interests?

Ambassador Yovanovitch. I think that he tried to do what he thought was right.

Mr. Castor. Turning our attention to the Trump administration's policy of aid, the aid package to Ukraine. You've testified that during your tenure as ambassador America's policy actually got stronger toward Ukraine. Is that accurate?

Ambassador Yovanovitch. With the provision of Javelins to the Ukrainian military, yes. That was really positive.

Mr. Castor. And why was that important?

Ambassador Yovanovitch. Well, two things. They are obviously tank busters. And so if the war with Russia all of a sudden accelerated in some way and tanks come over the horizon, Javelins are a very serious weapon to deal with that. That's number one.

But really the more important issue is the symbolism of it, that the United States is providing Javelins to Ukraine. That makes Ukraine's adversaries think twice.

Mr. Castor. And the provision of Javelins to Ukraine was blocked during the previous administration. Is that correct?

Ambassador Yovanovitch. I think they made a determination -- I was not a part of those discussions, but obviously they had not yet made a determination about whether to provide Javelins.

Mr. Castor. But do you have any understanding of what the interagency consensus was with regard to Javelins during the previous administration?

Ambassador Yovanovitch. I think that most in the interagency wanted to provide Javelins to Ukraine.

Mr. Castor. And so in the new administration under President Trump, the ability to afford Ukraine this weaponry is a significant advantage, significant step forward?

Ambassador Yovanovitch. We thought it was important.

Mr. Castor. And has it played out that way?

Ambassador Yovanovitch. Well, it has.

Mr. Castor. Provision of Javelins?

Ambassador Yovanovitch. But it's a symbol of our strong support for Ukraine. But when then, you know, this year there are questions as to whether or not our security assistance is going to go through, that kind of undermines that strong message of support.

Mr. Castor. Ukraine still has the ability to acquire the Javelins, though, correct?

Ambassador Yovanovitch. Are you now talking about purchasing Javelins by the Ukrainian Government?

Mr. Castor. Purchasing, yeah.

Ambassador Yovanovitch. Yeah, they do, that is my understanding.

Mr. Castor. And the security sector assistance did go through. It was paused for 55 days, from July 18th to September 11th, but it ultimately went through, correct?

Ambassador Yovanovitch. It's my understanding.

Mr. Castor. Okay.

You testified during your deposition that you were proud of the efforts of the United States during your tenure to, you know, supply this type of aid to Ukraine. Do you still -- are you still happy with the decisions?

Ambassador Yovanovitch. Are you talking about the Javelins?

Mr. Castor. The Javelin and also just the whole aid package.

Ambassador Yovanovitch. Yes.

Mr. Castor. Do you think it's sufficient? Do you think we're giving Ukraine enough money?

Ambassador Yovanovitch. That's a hard question because one can always use additional funding.

That said, I think that the Congress has been very generous in voting for security assistance and other forms of assistance for Ukraine.

Mr. Castor. I see my time is coming to an end, Mr. Chairman.

The Chairman. I thank the gentleman.

We'll now go to member 5-minute rounds. I recognize myself for 5 minutes.

Ambassador Yovanovitch, I want to follow up on some of the questions from my colleagues. Some of the early questions seemed to suggest that your testimony here was completely irrelevant to the issues at hand. Why are you even here? Isn't this just some small matter that should have been referred to HR?

So I want to bring our attention to someone who thought you were actually very

important to this whole plot or scheme, and that is the President of the United States. There was only one ambassador, I believe, who was discussed by the President in the July 25th call, and that was you, Ambassador Yovanovitch, and I want to refer back to how you were brought up in that conversation.

At one point during the conversation the President brings up this prosecutor who was very good and was shut down and that's really unfair. And I think you indicated earlier that that was a likely reference to Mr. Lutsenko, the corrupt prosecutor. Is that right?

Ambassador Yovanovitch. I believe that is the case, but I don't know.

The Chairman. So immediately after the President brings up this corrupt former prosecutor, only one -- I'm sorry, my staff has corrected me -- only one American ambassador is brought up in the call.

Immediately after the President brings up this corrupt prosecutor that he praises and says he was treated very unfairly, he then encourages Zelensky to speak with Giuliani, the guy who orchestrated the smear campaign against you, correct?

Ambassador Yovanovitch. Yes.

The Chairman. And he then brings you up. So he praises the corrupt prosecutor, he says I want you to talk to Giuliani, the guy who smeared you, and then he brings you up. He obviously thought you were relevant to this.

But what is even more telling is immediately after he brings you up and says that you, the woman, was bad news, he says there's a lot to talk about about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that, so whatever you can do with the attorney general would be great.

Immediately after praising this corrupt prosecutor, he attacks you, and then he goes right to Biden. That would indicate to you, would it, Ambassador, that he connects

you somehow with this prosecutor you were at odds with and his desire to see this investigation of Biden go forward, would it not?

Ambassador Yovanovitch. Again, you're absolutely right that that is the thought progression.

The Chairman. My colleagues also asked, in pushing you out of the way ultimately Ambassador Taylor got appointed, is Ambassador Taylor the kind of person that would further Giuliani's aims? And I think we can all agree that Ambassador Taylor is a remarkable public servant.

Ambassador Yovanovitch. Absolutely.

The Chairman. But what if the President could put someone else in place that wasn't a career diplomat? What if he could put in place, say, a substantial donor to his inaugural? What if he could in place someone with no diplomatic experience at all? What if he could put in place someone whose portfolio doesn't even include Ukraine? Might that person be willing to work with Rudy Giuliani in pursuit of his investigations?

Ambassador Yovanovitch. Yeah, maybe.

The Chairman. That's exactly what happened, wasn't it?

Ambassador Yovanovitch. Yes.

The Chairman. Now, my colleagues also say, well, the security assistance ultimately went through, so if they sought to condition or bribe Ukraine into doing these investigations by withholding security assistance, they ultimately paid the money.

Are you aware, Ambassador, that the security assistance was not released until after a whistleblower complaint made its way to the White House?

Ambassador Yovanovitch. Yes, I'm aware of that.

The Chairman. Are you aware that it was not released until Congress announced it was doing an investigation?

Ambassador Yovanovitch. Yes, I'm aware of that.

The Chairman. And finally, I want to ask you about the call record that my colleague read at the outset. I'm curious about this.

And just for people watching at home so they're not confused, there are two calls here. There's the perfunctory congratulatory call after Zelensky's inaugurated, which my ranking member read this morning, and then there's, of course, the very problematic call in July. And one of the reasons we are here is what happened between April and July.

But there was a readout put out by the White House at the time the April congratulatory call was made and the White House readout said that the President discussed with Zelensky helping Ukraine root out corruption.

Now that, in fact, doesn't appear anywhere in that call. So I wanted to ask you, Ambassador, why would the White House put out an inaccurate reading? Why would the White House represent that the President said something about corruption when he said nothing about corruption in that call or, in fact, in the one in July?

Ambassador Yovanovitch. I can't answer that question. I don't have visibility into that.

The Chairman. I thank you.

I yield 5 minutes now to recognize the ranking member.

Mr. Nunes. I just remind the gentleman there's actually three calls. There's the two calls with President Trump and the one that you reiterated in our last hearing a couple weeks ago.

Ambassador, I just want to clarify something before I yield. Are you against political-appointed ambassadors? Is it not the President's prerogative to appoint whoever he wants in any country?

Ambassador Yovanovitch. First of all, I am not against political ambassadors, to be clear.

Mr. Nunes. I just wanted to clear that up.

Now, can I yield to Ms. Stefanik? Do I need your permission?

The Chairman. You may yield.

Ms. Stefanik. Thank you.

Ambassador, before I was interrupted I wanted to thank you for your 30 years of public service from Mogadishu to Ottawa to Moscow to London to Kyiv. I also wanted to thank you for hosting the numerous bipartisan delegations. I led one of those delegations in Ukraine.

My questions today will focus on three key themes. The first is the role of the President when it comes to appointing our ambassadors, the second is longstanding corruption in Ukraine, and the third is aid to Ukraine.

Earlier this week, as you know, we heard from George Kent. And I know that Mr. Kent is a colleague, a friend, and someone who you deeply respect.

In his testimony he stated: All ambassadors serve at the pleasure of the President. You would agree with that statement, correct?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And, in fact, he elaborated and went on to emphasize that this is without question. Everybody understands that. You would agree with that?

Ambassador Yovanovitch. I would agree with that.

Ms. Stefanik. And in your own deposition under oath, you stated, quote: "Although I understand, everyone understands, that I serve at the pleasure of the President." Is that correct?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And just so there's no public confusion, you are still an employee of the State Department, correct?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And in the deposition you say that you personally asked whether it would be possible to be a fellow at Georgetown University and that was arranged for me and I'm very grateful. That's where you're posted today, correct?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. Georgetown students are lucky to have you, we are lucky to have you in foreign service, and I, again, want to thank you for your tremendous public service.

Shifting gears to corruption in Ukraine. In your powerful deposition you described, quote: "We have long understood that strong anticorruption efforts must form an essential part of our policy in Ukraine and now there is a window of opportunity to do that. And so why is this important and why is this important to us? Put simply, anticorruption efforts serve Ukraine's interests, but they also serve ours as well."

Is that still your testimony?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And particularly at the critical time in 2014 after the Ukrainian elections, you testified that the Ukrainian people had made clear in that very election that they were done with corruption, correct?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And you also testified that the Ukrainians thought it would be a good idea to set up this architecture of a special investigative office that would be all about the crimes of corruption, correct?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And I know this was before you arrived in Ukraine, but you are

aware that the first case that the U.S., U.K., and Ukraine investigators worked on was, in fact, against the owner of Burisma?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And that was during the Obama administration?

Ambassador Yovanovitch. Yes.

Ms. Stefanik. And in your testimony and you said today, the investigation was never formerly closed because, quote: "It's frankly useful to keep that company hanging on a hook, right?" That's your quote.

Ambassador Yovanovitch. Yeah. The Ukrainian investigation was never closed --

Ms. Stefanik. Partnered with the U.S. and the U.K.?

Ambassador Yovanovitch. -- as I understand it. Yeah, although, because we didn't see the Ukrainians moving forward on that, we no longer partner with them on that case or in that way.

Ms. Stefanik. But let's take a first step -- a step back. The first time you personally became aware of Burisma was actually when you were being prepared by the Obama State Department for your Senate confirmation hearings, and this was in the form of practice questions and answers. This is your deposition. And you testified that in this particular practice Q&A with the Obama State Department, it wasn't just generally about Burisma and corruption, it was specifically about Hunter Biden and Burisma. Is that correct?

Ambassador Yovanovitch. Yes, it is.

Ms. Stefanik. And the exact quote from your testimony, Ambassador, is, quote: "The way the question was phrased in this model Q&A was, what can you tell us about Hunter Biden's, you know, being named to the board of Burisma?"

So for the millions of Americans watching, President Obama's own State Department was so concerned about potential conflicts of interests from Hunter Biden's role at Burisma that they raised it themselves while prepping this wonderful ambassador nominee before her confirmation. And yet our Democratic colleagues and the chairman of this committee cry foul when we dare ask that same question that the Obama State Department was so concerned about. But we will continue asking it.

And lastly, in my 20 seconds left, I just want to get it on record. In terms of defensive lethal aid, which you were an advocate for, that was not provided by President Obama, it was provided by President Trump.

Ambassador Yovanovitch. That's correct.

Ms. Stefanik. I yield back 5 seconds.

The Chairman. Mr. Himes, you're recognized.

Mr. Himes. Ambassador, thank you for your testimony today.

Those of us who sit up here are supposed to be dispassionate and judicial and measured, but I'm angry, and I've been angry since I learned about your summary and unexplained dismissal after a lifetime of excellent and faithful service to this country. I'm angry that a woman whose family fled Communism and Nazism, who served this country beautifully for 33 years, not in Paris or in Rome, but literally under fire in places like Mogadishu and Kyiv, I'm angry that a woman like you would be not just dismissed, but humiliated and attacked by the President of the United States.

And I'm not just angry for you, I'm angry for every single Foreign Service officer, for every single military officer, for every intelligence officer who right now might believe that a lifetime of service and sacrifice in excellence might be ignored by the President of the United States, or worse yet, attacked in language that would embarrass a mob boss.

Now, it's the President's defense and it's emerging from my Republican colleagues

today that this is all okay because, as the President so memorably put in his tweet this morning, it is a U.S. President's absolute right to appoint ambassadors. I'm a little troubled by this idea of an absolute right, because that doesn't feel to me like the system of government we have here. I think that how and why we exercise our powers and rights matters.

Ambassador, when you're ambassador somewhere, do you have the right to ask the Intelligence Community, the CIA in an embassy, what operations they're doing?

Ambassador Yovanovitch. We talk about these things collaboratively. There are some things that -- in short, yes.

RPTR MERTENS

EDTR SECKMAN

[1:18 p.m.]

Mr. Himes. So you have the right to ask the Intelligence Community in your Embassy what they're doing. Why might you do that?

Ambassador Yovanovitch. Because sometimes operations have political consequences.

Mr. Himes. Right. So the performance of your duties in the interests of the United States gives you the right to ask very sensitive questions of our Intelligence Community in your Embassy. But what if, instead of working through the issues that you just described, you went to dinner that night and handed over that information to a Russian agent for \$10,000? Would that be an appropriate exercise of your right?

Ambassador Yovanovitch. No, it would not.

Mr. Himes. It would not. And what would happen to you if you did that?

Ambassador Yovanovitch. Well, I can't even begin to imagine, but I would imagine that I would be pulled out of post.

Mr. Himes. Right. And this is not about ambassadors, right? A police officer has the right to pull you over. But if the police officer pulls over his ex-wife because he's angry, that's probably not right. I have the right; in fact, today, I cast a bunch of votes, but if I cast those votes not in the interest of my constituents but because somebody bribed me, that is a severe abuse of my power. Wouldn't you agree?

Ambassador Yovanovitch. Yes.

Mr. Himes. So I guess the question is, why after an exemplary performance as Ambassador to Ukraine did the President decide that you should be removed? Because I think we just agreed that, if that was not done in the national interest, that's a problem.

Ambassador, if you had remained Ambassador to Ukraine, would you have recommended to the President of the United States that he ask the new Ukrainian President to investigate, and I'm quoting from the transcript here, CrowdStrike or the server?

Ambassador Yovanovitch. No. I would repeat, once again, that the U.S. Intelligence Community has concluded that it was the Russians who --

Mr. Himes. So, Ambassador, if you had remained as Ambassador and not been summarily dismissed, would you have supported a 3-month delay in congressionally mandated military aid to Ukraine?

Ambassador Yovanovitch. No.

Mr. Himes. Ambassador, if you had remained as Ambassador of Ukraine, would you have recommended to the President that he ask a new President of Ukraine to, quote, find out about Biden's son?

Ambassador Yovanovitch. No.

Mr. Himes. I have no more questions. I yield back the balance of my time.

The Chairman. Mr. Conaway.

Mr. Conaway. Thank you, Mr. Chairman.

Mr. Chairman, I ask unanimous consent to enter into the record a Dear Colleague letter from Speaker Pelosi, dated September 23rd. The relevant part reads: We expect -- we also expect that he will establish a path for the whistleblower to speak directly to the House and Senate Intelligence Committees as required by law.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Conaway. Thank you. I look forward to you honoring that statement from the Speaker.

Turning to the Ambassador, Ambassador, I, for one, want to thank you so very much for a long service, exemplary service for -- to our country and on behalf of our Nation. A lot has been said about what was going on around the phone call. I'd like to focus more on what's happened since then to you and your career and what's going on.

And so, when you got the word -- any time an ambassador changes post, there's a process you go through to pick what you do next, and that happened in this instance. Can you give us a quick statement as to how -- what happened when you came back here as to what your next assignment would be at State?

Ambassador Yovanovitch. So, when I came back, obviously, it was sort of out of cycle. There was nothing set up.

Mr. Conaway. Sure.

Ambassador Yovanovitch. And, again, I am grateful that Deputy Secretary Sullivan asked me what I would like to do next. I recall that there was the fellowship at Georgetown and asked whether that might be something that could be arranged.

Mr. Conaway. Was that your only choice?

Ambassador Yovanovitch. I'm not sure. We didn't really discuss other options.

Mr. Conaway. My understanding is Georgetown is fertile ground for State Department recruitment of future fledgling Foreign Service officers, and so they now benefit from your experience and your inspiration to inspire them to perhaps spend their professional life in service to our Nation.

Ambassador Yovanovitch. Thank you.

Mr. Conaway. You're a fellow there. You teach classes. How many classes do

you teach?

Ambassador Yovanovitch. Well, this semester, I was supposed to teach two. I am still teaching one on national security. The other one was on Ukraine, and I asked whether I could, you know --

Mr. Conaway. Defer that.

Ambassador Yovanovitch. -- postpone that --

Mr. Conaway. How many students in your class, approximately?

Ambassador Yovanovitch. There are -- let's see. I think 14, 14 or 15.

Mr. Conaway. All right. Any other responsibilities at State other than the fellowship at Georgetown?

Ambassador Yovanovitch. Well, I will tell you that all of this has kept me very busy.

Mr. Conaway. Okay. I got that. But not necessarily day-to-day things that you would be responsible for?

Ambassador Yovanovitch. No.

Mr. Conaway. Other than not qualifying for overseas stipends and other things, has your compensation been affected by being recalled the way you were?

Ambassador Yovanovitch. No, it has not.

Mr. Conaway. Okay. I'm worried about the way you might be treated by your fellow employees at State. Any negative -- do they hold you in less high regard than they used to as a result of this? Do they shun you at the lunch counter? Do they treat you badly as a result of the way you were treated by the President?

Ambassador Yovanovitch. I've actually received an outpouring of support --

Mr. Conaway. Okay.

Ambassador Yovanovitch. -- from my colleagues.

Mr. Conaway. So the folks that you respect the most still respect you and appear to hold you in high regard and high affection?

Ambassador Yovanovitch. They do.

Mr. Conaway. Okay. George Kent was in here a couple of days ago. He made some exemplary statements about you, really glowing. All of us, I think, would like to be the recipient of something that worthy, and I believe you are as well. Any reason on Earth that you can think of that George Kent would be saying that because of some reason other than the fact that he believes it in his heart of hearts?

Ambassador Yovanovitch. Like -- like what?

Mr. Conaway. Well, I mean, like somebody paid him to do it.

Ambassador Yovanovitch. Oh. No. Absolutely not.

Mr. Conaway. Okay. So you and I agree that we think he was sincere in that bragging on you, and that's all post -- recall an episode that was mentioned in the discussion this morning. Well, I'm glad that your colleagues -- I would have expected nothing any different from your colleagues at State to continue to treat you in the high regard that you've earned over all of these years of great service, and I hope that whatever you decide to do after the Georgetown fellowship, that you're as successful as you've been in the first 33 years.

And, with that, I yield the balance of my time to Mr. Jordan.

Mr. Turner. I have a unanimous consent request that an article entitled "Whistleblower is Expected to Testify Soon, House Intelligence Chairman Schiff Says," Wall Street Journal, September 29, 2019, being put in the record.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Turner. I have a unanimous consent request that an article entitled "Whistleblower Reaches Agreement to Testify, Will Appear Very Soon, Representative Adam Schiff Says," USA Today, September 29, 2019.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Turner. I have a unanimous consent request, an article entitled "Schiff Confirms Tentative Agreement for Whistleblower to Testify before House Intelligence Committee," CNN, September 29, 2019.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Turner. I have a unanimous consent request, "Intelligence Panel Has Deal to Hear Whistleblower's Testimony, Says Schiff," Washington Post, September 29th of 2019.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Turner. I have a unanimous consent request, an article entitled "Whistleblower Reportedly Agrees to Testify Before House Intelligence Committee Reported by Schiff," Huffington Post, September 29, 2019.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Turner. I have a unanimous consent request, an article entitled "Schiff, Panel Will Hear from Whistleblower," Arkansas Democrat Gazette, September 29, 2019.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. The time of the gentleman has expired. I now recognize Ms. Sewell.

Ms. Sewell. Thank you, Mr. Chairman.

Ambassador, in your prior testimony, you spoke so movingly about your family background. You stated that your parents fled Communist and Nazi regimes and that they valued freedom and democracy offered in America, having experienced totalitarian regimes. Did that have any effect on your desire to enter into the United States Foreign Service?

Ambassador Yovanovitch. Yes, it did.

Ms. Sewell. Did you always know you wanted to be in the Foreign Service? I look at your background, and it is perfectly suited for what you're doing. I note that you have studied at the Pushkin State Russian Language Institute in Russia to learn Russian.

Ambassador Yovanovitch. Yes.

Ms. Sewell. That you also have an M.S. from the National Defense University, National War College.

Ambassador Yovanovitch. Yes.

Ms. Sewell. I even noticed that you earned your undergraduate degree in history and Russian studies in college, and, coincidentally, that was also my college, but I wanted -- and you definitely are doing Princeton and the Nation service by --

Ambassador Yovanovitch. Thank you.

Ms. Sewell. -- what you do every day. But I really want to know how it felt to have your reputation sullied, not for State and Nation but for personal gain. You spoke about how your service is not just your own personal service. It affects your family. And, today, we've seen you as this former ambassador, this 33-year veteran of the

Foreign Service, but I want to know about you personally and how this has affected you personally and your family.

Ambassador Yovanovitch. Yeah. It's been a difficult time. I mean, I'm a private person. I don't want to put that all out there, but it's been a very, very difficult time because the President does have the right to have his own or her own ambassador in every country in the world.

Ms. Sewell. But does the President have a right to actually malign people's character? I mean, it may not be against any law, but I would think that it would be against decorum and decency.

Ambassador Yovanovitch. I mean, there is a question as to why the kind of campaign to get me out of Ukraine happened because all the President has to do is say he wants a different ambassador. And in my line of work, perhaps in your line of work as well, all we have is our reputations, and so this has been a very painful period.

Ms. Sewell. How has it affected your family?

Ambassador Yovanovitch. I really don't want to get into that, but thank you for asking.

Ms. Sewell. Because I do care. I also want to know how you think it affected your fellow colleagues in the Foreign Service. My Republican colleagues have said that since you received such adulation from and embracing from your own fellow colleagues that what occurred, the incident that occurred with the President and his cronies, you know, maligning your reputation, has that had a chilling effect on the ability and the morale within the Foreign Service? Can you speak to that?

Ambassador Yovanovitch. Yeah. I think that -- I think that it has had exactly that, a chilling effect, not only in Embassy Kyiv but throughout the State Department because people don't know kind of

whether their efforts to pursue our stated policy are going to be supported, and that is a dangerous place to be.

Ms. Sewell. Now, for the record, my Republican colleagues will probably try to paint you as a Never Trumper. Are you a Never Trumper?

Ambassador Yovanovitch. No.

Ms. Sewell. As a Foreign Service officer, you took an oath to support and defend the Constitution of the United States without regard for who was in office. Is that correct?

Ambassador Yovanovitch. Yes, that's true.

Ms. Sewell. Have you also served in your 33 years for not just Democratic Presidents but also Republican Presidents?

Ambassador Yovanovitch. Four Republican Presidents.

Ms. Sewell. Four Republican Presidents. In fact, you joined the Foreign Service under Reagan. Is that not right?

Ambassador Yovanovitch. Yes, that's true.

Ms. Sewell. Now, why do you think it's really important that Foreign Service officers are nonpartisan? Can you talk to us about why it's important for you to do your job and your fellow Foreign Service officers to do your job that you're nonpartisan?

Ambassador Yovanovitch. Yeah. Because our work is essentially nonpartisan, and you know, Senator Vandenberg, a Republican Senator who actually partnered with President Truman, coined a phrase that politics should stop at the water's edge. And I think that's exactly right because while obviously the competition of ideas in a democracy with different parties, different individuals is hugely important, but at the end of the day, when we are dealing with other countries, it needs to be about what is right for the United States. Those are our national security interests. And whether an individual

works for the CIA or the military or the State Department, we've got to be nonpartisan and thinking about what is right for the United States.

Ms. Sewell. Well, on behalf of a grateful Nation, I want to say thank you for your service.

I yield back the balance of my time.

Ambassador Yovanovitch. Thank you.

The Chairman. Mr. Turner.

Mr. Turner. Ambassador, I want to say I have a great deal of respect for what you do. I serve on the Armed Services Committee, the Intelligence Committee. I've worked with the NATO Parliamentary Assembly, including being its president, and I know the complexity of what you do. I know you have little access directly to decisionmakers, little resources, but you have still a great deal of responsibility. It's a complex task, and I want to take us from just the concept of one dimensional Ukraine being corrupt to the other issues that you had to deal with as the Ukraine Ambassador.

You had to deal with more than just our bilateral relationship with Ukraine. For example, and I'd like confirmation that -- I mean, obviously I know you know these, but these were on your portfolio. You had to deal with the issue of the OSCE Budapest Agreement and the denuclearization of Ukraine and the issues of its territorial integrity of the signatories, correct?

Ambassador Yovanovitch. Could you run that by me again?

Mr. Turner. The OSCE, the Organization for Security and Cooperation for Europe, and the Budapest Agreement under which Ukraine gave up its nuclear weapons and believed they had its territorial integrity guaranteed by the United States and Russia, you would have had that in your portfolio.

Ambassador Yovanovitch. Well, that -- yes.

Mr. Turner. Was that an issue that you had to deal with Ukrainians on?

Ambassador Yovanovitch. Yeah, when the Ukrainians would ask about our policy and whether it was in keeping with the Budapest Agreement.

Mr. Turner. Excellent. NATO. Ukraine is an aspiring NATO country, and, of course, you have the Bucharest Summit, where the U.S. and the NATO allies made a statement that they would get membership. That would have been on your portfolio. They would have been discussing with you -- absolutely.

Ambassador Yovanovitch. Yes, certainly aspirations to NATO membership.

Mr. Turner. Right. And it's also consistent with U.S. policy that the U.S. supports Ukraine joining the EU, and they have a great deal of interest and desire for joining the EU, correct?

Ambassador Yovanovitch. Yes.

Mr. Turner. And they just had a summit in Ukraine in July where they talked about the Associated Agreement on Economic Integration between the Ukraine and the EU, and they also had a discussion about the illegal annexation of Crimea and the blocking by Russia of the Ukrainian sailors that came out of the Azov Sea and that were captured. Those would have all been issues that would have been in your portfolio and that were consistent with what the EU's issues are, correct?

Ambassador Yovanovitch. Yes. We work closely with our EU partners.

Mr. Turner. In addition to Ukraine, you'd have to work with France and U.K. and Germany, all of which who have different ideas of those. The Ambassadors to the Ukraine of France, Germany, and England, correct?

Ambassador Yovanovitch. Yeah. Did you say they all have different ideas about these issues?

Mr. Turner. Some of them, yes.

Ambassador Yovanovitch. But mostly there's a consensus.

Mr. Turner. You'd have to work with NGOs, nongovernmental organizations on issues that we heard about, legal aid, human trafficking, building democratic institutions, and even HIV AIDS, right?

Ambassador Yovanovitch. Yes.

Mr. Turner. You've spoken at several NGOs while you were the Ambassador to Ukraine?

Ambassador Yovanovitch. Yes.

Mr. Turner. Now, the U.S. Ambassador to the EU, they would have under their portfolio aspiring nations to the EU. Would they not?

Ambassador Yovanovitch. Yeah.

Mr. Turner. Okay. So EU Ambassador Sondland, then, would have had Ukraine in his portfolio because they're an inspiring nation, and he's our U.S. Ambassador to the EU, correct?

Ambassador Yovanovitch. I think he testified that one of his first --

Mr. Turner. But you agree that it's within his portfolio, correct?

Counsel. She was answering the question.

Mr. Turner. You would agree that it's in his portfolio. Would you not? Yes?

Ambassador Yovanovitch. Yes. I would agree that --

Mr. Turner. Yes. Thank you. Now, I want to go to the next --

Counsel. I'm sorry. Could you let her finish her answer?

Mr. Turner. Richard Holbrooke, a gentleman who I have a great deal of --

The Chairman. The gentleman will suspend.

Mr. Turner. -- reverence for --

The Chairman. The gentleman will suspend. The gentleman will suspend.

Ms. Yovanovitch did not finish her answer.

You may finish your answer, Ambassador.

Mr. Turner. Not on my time. You're done.

The Chairman. No. The ambassador -- the ambassador will be recognized.

Ambassador Yovanovitch. I would say that all EU Ambassadors deal with other countries, including aspiring countries, but it is unusual to name the U.S. Ambassador to the EU to be responsible for all aspects of Ukraine.

Mr. Turner. I'll take your additional answer. It's still in his portfolio, which was my question.

You knew Ambassador Holbrooke, probably. I did. He's a man of great integrity, one of our most successful ambassadors. You knew him probably by his reputation. You would agree that he was a man of great reputation, right?

Ambassador Yovanovitch. Yes.

Mr. Turner. Yes. Madam Ambassador, would it surprise you if, in 2004, John Kerry had a member of his campaign who was a foreign policy adviser who traveled to the Ukraine in July and met with Ukrainian officials and the U.S. Ambassador. Would that surprise you? A member of John Kerry's campaign team for President of the United States in 2004 traveled to Ukraine, met with the U.S. Ambassador in July.

Ambassador Yovanovitch. Not necessarily. What was the context?

Mr. Turner. Would you have taken that meeting? If a member of John Kerry's campaign traveled to the Ukraine, would you have taken that meeting?

Ambassador Yovanovitch. I guess it would depend on what the purpose of the meeting was.

Mr. Turner. Well, that meeting actually occurred, and it was with John Holbrook. John Holbrook was a private citizen, traveled to Ukraine, met with the U.S. Ambassadors,

met with Ukrainian officials. He was also there about HIV AIDS which was, in addition, something that the Clinton Foundation was working on. So we have an official of the John Kerry campaign in 2004 that's a private citizen meeting with our Ambassador in Ukraine.

The Chairman. The time of the gentleman has expired.

Mr. Turner. Is that unusual?

Ambassador Yovanovitch. We meet with private individuals all the time.

Mr. Turner. It probably wasn't unusual for --

The Chairman. The gentleman's time has expired.

Mr. Carson, you're recognized.

Mr. Carson. Thank you, Chairman. Thank you, Madam Ambassador. Madam Ambassador, returning to the topic of corruption, we heard evidence that you were successful at promoting efforts to address corruption. On Wednesday, in testifying about your very sterling career as a champion of anticorruption efforts in Ukraine, Deputy Assistant Secretary George Kent said, quote: You can't promote principled anticorruption action without pissing off corrupt people, end quote.

It seems that your efforts as Ambassador to essentially reform the powerful Prosecutor General's Office in Ukraine did exactly that. Madam Ambassador, what concerned you about the Prosecutor General's Office when you were the Ambassador in Ukraine?

Ambassador Yovanovitch. What concerned us was that there didn't seem to be any progress in the three overall objectives that Mr. Lutsenko had laid out, most importantly for the Ukrainian people but also the international community.

So the first thing was reforming the Prosecutor General's Office. It's a tremendously powerful office where they had authority not only to conduct

investigations, doing FBI-like functions, but also to do the actual prosecution. So very, very wide powers, which is part of that Soviet legacy. And there just wasn't a lot of progress in that. There wasn't a lot of progress in handling personnel issues and how the structure should be organized and who should have the important jobs because some of the people in those jobs were known to -- were considered to be corrupt themselves.

Secondly, the issue that was tremendously important to the Ukrainian people of bringing justice to the over 100 people who died on the Maidan during the Revolution of Dignity in 2014. Nobody has been held accountable for that, and that is, you know, kind of an open wound for the Ukrainian people.

And, thirdly, Ukraine needs all the money that it has, and there is a strong belief that former President Yanukovych and those around him made off with over \$40 billion. \$40 billion. That's a lot in the U.S. It's a huge amount of money in Ukraine. And so, again, nobody has -- none of that money has really been -- I think maybe \$1 billion was repatriated, but the rest of it is still missing.

Mr. Carson. Madam Ambassador, was the head of that office corrupt?

Ambassador Yovanovitch. We believe so.

Mr. Carson. And you got the sense, did you not, that he was a driving force behind some of the attacks against you?

Ambassador Yovanovitch. I did.

Mr. Carson. Which ultimately led to your removal, correct?

Ambassador Yovanovitch. Yes.

Mr. Carson. But it wasn't just him. His allegations were picked up and spread by Mr. Giuliani and Donald Trump, Jr. Were they not?

Ambassador Yovanovitch. Yes.

Mr. Carson. So let me get this straight. You were effective at fighting

corruption in the Ukraine, fighting that corruption was important to the national security of the United States, and you were punished for that, ultimately being removed from your post by the President of the United States. So, in your opinion, Madam Ambassador, why is it important to have a nonpartisan career in the Foreign Services?

Ambassador Yovanovitch. I think it's important to have a nonpartisan career Foreign Service office -- or service, I should say --

Mr. Carson. Sure.

Ambassador Yovanovitch. -- because what we do is inherently nonpartisan. It is about our national security interests. It's not about what is good for a particular party at a particular time. It has to be about the greater interest of our security in, frankly, what is an increasingly dangerous world.

Mr. Carson. Could you briefly describe for us what broad U.S. policies you have sought to advance in your 33 years of service and specifically in post-Soviet states like Ukraine?

Ambassador Yovanovitch. Well, that's a broad question, but I think that certainly in my time in Russia, Armenia, Kyrgyzstan, all of these countries are very different as is Ukraine, but I think that establishing positive, constructive relations to the extent that we can with those countries is really important, and that -- you know, I mean, there are three basic areas. One is security. The second is economic, and the third is political. And so working all the sub issues -- your colleague mentioned many of them -- you know, we certainly did that in Ukraine as well.

Mr. Carson. Thank you for your service.

I yield to the chairman.

Ambassador Yovanovitch. Thanks.

The Chairman. Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

And, Madam Ambassador, thank you very much for being here. And I want to start by saying I appreciate your years of service and enduring years of moving around the world to dangerous places. And hearing from you today, I realize that we share some of the same feelings and experiences. As an Army Reserve surgeon, I received a call on a Monday afternoon in March of 2005 that told me I was being deployed to Iraq, and I had to be out the door in the next 2 to 3 days. I had patients scheduled for months. I had surgeries scheduled and had to give, so I understand that shocking feeling that can come with some abrupt change like that. I was processing a few days later, and I was told my orders would say: You're going for 18 months, but it may be a little shorter than that.

I served a year in Iraq, 2005, 2006, one of the bloodiest times of the war, and this is where I have another personal relationship with what you were talking about.

I saw a nation in Iraq of people that craved a noncorrupt government. And, sadly, today, even though it helped to remove Saddam Hussein, they still have corruption concerns in Iraq. And I can relate to what you said just a few moments ago, that it feels like an unopened wound when it hasn't been resolved. But you might imagine with that military experience and background, I take an interest in military strategy and capabilities and the thoughts of those with boots on the ground like you and Mr. Volker and Mr. Taylor.

In your deposition, on page 144, you're quoted as saying in terms of lethal assistance, we all felt it was very significant that this administration made the decision to provide lethal weapons to Ukraine. Just real quick, who in general makes up we all? Would that be the team I mentioned?

Ambassador Yovanovitch. Just one second. What line is that?

Dr. Wenstrup. Well, I have to move on. You said we all felt it was very

significant that this administration made the decision to provide lethal weapons to Ukraine. I assume that is those that have boots on the ground. And then this administration, I assume you meant the Trump administration.

Ambassador Yovanovitch. Yes.

Dr. Wenstrup. In your deposition, also on page 144, you spoke about the generosity of Congress. You mentioned it today, increasing aid to Ukraine. In part of your deposition, after that statement that I quoted before, you were asked did you advocate for that? You responded yes. And then you were asked did you advocate for that prior to the new administration in 2016? And you responded well, yeah.

On page 148, the question was, were you satisfied that the administration was doing what was necessary to support Ukraine? You said: In what respect?

And they said: In, you know, helping them deter Russia aggression, helping them with foreign aid and foreign assistance.

And you said: Yeah.

And I agree that lethal assistance was very significant, as you said, and I thank you for that, and I thank Mr. Volker, and I think Mr. Taylor.

You know, Acting Ambassador Taylor was here Wednesday. He testified about the President's decision to withhold lethal aid, and he said the President felt it might provoke Russia. And Mr. Taylor contested, then, that Russia has already been provoked and they have invaded the Ukraine.

You know, President Obama had the right to make his own foreign policy and make his own decisions as President of the United States, correct?

Ambassador Yovanovitch. Yeah. I mean, there's an interagency process, and, obviously, Congress has control as well.

Dr. Wenstrup. But he has the right as President. I respect the interagency

process. I'm getting to that, actually. But he has the right to make his own foreign policy and make his own decisions as President of the United States, as do all Presidents, correct?

Ambassador Yovanovitch. Yes.

Dr. Wenstrup. So we have one President, Obama, who denied lethal aid altogether in spite of ambassadors and other boots on the ground recommending -- making that recommendation such as you did. We have another President, Trump, who vetted those that were going to receive the aid and provided it consistent with your interagency recommendations and that of your colleagues.

Let me just ask you from a military standpoint. Without Javelins, would you agree the Russians had much greater military offensive options and flexibility in their effort to attack the Ukraine? Without the Ukraine having Javelins.

Ambassador Yovanovitch. Yeah. I mean, they had another option, although the tank war has -- is no longer the war that is being fought in Ukraine.

Dr. Wenstrup. But I'm just saying with the Javelins.

Ambassador Yovanovitch. It's another option.

Dr. Wenstrup. And there's another reason for that, because the Javelins are there, and so I think that that changes the scenario. But I just wanted to make that point that the President has a right to have their own foreign policy and to make their own decisions.

And, with that, I yield back.

Ambassador Yovanovitch. Yeah. If I could just supplement one of my answers.

Dr. Wenstrup. Of course.

Ambassador Yovanovitch. So I want to thank you for your service as well, but what I'd like to say is, while I obviously don't dispute that the President has the right to

withdraw an ambassador at any time for any reason, but what I do wonder is why it was necessary to smear my reputation falsely.

Dr. Wenstrup. Well, I wasn't asking you about that, but thank you very much, ma'am.

The Chairman. Representative Speier.

Ms. Speier. Thank you, Mr. Chairman. Thank you, Ambassador, so very much. You were confirmed by the Senate on a voice vote, weren't you?

Ambassador Yovanovitch. Yes.

Ms. Speier. So unanimous. Republicans and Democrats, correct?

Ambassador Yovanovitch. Yes.

Ms. Speier. No dispute. You said that, in the summer of 2018, the smear campaign began, in your testimony earlier today. Did Secretary Pompeo at any time come to your aid?

Ambassador Yovanovitch. Well, my understanding from Assistant Secretary Phil Reeker and Deputy Secretary Sullivan is that, you know, sort of the rumors about me, for lack of a better word, the smear campaign, which was behind closed doors at that point, that there were a number of discussions between the President and Secretary Pompeo and that he actually did keep me in place for as long as he could. That's what I was told.

Ms. Speier. So it appears that, back in 2018, the President was already making noises that he wanted you out of there. It appears that, as early as April of 2018, Mr. Parnas was at a fundraiser for the President and recommended that you be removed and then, subsequently in May of 2018, was pictured at a White House dinner with the President and then, later in May, made a contribution of over \$325,000 illegally to the President's reelection campaign. Are you aware of that?

Ambassador Yovanovitch. I'm aware of the press about those things.

Ms. Speier. Does that help you understand a little bit more why the smear campaign was underway?

Ambassador Yovanovitch. Yes. I mean --

Ms. Speier. All right. You made some very riveting comments in your statement this afternoon -- this morning that I just want to repeat because I think we should have you expand on it. You said: I've always understood that I served at the pleasure of the President. I still find it difficult to comprehend that foreign and private interests were able to undermine U.S. interests in this way. Individuals who apparently felt stymied by our efforts to promote stated U.S. policy against corruption, that is, to do our mission, were able to successfully conduct a campaign of disinformation against a sitting ambassador using unofficial back channels.

Now, as I listened to you make that statement, I was thinking of all the other persons in the Foreign Service who now have to be concerned that it's not good enough to follow the stated U.S. foreign policy but also to be aware that maybe the President has a back channel of interests that he is promoting that is diametrically opposed to our stated foreign policy. Can you expand on that, please?

Ambassador Yovanovitch. Well, I think that it's important that whoever is representing the President, an ambassador speaks with the full authority of the President and our foreign policy establishment. And if there are others who are also helping with the responsibilities in that country, for example, Ambassador Kurt Volker with his important mission to bring peace to the Donbas, that we all speak with one voice, that it's all about our common security interests and that it's not about, you know, personal gain or commercial gain or anything else, that it's about our national security.

Ms. Speier. But in this case, the tres amigos appeared to be more interested in getting an investigation than into promoting an anticorruption effort in Ukraine. Is that

correct?

Ambassador Yovanovitch. That appears to be the case.

Ms. Speier. You were told at one point in 2019, in February earlier this year, you spoke to a minister in Ukraine who warned that when it came to Rudy Giuliani, you needed, to, quote, watch your back. What did you understand him to mean?

Ambassador Yovanovitch. I didn't exactly know, but, you know, the rumor was out there at that time, and in fact, I think this minister also shared that information with me that the mayor was working to have me removed.

Ms. Speier. Let me just say to conclude that you have endured an orchestrated character assassination, that it was hatched over a year and a half ago, and that it's laced with enormous campaign contributions to the President's reelection campaign. And you deserve more from the American people, and you deserve more from Congress in supporting you.

I yield back.

Mr. Turner. I ask unanimous consent.

The Chairman. Mr. Stewart, you're recognized.

Mr. Turner. I ask unanimous consent, Mr. Chairman.

The Chairman. We can take that up later.

Mr. Stewart, you're recognized.

Mr. Stewart. Thank you, Mr. Chairman, and others.

And Ambassador, thank you for being with us here today. Welcome -- as I said last -- a couple days ago to the witnesses, welcome to year four of the impeachment proceedings. I'm sorry that you've gotten dragged into this. For 3 years, we've heard these outrageous and, frankly, unbelievable accusations regarding Russian collusion, accusations that we now know are absolute nonsense. There was no basis at all, despite

promises from some members of this committee that they had secret proof that would prove this collusion. And, granted, we know that it was nonsense, but now in year four, we apparently move on to Ukraine and quid quo pro, culminating yesterday when the Speaker announced that the President would, indeed, be impeached and removed from office for bribery.

And with that statement, I would now feel compelled to ask you, Madam Ambassador. As you sit here before us, very simply and directly, do you have any information regarding the President of the United States accepting any bribes?

Ambassador Yovanovitch. No.

Mr. Stewart. Do you have any information regarding any criminal activity that the President of the United States has been involved with at all?

Ambassador Yovanovitch. No.

Mr. Stewart. Thank you. Thank you for answering that directly. The American people know this is nonsense. The American people know this is unfair. And I have a prediction regarding this. I think that public support for impeachment is actually going to be less when these hearings are over than it is when the hearings began because finally the American people are going to be able to see the evidence. They're going to be able to make their own determination regarding that.

Now, I want to ask you one thing very quickly, and you've been asked this again and again, but my question is slightly different. You've been asked as you recognize that the President, any President, has the ability to ask his ambassadors to serve at will. I'm curious. Do you think that's the right policy?

Ambassador Yovanovitch. Yeah. I probably think it is.

Mr. Stewart. I do as well. It may be imperfect. There may be times when it's not used perfectly, but I agree with you. It is the right policy. I don't think that we

should change that.

Now, I'd like to read from some previous statements, including one of your own as well as others, regarding the appropriateness of investigating corruption in the U.K. from Ms. Fiona Hill. So, again, the fact that there are investigations into corruption in the energy sector in Ukraine as well as in Russia and many other countries is not a surprise.

From yourself, your previous testimony.

Question: Was it the general understanding that Burisma was a company that suffered from allegations of corruption?

Your answer was yes.

From Ambassador Sondland: I am -- I just am generally aware that Burisma is considered a potentially corrupt company.

Would you agree, then, that it's appropriate to investigate corruption?

Ambassador Yovanovitch. I think it's appropriate if it's part of our national strategy. What I would say is that we have a process for doing that. It's called the Mutual Legal Assistance Treaty. We have one with Ukraine, and generally it goes from our Department of Justice to the Ministry of Justice in the country of interest.

Mr. Stewart. Okay.

Ambassador Yovanovitch. That's the usual pattern.

Mr. Stewart. And I appreciate that. Regardless of the process, though, it's appropriate for us to investigate potential corruption, and especially, look. We're about to give these -- some of these countries hundreds of millions of dollars. The U.S. taxpayers said: Here is a dollar line. Go ahead and give it to this other country, but please only do it if you know it's not going to be used for corrupt purposes or against our national interests.

And I'll conclude with this because I promised my friend, Mr. Jordan, I would save

him a little bit of time. We had mentioned earlier that the Vice President when he was -- went to the Ukraine and called for the specific firing of a specific prosecutor, that he was, as they say, completing official U.S. policy, but the interesting thing is this. The Vice President had exactly two countries that were his responsibility at that time: China and the Ukraine. And he has bragged and been very proud of his influence in the previous administration. He says again and again that the Obama administration listened to him, so it doesn't surprise me that they would be fulfilling a policy that this Vice President certainly helped to formulate.

Mr. Jordan, I leave you -- in Cyprus. I'm sorry. Cyprus. Thank you.

Clarification. And I will yield for unanimous consent.

Mr. Turner. I have a unanimous consent, Mr. Chairman, that doesn't involve you this time. It's three articles. A New York Times Article, "2004 Campaign: The Advisers; Kerry Foreign Policy as a Clintonian" --

The Chairman. The time of the gentleman has expired.

Mr. Turner. Kyiv post Holbrooke meets with --

The Chairman. I may recognize you later. The gentleman's time has expired.

Mr. Turner. I'd like to have unanimous consent.

The Chairman. Mr. Quigley, you're recognized. Mr. Quigley, you're recognized.

Mr. Quigley. Thank you. Madam Ambassador, it's like a Hallmark movie: You ended up at Georgetown; this is all okay.

But it wasn't your preference 7, 8 months ago, correct?

Ambassador Yovanovitch. No, it was not.

Mr. Quigley. It wasn't your preference to be the victim of a smear campaign, was it?

Ambassador Yovanovitch. No.

Mr. Quigley. It wasn't your preference to be defamed by the President of the United States, including today, was it?

Ambassador Yovanovitch. No.

Mr. Quigley. It wasn't your preference to be ousted at seemingly the pinnacle of your career, was it?

Ambassador Yovanovitch. No.

Mr. Quigley. You wanted to finish your extended tour, correct?

Ambassador Yovanovitch. I did.

Mr. Quigley. What did you want to do after that, did you know?

Ambassador Yovanovitch. I wasn't sure.

Mr. Quigley. There's nothing wrong with Georgetown. It's a fine place, right?

Ambassador Yovanovitch. It's a wonderful place.

Mr. Quigley. But it's your only choice at the end of the distinguished career after all that. It's not the end of a Hallmark movie. It's the end of a really bad reality TV show brought to you by someone who knows a lot about that.

Why did you -- you previously testified that you sought advice from Ambassador Sondland at this time about what to do. Is that correct?

Ambassador Yovanovitch. I did.

Mr. Quigley. Why did you reach out to the Ambassador?

Ambassador Yovanovitch. Because this was clearly so political and was not going to be -- you know, the State Department was not in a position, shall we say, to manage the issue, it didn't appear to me. And so I asked Ambassador Sondland, who said that he -- you know, he was a political appointee. He said he was close to the President, and so he had just been in Ukraine for a ship visit with some of his EU colleagues from Brussels, and so I reached out to him for advice.

When this was no longer a Ukraine -- kind of an interview with Mr. Lutsenko, kind of a Ukrainian, but it became sort of the American -- American politicians and pundits, et cetera, were repeating those allegations, I asked him for advice.

Mr. Quigley. And it meant a lot to you. This was an extraordinary time. It meant -- the advice meant a lot, and what was his advice?

Ambassador Yovanovitch. Well, he suggested that I needed to go big or go home, and he said that the best thing to do would be to, you know, send out a tweet, praise the President, that sort of thing.

Mr. Quigley. And what was your reaction to that advice?

Ambassador Yovanovitch. Well, my reaction was that I'm sure he meant well, but it was not advice that I could really follow. It felt partisan. It felt political, and I just -- that was not something that I thought was in keeping with my role as ambassador and a Foreign Service officer.

Mr. Quigley. Did he give you any specific suggestions on what to say about the President of the United States or just say something nice about him?

Ambassador Yovanovitch. Yeah, just praise him.

Mr. Quigley. Thank you. I yield the balance to the chairman.

The Chairman. I want to follow up on Mr. Quigley's line of questions and also harken back to something you were asked by minority counsel earlier. You were asked a couple of questions: Do you think you could have done more to push back against this smear campaign? And I'm not suggesting this is what the counsel was getting at, but sometimes victims are asked, aren't you responsible for your own victimization? What would you say to people who say, isn't it kind of your fault, Ambassador, that you didn't fight your own smear harder?

Ambassador Yovanovitch. Well, I think that, you know, I've been a Foreign

Service officer for a long time, and just like the military, we have our own culture. We have our own kind of chain of command, so to speak, and I did everything that I could to -- you know, to address these issues and ask the State Department to do what I felt was the right thing, which was support me when it was important to do so because it was also about supporting the policy. I think it was for others to stand up for me.

The Chairman. I quite agree.

Representative Stefanik.

Ms. Stefanik. Thank you. Since the chairman has gavelled out all of my colleagues with their unanimous consent, I am going to read for the record many of the chairman's comments in September of the importance of hearing from the whistleblower. Again, Ambassador, thank you for your patience. Thank you for your service. But since we haven't been able to conduct ourselves in normal procedures, I'm just going to use the 5 minutes for this.

September 29th in The Wall Street Journal, quote: The whistleblower at the center of the impeachment investigation of President Trump will testify in the House very soon.

This is a quote by the chairman.

USA Today, September 29th, talking with ABC News "This Week," Schiff, the Democrat who chairs the House Intelligence Committee, said: The whistleblower would testify very soon. And the only thing standing in the way was getting security clearances for the attorneys representing the whistleblower so they could attend the testimony.

From Fox, September 29th: Rep Adam Schiff said Sunday the whistleblower at the center of a growing scandal surrounding President Donald Trump will testify before the House Intelligence Committee very soon.

On CNN, September 29th: Schiff said Sunday on ABC as well as NBC's "Meet the

Press" that he expects the whistleblower to testify very soon.

The Washington Post, September 29th: In an appearance on ABC News "This Week," Schiff echoed Pelosi's message. He also said he expected the Intelligence Committee to hear from the whistleblower very soon pending a security clearance from Acting Director of National Intelligence Joseph Maguire.

In the Huffington Post, Schiff told ABC's "This Week" that he expects the whistleblower to appear before this committee very soon.

In The New York Post, quote: We'll get the unfiltered testimony of that whistleblower.

In The Washington Times, quote, that whistleblower will be allowed to come in.

These are all quotes from Chairman Adam Schiff.

In Talking Points Memo, the question was posed -- actually, this was by George Stephanopoulos: Have you reached an agreement yet with the whistleblower and his or her attorneys about coming before the committee and providing the information firsthand? Quote, yes, we have, Schiff responded, and as DNI Maguire promised during the hearing, that whistleblower will be allowed to come in and come in without a minder from the Justice Department or from the White House to tell the whistleblower what they can and cannot say. We'll get the unfiltered testimony of that whistleblower.

In Daily Coast: We're ready to hear from the whistleblower as soon as that is done, and we'll keep obviously riding shotgun to make sure that the Acting Director doesn't delay in that clearance process.

In CNBC: We'll get the unfiltered testimony of that whistleblower.

In Market Watch: House Intelligence Committee Chairman Adam Schiff said Sunday that an agreement has been reached under which the whistleblower will testify before the committee very soon.

I can keep going, but, again, the chairman refused to allow us to put these into the record with unanimous consent, so I've read those out. And as we know, it is important to protect whistleblowers from retaliation and from firing, and we want to make sure whistleblowers are able to come forward. But in this case, the fact that we are getting criticized by Chairman Adam Schiff for statements that he himself made early on in this process shows the duplicity and just the abuse of power that we are continuing to see.

With a minute, 54 seconds, left, I'll yield to my colleague, Mr. Jordan.

Mr. Jordan. I thank the gentlelady for yielding.

I would also add that the chairman has promised we'll get to see the transcripts, but there's still four people we've deposed that we have not been able to use or see their transcripts, have their transcripts released, and, therefore, the testimony they provided we're not able to use in these open hearings. If it's an open hearing, all of the available testimony from depositions that has been taken by the committee should be available to be discussed for the American people to see, but no, no, no. Mr. Morris and Mr. Hale and two other -- Ms. Williams. Two others and another one have not yet been released. So I hope the chairman releases that.

One other point I would make in the last minute of Ms. Stefanik's time. The Democrats have asserted that this whole thing with Ambassador Yovanovitch was some part of sinister scheme by the White House to get Mr. Zelensky to do an investigation, President Zelensky to do an investigation. If recalling Ambassador Yovanovitch was part of some scheme by Trump and Pompeo and Giuliani to get President Zelensky to do an investigation, why would they replace her with the Democrats' first witness, their star witness, Bill Taylor? I mean, if that's the plan, it's not the best plan I've ever seen put together. Their star witness, their first witness, Mr. Taylor, was here Wednesday. That's what they were up to? I think it just demonstrates that that is not what went on

here. Mr. Zelensky never undertook any investigations, and the reason the aid was released, as we discussed on Wednesday, was because Vice President Pence, Ambassador Bolton, and U.S. Senators all talked with President Zelensky, and they were convinced he was the real deal as the Ambassador has alluded to in her testimony. That's why the money was released.

With that, I yield back.

The Chairman. Mr. Swalwell.

Mr. Swalwell. Mr. Chairman, a lot has changed since the whistleblower came forward, two things in particular. First, most of what the whistleblower has alleged has been corroborated by the witnesses that we have heard from. Second, the President, who my colleagues so shamelessly continue to defend, continues to pressure, threaten, and intimidate the whistleblower.

So I'd like unanimous consent to put into the record a September 26, 2019, article from Business Insider: Trump suggested the whistleblower who filed a complaint against him is guilty of treason, which is punishable by death.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Swalwell. How about September 26, 2019, Vanity Fair: Trump suggests executing the whistleblower sources like, quote, in the good old days.

Third --

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Swalwell. September 29th: Whistleblower's lawyer raises fear for client's safety --

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Mr. Swalwell. -- from Axios.

Mr. Chairman, the whistleblower has an absolute right to anonymity. The whistleblower's lawyer has said that he fears for his personal safety and will only answer questions now in writing. I wish my colleagues would join me in protecting the whistleblower's right to anonymity.

But here, Ms. Yovanovitch, we are here to talk about you and what you witnessed. And you saw a lot as it related to Mr. Giuliani, and I want to read a quote to you from Mr. Giuliani but first ask you, when you were in Ukraine, you understood that Rudy Giuliani was Donald Trump's personal lawyer. Is that right?

Ambassador Yovanovitch. Yes, that's right.

Mr. Swalwell. Are you familiar with Rudy Giuliani's quote in The New York Times describing himself as the lawyer saying, quote: He basically knows what I'm doing, sure, as his lawyer.

Were you familiar with that quote?

Ambassador Yovanovitch. It sounds familiar.

Mr. Swalwell. And you have a lawyer with you today, Ms. Yovanovitch, and you understand that lawyers act on their client's behalf. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Swalwell. That it would be improper for a lawyer to go outside any directive that a client gives. Is that right?

Ambassador Yovanovitch. That's my understanding.

Mr. Swalwell. Are you familiar with a New York Times story on May 9, 2019, where Rudy Giuliani says that he intends to visit Ukraine and says: We're not meddling in an election, we're meddling in an investigation. Are you familiar with that quote?

Ambassador Yovanovitch. Yes.

Mr. Swalwell. That's 11 days before you were removed as ambassador. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Swalwell. He is talking publicly about designs on coming to Ukraine, but what I think is interesting is that Mr. Giuliani says "we're" as in we are. He doesn't say "I am not meddling in an election." He doesn't say "I'm not meddling in an investigation." He says "we." He is speaking for himself and his client, and I want to talk about that quote: We're not meddling in an election; we're meddling in an investigation.

Is it proper for you or anyone who acts on behalf of the United States Government to meddle in an investigation?

Ambassador Yovanovitch. No. I don't believe so.

Mr. Swalwell. Why not?

Ambassador Yovanovitch. Well, there are law enforcement channels, and things need to be handled properly and without any kind of political bias.

Mr. Swalwell. Now, this anticorruption crusader, President Trump, whom my colleagues have touted out as having such a great interest in anticorruption, in both the calls that have been referenced today, the August 21 call and the July 25 call, isn't it true that President Trump never mentions the word "corruption"?

Ambassador Yovanovitch. Yes, that's true.

Mr. Swalwell. And as far the foreign aid that my colleagues keep saying, "Well, he can't be guilty. He didn't complete the cheat. The aid went to the Ukrainians." Isn't it true that the only reason the aid or the only time the aid went to the Ukrainians was after the whistleblower complaint became public?

Ambassador Yovanovitch. Yes. It was after the whistleblower complaint

became public.

Mr. Swalwell. So you don't really get points when you get your hand caught in the cookie jar, and someone says, "Hey, he's got his hand in the cookie jar, and then you take your hand out," which is essentially what my Republican colleagues and the President are trying to take credit for.

Finally, I want to put up the disgusting tweet from the President today where he attacks your character, but I think I know who you are, Ambassador. I think the country knows who you are. He smeared you when you were in Ukraine. He smeared you on that phone call with President Zelensky on July 25. He is smearing you right now as you are testifying. Ambassador Yovanovitch, are the President's smears going to stop you from fighting corruption?

Ambassador Yovanovitch. Well, I will continue with my work.

Mr. Swalwell. And if your country asks you again to fight corruption, will you still do that despite the smears?

Ambassador Yovanovitch. Yes.

Mr. Swalwell. Thank you. I yield back.

The Chairman. Mr. Hurd.

Mr. Hurd. Your Excellency -- I'll move over here. 33 years, six senior Foreign Service performance awards, five State Department superior honor awards, the Presidential Distinguished Service Award, and the Secretary's Diplomacy in Human Rights Award. You're tough as nails, and you're smart as hell, and you're a great example of what our ambassadors should be like. You're an honor to your family. You are an honor to the Foreign Service. You are an honor to this country. And I thank you for all that you have done and will continue to do on behalf of your country.

Ambassador Yovanovitch. Thank you.

Mr. Hurd. Now, I'm nervous about what I'm getting ready to do. I want to do a 5-year history of Ukraine in about 45 seconds, and now I'm not sure, but Professor, you can grade my paper, okay?

Valentine's Day 2014, Ukrainian people get fed up with the Ukrainian President Yanukovych and basically overthrow him. He goes on the run. This was the Revolution of Dignity. Who was the acting President during that time when Yanukovych went out?

Ambassador Yovanovitch. I think it was --

Mr. Hurd. Turchynov. Is that how you say it?

Ambassador Yovanovitch. Turchynov. Thank you for helping me.

Mr. Hurd. Turchynov. Okay. Excellent. Then, in March of 2014, that is when we saw little green men coming into Ukraine, and ultimately the Russians invade the Ukraine and not only annex -- try to annex Crimea but also try to -- they invade the entire country and the eastern Donbas as well.

Ambassador Yovanovitch. Yes.

RPTR MOLNAR

EDTR CRYSTAL

[2:17 p.m.]

Mr. Hurd. Then there was an election, and the Ukrainian President was Poroshenko. That was in June of 2014. Then you came to post in 2016 of August. Is that correct?

Ambassador Yovanovitch. Two years later.

Mr. Hurd. January 2017, Trump was elected. And in December of 2017 is when the Javelins were approved, right?

Ambassador Yovanovitch. Uh-huh.

Mr. Hurd. And we saw those Javelins delivered in April of 2018 to be put to first use.

Then we had Zelensky elected in 2019, April, correct?

Ambassador Yovanovitch. Uh-huh.

Mr. Hurd. Now, the -- Zelensky defeated the previous President, Poroshenko?

Ambassador Yovanovitch. Yes.

Mr. Hurd. There's no love lost between those two dudes, is there?

Ambassador Yovanovitch. I don't think so.

Mr. Hurd. Okay. And then in May of 2019 Zelensky is sworn in.

Ambassador Yovanovitch. Yes.

Mr. Hurd. So my questions, we talk a lot about Rudy Giuliani. Do we know what officials within the Zelensky regime he actually met with? I know two. A gentleman name by Yermak, who was one of Zelensky's senior advisers, and then we also know of the former attorney general that we've already established here was corrupt, Lutsenko, right?

Ambassador Yovanovitch. Lutsenko.

Mr. Hurd. And Mr. Lutsenko served under Zelensky for a couple of months, up until April -- I mean, excuse me, August. Is that correct?

Ambassador Yovanovitch. Yes, that's right.

Mr. Hurd. And their parliament basically voted him out. Is that correct?

Ambassador Yovanovitch. Yes, that's right.

Mr. Hurd. So if Rudy Giuliani is trying to influence the Zelensky regime, would a guy that worked under the previous regime, under Poroshenko, be the right guy to do it?

Ambassador Yovanovitch. So are you saying Mr. Lutsenko?

Mr. Hurd. Yes.

Ambassador Yovanovitch. That he -- could you --

Mr. Hurd. So did Mr. Lutsenko have much credibility within the Zelensky regime the current -- the current regime?

Ambassador Yovanovitch. I don't think so.

Mr. Hurd. He didn't. And Mr. Yermak, do you know of any other Ukrainians that Mr. Giuliani was meeting with that was part of the Zelensky regime?

Ambassador Yovanovitch. Well, just to remind, I would have already have left Ukraine by that point. But, no, I'm not aware.

Mr. Hurd. But there was -- even with the administration to come, right, Zelensky won the election, there was a 2-month period of preparing to be installed as President, even during that time, were you aware of any contact?

Ambassador Yovanovitch. There was -- so there is a -- one of the oligarchs, as we've heard about, one of the oligarchs is named Mr. Kolomoisky, and he met with Mr. Fruman and --

Mr. Hurd. Sure.

Ambassador Yovanovitch. -- Mr. Parnas, and that was apparently to get a meeting for Mr. Giuliani.

Mr. Hurd. And those -- but those are not people that were actually in government or became in the Zelensky regime. Is that correct?

Ambassador Yovanovitch. No.

Mr. Hurd. Okay.

Mr. Chairman, I yield back. Thank you.

The Chairman. Mr. Castro.

Mr. Castro. Thank you, Chairman.

And thank you, Ambassador, for your 33 years of service to our Nation.

A big question here today is why you were pushed aside as ambassador. For example, Americans know that an employer has a right to fire an employee, but they shouldn't do it for certain reasons. You shouldn't be fired because you're disabled, because you're a woman, because you're Black, and for other reasons.

And I think most Americans agree that a President shouldn't fire an ambassador, or recall an ambassador, because the ambassador's standing in his way of doing a corrupt act.

So I want to ask you, did the President ever tell you why he was recalling you?

Ambassador Yovanovitch. No.

Mr. Castro. Did anybody at the White House ever tell you why you were being recalled?

Ambassador Yovanovitch. No.

Mr. Castro. Did the President ever consult you about who the good guys and the bad guys were in Ukraine?

Ambassador Yovanovitch. No.

Mr. Castro. Did Secretary Pompeo ever tell you why you were being recalled?

Ambassador Yovanovitch. No.

Mr. Castro. And it appears in the testimony that we've heard in the Intelligence Committee so far that there were a group of the President's men, perhaps Secretary Perry, Rudy Giuliani, and Ambassador Sondland, who were in on this scheme to help the President get the Bidens and Burisma investigated.

And I want to put aside President Trump for just a second and ask you, in all of your years of service have you ever come across a President, been asked by a President, or have known of colleagues who were asked by an American President to help that President get an American investigated overseas?

Ambassador Yovanovitch. I'm not aware of that.

Mr. Castro. And if a President asked you to investigate a former Vice President for this purpose, what would you have said?

Ambassador Yovanovitch. I mean, with what I know today, I would have said no.

Mr. Castro. And would you have considered it an unlawful act?

Ambassador Yovanovitch. I don't know that it's unlawful, per se, but I think, again, that there are channels for conducting proper investigations, and that that would have been the best way to handle something like this.

Mr. Castro. But certainly it would be -- it's bizarre for a President to ask that some American be investigated by another government?

Ambassador Yovanovitch. It's very unusual.

Mr. Castro. And also you mentioned that there is corruption in Ukraine. Ukraine isn't the only country that confronts corruption.

If the people in power in a country where corruption is rampant are being asked by a foreign leader, who's got a lot of leverage over them, to conduct an investigation,

could that be dangerous because they could trump up charges against someone, if they wanted?

Ambassador Yovanovitch. They could.

Mr. Castro. And I also want to ask you, I spoke to Ambassador Kent. He made a comment yesterday about selective prosecutions and what it means going forward, what kind of precedent it sets. And you've spoken about a dangerous precedent for the State Department and for diplomats. But I want you to help us consider the precedent going forward if there's no consequences for President Trump, or really any President who does this.

What are the consequences for this country and for any American, not just a former Vice President or a Presidential candidate or even somebody in politics, but a person in business who does business in Saudi Arabia or some other country, if a President is going to speak to another head of state, or some foreign official, and try to get that person investigated, what does that mean for the future of the country and for Americans?

Ambassador Yovanovitch. Well, I think that investigations, prosecutions, judicial decisions, properly should remain with investigators, prosecutors, and the courts. And I think that, as I said before, I think Senator Vandenberg, when he said that politics needs to stop at the water's edge, I think he was right in that.

Mr. Castro. I yield back to the chairman.

The Chairman. Mr. Ratcliffe.

Mr. Ratcliffe. I thank the chairman.

And, Ambassador Yovanovitch, I'd like to join all of my colleagues on both sides of the aisle in thanking you for your service.

I'd like to ask you about your earlier testimony about your Senate confirmation.

And Congresswoman Stefanik had asked you how the Obama-Biden State Department had prepared you to answer questions about Burisma and Hunter Biden specifically. You recall that?

Ambassador Yovanovitch. Yes. Yes.

Mr. Ratcliffe. And she mentioned that you had been asked or been prepared for a question about Hunter Biden's role on the board of Burisma, but I don't think that you gave us the answer or answers that the Obama-Biden State Department prepared you to give in response to that question. Do you remember what those answers were?

Ambassador Yovanovitch. Yeah. It was something along the lines of, I would defer you to the Vice President's office on that.

Mr. Ratcliffe. So did they, in the course of that, brief you about the amount of money that Hunter Biden was being paid by Burisma?

Ambassador Yovanovitch. No. This wasn't part of a briefing. I mean, I had sort of big old books with --

Mr. Ratcliffe. Right.

Ambassador Yovanovitch. -- questions that might come up.

Mr. Ratcliffe. In preparation for your confirmation. And they thought that Hunter Biden's role at Burisma might be significant enough that it would come up during your confirmation. Is that correct?

Ambassador Yovanovitch. Apparently so. I mean, there were hundreds of questions.

Mr. Ratcliffe. Well, hundreds of questions, but were there hundreds of companies? How many companies other than Burisma did the Obama-Biden State Department prepare you to give answers for? And if so, if there were others, which ones?

Ambassador Yovanovitch. I just don't recall.

Mr. Ratcliffe. You don't recall that there were any other companies. Is that correct?

Ambassador Yovanovitch. I'm quite sure there probably were some companies, but, I mean, you know, this is a while ago and I don't recall.

Mr. Ratcliffe. But you specifically recall Burisma?

Ambassador Yovanovitch. Yes.

Mr. Ratcliffe. All right. Out of thousands of companies in the Ukraine, the only one that you recall the Obama-Biden State Department preparing you to answer questions about was the one where the Vice President's son was on the board. Is that fair?

Ambassador Yovanovitch. Yes.

Mr. Ratcliffe. You understood from Deputy Assistant Secretary George Kent's testimony, as it's been related to you that he testified a few days ago, do you understand that that arrangement, Hunter Biden's role on the Burisma board, caused him enough concern that, as he testified in his statement, that "in February of 2015, I raised my concern that Hunter Biden's status as a board member could create the perception of a conflict of interest." Then he went on to talk about the Vice President's responsibilities over the Ukraine -- or over Ukraine -- Ukrainian policy as one of those factors.

Do you recall that?

Ambassador Yovanovitch. Yes.

Mr. Ratcliffe. Did you ever -- do you agree with that?

Ambassador Yovanovitch. Yes.

Mr. Ratcliffe. That it was a legitimate concern to raise?

Ambassador Yovanovitch. I think that it could raise the appearance of a conflict

of interest.

Mr. Ratcliffe. And did you discuss that ever with Mr. Kent?

Ambassador Yovanovitch. I don't believe so.

Mr. Ratcliffe. Shortly before your confirmation in August of 2016, Prosecutor General Shokin was fired by President Poroshenko, correct?

Ambassador Yovanovitch. Yes.

Mr. Ratcliffe. And President -- or Prosecutor General Shokin was the one who had opened the investigation into Burisma, correct?

Ambassador Yovanovitch. I think that's right, but I'm not actually sure.

Mr. Ratcliffe. He was in charge of it at least at that point in time as the prosecutor general?

Ambassador Yovanovitch. Uh-huh.

Mr. Ratcliffe. And are you aware of the very public statements by the Vice President that that firing of the prosecutor general occurred in March of 2016, 6 hours after the Vice President told President Poroshenko that he needed to fire the prosecutor general or that he wouldn't receive \$1 billion from the United States? Do you recall that?

Ambassador Yovanovitch. Yes.

Mr. Ratcliffe. All right. And do you think that that raises a potential concern or conflict of interest, that the Vice President of the United States was ordering the firing of the prosecutor in charge of a company that had been identified as one that is substantially corrupt?

Ambassador Yovanovitch. I actually don't. I don't think that the view that Mr. Shokin was not a good prosecutor general fighting corruption, I don't think that had anything to do with the Burisma case.

Mr. Ratcliffe. But the legitimate concern about Hunter Biden's role was legitimate, correct?

Ambassador Yovanovitch. I think it creates a concern that there could be an appearance of conflict of interest.

Mr. Ratcliffe. Well, based on your testimony, Ambassador, I'd like to renew my request, Mr. Chairman, that Hunter Biden's testimony that has been requested --

The Chairman. The time of the gentleman has expired.

Mr. Ratcliffe. -- requested by the Republicans be considered --

The Chairman. The time of the gentleman has expired.

Mr. Ratcliffe. -- as legitimate rather than as a sham --

The Chairman. The gentleman will suspend.

Mr. Ratcliffe. -- as has been referred to by the chairman.

The Chairman. Your time is expired.

Mr. Ratcliffe. I have a unanimous --

The Chairman. Mr. Heck, you are recognized.

Mr. Ratcliffe. I have a unanimous consent request.

The Chairman. You are not recognized.

Mr. Heck, you are.

Mr. Heck. Ambassador, I'd like to thank you very much, add my voice of gratitude for your years of service. Frankly, you're the best of this Nation, and I cannot think of anybody else I would rather have representing us in a foreign capital than you.

My colleagues have gone to a great deal of effort to better understand the facts surrounding your removal. I think the facts are pretty clear. There was a smear campaign, and it was orchestrated by a corrupt Ukrainian prosecutor, the President's attorney, the President's son, and even some of the President's allies at his favorite TV

station. So that campaign led to your removal, despite 33 years of outstanding service, progressive responsibility, and awards.

And so I kind of sit here with a mix of emotions. On the one hand, there's some pride and gratitude for all your outstanding service, and on the other hand, I'm angry, like my friend from Connecticut. In fact, I'm very angry about how it is the most powerful person on the face of the Earth would remove you from office after your stellar service and somehow feel compelled to characterize you as bad news, and then to ominously threaten that you're going to go through some things.

So I am angry. But I'm not surprised. After all, as was suggested earlier, he said the whistleblower may have committed treason, a crime punishable by death, even though the whistleblower strictly adhered to the letter of the law, as independently attested to by both the Trump-appointed inspector general and the acting DNI.

After all, he even demeaned the memory of Senator McCain after he lied in his grave at the Naval Academy grounds, despite a lifetime of public service, and serving 6 years as a prisoner of war in a tiny cell in Hanoi, being beaten and tortured every day.

And after all, he belittled the Gold Star Khan family whose son, Captain Khan, gave his last full measure of devotion out of love for this country. And let me tell you, as somebody whose older brother never saw his 35th birthday because of service in the Vietnam war, those words are deeply offensive.

Words matter, and the words leveled against you constitute bullying of the worst order. Your good character, your outstanding reputation have been besmirched in a way that is devoid of common decency.

But here's my message to you. There is nothing, Ambassador Yovanovitch, nothing he can say or do, not a thing, that will in any way diminish the nature and quality of the service you have rendered to our great Nation, not a thing. And there's not a

thing he can say or do that will diminish our gratitude to you for that service. And I thank you again for it.

Ambassador Yovanovitch. Thank you.

Mr. Heck. So as to the larger point, I would like you to answer what does this mean to Ukraine when the United States actually engages in the kind of behavior that we are attempting to discourage them from engaging in, namely, a politically motivated prosecution? What does that mean to -- what does that mean to them in their struggling efforts to become a robust democracy? What's the impact in Ukraine for this behavior?

Ambassador Yovanovitch. Well, I think Ukraine, like many countries, looks to us for the power of our example. And I think that when we engage in questionable activities, that raises a question, and it emboldens those who are corrupt, who don't want to see Ukraine become, you know, a democracy, a free market economy, a part of Europe, but want Ukraine to stay in, you know, under Russia's thrall. And that's not in our national security interest.

Mr. Heck. Thank you, Ambassador Yovanovitch. Thank you so very much.

Ambassador Yovanovitch. Thank you.

Mr. Heck. I yield the balance of my time to the chair.

The Chairman. I thank the gentleman.

I understand that either the witness or counsel would like to take a short break. Let's take a 5-minute recess. If members of the audience could please remain in their seats to allow the witness or counsel to leave ahead of us, we will resume in a few minutes. We are in recess.

[Recess.]

The Chairman. The committee will return to order.

Mr. Jordan, you're recognized for 5 minutes.

Mr. Jordan. Thank you, Mr. Chairman.

Ambassador, thank you for being here. Thank you for your service to our country.

Ambassador, should ambassadors ever try to influence host country elections?

Ambassador Yovanovitch. Probably not. No.

Mr. Jordan. I think you said in your opening statement, partisanship of this type is not compatible with the role of a career Foreign Service officer. Is that right?

Ambassador Yovanovitch. Yeah.

Mr. Jordan. But that's exactly what happened in 2016. In August of 2016, the very month you went to Ukraine as our ambassador, the Ukrainian ambassador here in the United States, Ambassador Chaly, wrote an op-ed in The Hill, said this: Trump's comments send wrong message.

So the very month you're over there as our ambassador to Ukraine, Ambassador Chaly writes that op-ed. And it wasn't just that attack, as Mr. Castor got into earlier, it wasn't just that attack on the President. We had former Ukrainian Prime Minister Yatsenyuk, who criticized candidate Trump.

We had Mr. Avakov. I believe earlier you said, Ambassador, that Mr. Avakov was the individual who first alerted you to the efforts of Mr. Giuliani. Mr. Avakov, back during this same time period in the months just prior to the 2016 election, called Mr. -- or excuse me -- called then candidate Trump all kinds of names, called him a terrorist.

And of course we have Mr. Leshchenko, a member of parliament, who was a source for Fusion GPS and the now somewhat famous dossier that flowed from Fusion's work. He said this in the Financial Times, again, in August of 2016, when you first arrived in Ukraine, he said this: The majority of Ukrainians, the majority of Ukrainian

politicians are on Hillary Clinton's side.

So you had several high ranking officials in the government, in the Ukrainian government, and President Poroshenko was President of Ukraine, criticize President Trump, then candidate Trump, all in the late summer and fall of 2016.

And what I want to know, Ambassador, when this was all happening, did you go talk to anyone in the Ukrainian government about this? Did you go say to some of these officials: Hey, you guys, you guys need to knock this off. This perception that we got, as Mr. Leshchenko said, the majority of Ukrainian politicians on Hillary Clinton's side, that's not good. Did you have that conversation?

Ambassador Yovanovitch. No.

Mr. Jordan. Didn't talk to anyone in the government? Did you talk to President Poroshenko?

Ambassador Yovanovitch. No.

Mr. Jordan. Didn't alert anyone in the government?

Ambassador Yovanovitch. No.

Mr. Jordan. Well, one of the things we've heard so much over the last 6 weeks in depositions and, frankly, in the hearing on Wednesday, is how important bipartisan support is for Ukraine. Democrats and Republicans agree that we want to help Ukraine. In fact, the Democrats' first witness, their star witness on Wednesday, Mr. Taylor, said Ukraine's most important strategic asset is this bipartisan support. And you would agree with that, right?

Ambassador Yovanovitch. I do.

Mr. Jordan. He said this in his testimony on Wednesday, "On September 11th, I learned that the hold had been lifted. The next day," Ambassador Taylor said, "I conveyed this news to President Zelensky and the Ukrainian foreign minister, and I

reminded Mr. Yermak of the high strategic value of bipartisan support for Ukraine and the importance of not getting involved in other countries' elections."

So what I'm wondering is, this is the day after the aid's been lifted that Ambassador Taylor made this statement to the Ukrainian government, and he makes this after there has nothing been done by Ukraine to influence our election, because President Zelensky didn't announce he was doing an investigation and the aid was lifted. But he felt he needed to say that.

But in 2016, when we know that the majority of Ukrainian politicians want Clinton to win, because it was said by a Member of Parliament, when the ambassador to the United States from Ukraine writes an op-ed criticizing then candidate Trump, when Mr. Avakov calls candidate Trump all kinds of names, nobody goes and talks to him and tells him to knock it off.

Did you have any conversations, Ambassador, with Victoria Nuland or Secretary of State Kerry about what was going in 2016 and this majority of Ukrainian politicians being for candidate Clinton and not -- and opposed to President Trump?

Ambassador Yovanovitch. No, I did not.

Mr. Jordan. No one did anything. No one did anything.

Do you see why maybe, maybe the President was a little concerned about what went on in Ukraine? And you couple that with the corruption level that we know exists in Ukraine, you add to that this idea that he's not a big fan of foreign aid, why he might be a little concerned about sending the hard-earned tax dollars of the American people to Ukraine?

Ambassador Yovanovitch. I'm sorry. Is there a question in there?

Mr. Jordan. There was.

Ambassador Yovanovitch. Okay. Could you repeat it, please.

Mr. Jordan. I'm asking --

The Chairman. The time of the gentleman has expired, but I'll allow you to repeat the question.

Mr. Jordan. Thank you, Mr. Chairman.

I'm asking, maybe we can kind of see why the President was a little concerned when you have the highest ranking officials in the government, the ambassador criticizing him, Parliamentary Member Leshchenko criticizing him, when you have Avakov, the guy who first told you about Giuliani, criticizing, all this going on, and when you couple that with the concerns he has about corruption, the concerns he has about Europe not doing enough, the concerns he has about -- reluctant to sending the hard-earned tax dollars to any country --

The Chairman. Mr. Jordan, I have indulged you with extra time, but --

Mr. Jordan. I appreciate it.

The Chairman. -- my indulgence is wearing out.

Mr. Jordan. I appreciate it.

The Chairman. There is a question here, right?

Mr. Jordan. Our indulgence wore out with you a long time ago, Mr. Chairman. I will tell you that.

The Chairman. I'm about to gavel you down, so if you have a question, I suggest you --

Mr. Jordan. I'm asking her, do you think there is maybe a reason that this was -- that President Trump's concern was justified.

Ambassador Yovanovitch. You know, I can't speak for the President on this. But what I would say is, you've listed a number of actions. I think from my point of view that doesn't -- that doesn't create a Ukrainian government strategy to interfere in our

elections.

Mr. Jordan. I didn't say that.

The Chairman. Mr. Jordan, please allow the ambassador to answer the question.

Ambassador Yovanovitch. So I would just say that, you know, U.S. politicians will often criticize policies of foreign counterparts, even perhaps during their elections.

You know, this happens in politics, and I think that it doesn't necessarily constitute interference.

Mr. Jordan. Would you ever write an op-ed --

The Chairman. Mr. Jordan, your time has expired.

Mr. Jordan. -- critical of a Presidential candidate in Ukraine?

The Chairman. Mr. Jordan, your time has expired.

Mr. Welch, you're recognized.

Mr. Welch. Thank you, Mr. Chairman.

Like everybody here, I'm extraordinarily grateful to you for your career of public service, and I feel very badly about what you've had to endure.

Like your colleagues, you don't complain. You're doing your job. I feel badly about the insults, the tweet this morning, the fact that you were smeared, fired.

But the question, as you know, is not how you were treated. The question is why the President did what he did and whether what he did was a breach of trust. The question, really, is about whether the President of the United States, any President, has the authority to withhold congressionally approved aid to condition a White House meeting on extracting from a foreign leader a willingness to assist him in his political campaign. That's the question.

And that brings us to you, as part of the story, because the question is, why were you fired from that position?

I want to read a portion of the President's call on July 25th with President Zelensky, and this is the painful part when you first heard about it: "The former ambassador from the United States, the woman, was bad news, and the people she was dealing with in Ukraine were bad news, so I just wanted to let you know that.

"The other thing" -- he goes right into this -- "there's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of the people want to find out about that. So whatever you can do with the attorney general would be great."

You indicated in response to my colleague Mr. Castro's question that if you were asked to approach a foreign leader and condition American support on their being involved in our campaign, you would refuse to do that.

Ambassador Yovanovitch. Yes. Yes.

Mr. Welch. And you're aware now, but I don't know if you were then, but that July 25th phone call occurred the day after Director Mueller reported that the interference in our 2016 campaign was not from Ukraine, it was active, concerted, energetic, and by the Russians, correct?

Ambassador Yovanovitch. Yes.

Mr. Welch. Now, as ambassador you had no knowledge of whatever it is President Trump ultimately seems to have wanted to get for cooperation in this investigation. Isn't that -- that's correct?

Ambassador Yovanovitch. Yes.

Mr. Welch. Now, you've been asked about whether a President has authority to replace an ambassador, and you have agreed that that's the President's prerogative.

Ambassador Yovanovitch. Yes, that's true.

Mr. Welch. But that assumes that the reasons are not related to the personal, private, political interests of the President at the expense of our national security, right?

Ambassador Yovanovitch. Yes.

Mr. Welch. And you've been the target of insults from the President. You joined some very distinguished company, by the way, Senator McCain, General Kelly, a man I admire, I think all of us do, General Mattis.

We're not here to talk about that unless the reason you get insulted as you did today, essentially blaming you for Somalia, is if this is another step by the President to intimidate witnesses.

He didn't intimidate you. You're here. You've endured. But there are other people out there that can expect the Trump treatment if they come forward. That's a question for us.

Now, you also indicated that the President has a prerogative to appoint a noncareer person, and to be candid, Republican Presidents and Democratic Presidents have done that. Mr. Sondland's transcript is out, and he was someone who indicated that everything hinged, the White House meeting and the release of the vital defensive aid, everything hinged on the President, President Zelensky, being willing to do that investigation that would benefit the Trump campaign. You're aware of that?

Ambassador Yovanovitch. Yes.

Mr. Welch. And you've indicated that's something that you would not agree to do?

Ambassador Yovanovitch. Yes.

Mr. Welch. And Sondland was quite willing to do?

Ambassador Yovanovitch. Apparently so.

Mr. Welch. I thank you for your professional service.

Ambassador Yovanovitch. Thank you.

Mr. Welch. And I yield back.

Ambassador Yovanovitch. Thank you.

The Chairman. Mr. Maloney.

Mr. Maloney. Ambassador Yovanovitch, thank you for being here. It's been a long day. You know, the first time we met it wasn't clear, and so I just want to start with a quick comment, but, you know, your testimony in this inquiry broke the dam. You were the first one through that stone wall that the President was trying to set up. And I just want to thank you for that because others have followed your example. And there's an old expression that the first person through the wall gets a little bit bloody, and I think you must understand that expression in a new way, but thank you.

Ambassador Yovanovitch. Thank you.

Mr. Maloney. I want to ask you about the day you were let go, and I know this is a painful series of events. So forgive me, but I think it's very important. It's April 24th, and you told us a few things that really stuck with me. You said you were at the Embassy in Ukraine. You were honoring a Ukrainian woman, an anticorruption activist. I believe her name is Kateryna Handziuk. That's correct?

Ambassador Yovanovitch. Yeah.

Mr. Maloney. Am I saying that correctly?

Ambassador Yovanovitch. Uh-huh. I was at my house.

Mr. Maloney. You were at your house, excuse me.

Ambassador Yovanovitch. Yeah, uh-huh.

Mr. Maloney. And you were giving her the Woman of Courage Award, I believe.

Ambassador Yovanovitch. Yeah. Embassy Kyiv's Woman of Courage Award.

Mr. Maloney. Right. And of course that's the day you get a call from Carol Perez, a senior member of the Foreign Service. Did you know Carol Perez?

Ambassador Yovanovitch. Yes.

Mr. Maloney. You're both senior women in the Foreign Service. You had an opportunity to meet her before.

Ambassador Yovanovitch. Yes.

Mr. Maloney. And she says: There's trouble coming. I want to give you heads-up -- correct me if I get this wrong -- and I don't know a lot, but it's coming from the White House. I'll call you later.

Ambassador Yovanovitch. Uh-huh, yeah. That sums it up.

Mr. Maloney. But you're literally that evening honoring this anticorruption activist. Is that right?

Ambassador Yovanovitch. Yes.

Mr. Maloney. And not just any woman but a woman who was, you said, horribly attacked and killed for her efforts. And she wasn't just killed, you said she -- you said, I believe, that someone threw acid on her.

Ambassador Yovanovitch. That's correct.

Mr. Maloney. And I went and I checked during the break, and it turns out she was horribly injured, and it took 4 months for her to die. Is that right?

Ambassador Yovanovitch. A very painful death.

Mr. Maloney. Why would somebody attack her with acid? There are easier ways to kill people. Why do you think they did it with acid?

Ambassador Yovanovitch. Well, I think they wanted her out of the way, but I think the message was: This could happen to you, too, if you continue her work.

Mr. Maloney. That's what happens when you go up against corrupt people in Ukraine?

Ambassador Yovanovitch. It is something that can happen. I mean, there are other ways of sidelining people.

Mr. Maloney. Do you remember speaking at that event?

Ambassador Yovanovitch. I do.

Mr. Maloney. I went and looked at what you said. You said: Kateryna paid the ultimate price for her fearlessness in fighting against corruption and for her determined efforts to build a democratic Ukraine. Do you remember saying that?

Ambassador Yovanovitch. Yes.

Mr. Maloney. And then your phone rings, and you hear there's trouble up the street. And Carol Perez called you back later that night, right?

Ambassador Yovanovitch. Uh-huh.

Mr. Maloney. It was 1 a.m., I believe.

Ambassador Yovanovitch. Yes.

Mr. Maloney. Were you sleeping?

Ambassador Yovanovitch. No.

Mr. Maloney. You had stayed up?

Ambassador Yovanovitch. Yes.

Mr. Maloney. To get the phone call?

Ambassador Yovanovitch. Yes.

Mr. Maloney. And that's when she says two things, I believe, that really stuck with me. She said: We're worried about your security.

Ambassador Yovanovitch. Yes.

Mr. Maloney. You've just been honoring a woman who was killed for fighting -- for her anti-corruption efforts, and she says: You got to get on the next plane.

Was she speaking euphemistically, "get on the next plane, you know, when you get time," or did she mean literally the next plane?

Ambassador Yovanovitch. Well, I think she meant, you know, as soon as

possible. But pretty much it was the next plane.

Mr. Maloney. And that's a pretty good flight back from Kyiv to Washington, and you're on your way to meet with Deputy Secretary Sullivan.

Ambassador Yovanovitch. Yes.

Mr. Maloney. And he says to you two things. He says: There was a concerted effort against you.

And he says: You've done nothing wrong.

Ambassador Yovanovitch. Right.

Mr. Maloney. And what I'm fascinated about is when he says, "You've done nothing wrong," what did you expect the United States Government would do next?

Ambassador Yovanovitch. You know, it was pretty clear that a decision had been made by the President, implemented by the State Department, that I had to leave Ukraine. But I, you know, I had hoped that there would be more public support.

Mr. Maloney. Did you expect them to have your back?

Ambassador Yovanovitch. Yes.

Mr. Maloney. And were you surprised when you found out they weren't going to?

Ambassador Yovanovitch. Not at that point anymore.

Mr. Maloney. Why?

Ambassador Yovanovitch. Well, because over the last several months, that had not been the case.

Mr. Maloney. Ma'am, in your opening statement, you said: How could our system fail like this?

Ambassador Yovanovitch. Yeah.

Mr. Maloney. How is it that a foreign -- excuse me. How is it that foreign

corrupt interests could manipulate our government? How could our system fail like this? How is it that foreign corrupt interests could manipulate our government?

I want you to know, ma'am, that that is the very question we are determined to get an answer for, and I want to thank you on behalf of your country for your service and with our work in answering that question. I yield back, Mr. Chairman.

Ambassador Yovanovitch. Thank you.

The Chairman. Mrs. Demings?

Mrs. Demings. Thank you so much, Mr. Chairman. Ambassador, everyone in this room should be thankful for your service to our Nation. I have four little girls in my life, and as I sit here thinking about them and as a woman, I could not be prouder of you, and I consider you an inspiration for women around the world.

I just have to say before I get into my questioning, is, I think it's disgraceful to hear my colleagues refer to your sworn testimony as a performance today or speak in a condescending way basically suggesting that "the woman" because I think that's how the President referred to you -- I'm not sure he knows your name, or there's some other meaning there -- but to basically suggest that the woman should be thankful for whatever she was left with, smear campaign and all, after you were recalled. But I want you to know today that we thank you for your service, your 33 years of service.

Ambassador, on a press conference call, on October 17th, Acting White House Chief of Staff Mulvaney discussed his belief that it's entirely appropriate to politicize U.S. foreign policy. Here's what he said: If you read the news reports and you believe them, what did McKinley say yesterday? Well, McKinley said yesterday that he was really upset with the political influence in foreign policy. That was one of the reasons he was so upset about this. And I have news for everybody: Get over it. There's going to be political influence in foreign policy.

Ambassador Yovanovitch, do you share the concern raised by Ambassador McKinley in testimony before this committee about political influence in foreign policy?

Ambassador Yovanovitch. Well, as I said before, I think it's important to keep political influence out of foreign policy, because we all, whether we are Republican or Democrats or something else, have common security interests, and that needs to be safeguarded and advanced.

Mrs. Demings. And what message do you think it sends to other Foreign Service officers and public servers, which we so desperately need good ones, when an administration refuses to support its own officials in the face of a smear campaign?

Ambassador Yovanovitch. Well, it's deeply troubling. It's deeply troubling, and there are morale issues at the State Department.

Mrs. Demings. Morale issues at the State Department. I can understand why. On March 20th of 2019, President Trump tweeted an article that included a letter from Representative Pete Sessions that said you had, and I quote, spoken privately and repeatedly about your disdain for the current administration, in a way that might call for the expulsion of you as Ambassador to the Ukraine immediately.

Did you speak publicly and privately about your disdain for the Trump administration?

Ambassador Yovanovitch. No.

Mrs. Demings. Why do you think the President would want to push such a lie?

Ambassador Yovanovitch. I don't know. I don't know.

Mrs. Demings. Policies change, but U.S. interests don't, not for those who are seeking to do the work of protecting our Nation, the work you have done for decades. The President, his Chief of Staff, and his allies seem to want nothing more than to smear the good people trying to protect this country and to hijack our institutions for their

personal and political gain. Again, Ambassador, we thank you so much for your service. And I'll yield my remaining time to the chairman.

Ambassador Yovanovitch. Thank you.

The Chairman. I thank the gentlewoman. I'm going to go to Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good afternoon, Ambassador, and thank you to the family as well --

Ambassador Yovanovitch. Thank you.

Mr. Krishnamoorthi. -- for being here in support of you today. I'd like to direct you to an area of bipartisanship, namely, aid to Ukraine.

Ambassador Yovanovitch. Uh-huh.

Mr. Krishnamoorthi. Congress on an overwhelmingly bipartisan basis had appropriated hundreds of millions of dollars in military assistance to Ukraine, correct?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. And that aid is being used by Ukraine to fight a common adversary, namely, Russia, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. The U.S., in fact, has consistently partnered with other European countries to keep Russia at bay and maintain the peace in Europe, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. As Ambassador Taylor suggested earlier this week, supporting Ukraine helps maintain peace so that Americans don't have to go to war again in Europe, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. Suspending that aid and weakening Ukraine can increase

the likelihood of the opposite, correct?

Ambassador Yovanovitch. Yes. It is extremely shortsided.

Mr. Krishnamoorthi. The last time you were in Ukraine was May 20th of this year, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. In his opening statement, Ambassador Taylor said he took charge in Ukraine on June 17th.

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. Therefore, there was almost a 1-month gap between the time you departed and when Taylor took over, right?

Ambassador Yovanovitch. Yes. Yes.

Mr. Krishnamoorthi. During that time, on May 20th, Ambassador Sondland, Rick Perry, and others came to the inauguration of President Zelensky, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. And during that gap in time, Ambassador Sondland visited the White House, along with others, and got directions from President Trump to talk to Rudy -- those were his words -- talk to Rudy about what to do in Ukraine, right?

Ambassador Yovanovitch. That's my understanding.

Mr. Krishnamoorthi. In other words, isn't it the case that your departure and the 1-month gap between the time you left and when Ambassador Taylor arrived, provided the perfect opportunity for another group of people to basically take over Ukraine policy? Isn't that right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. Ambassador, you're going to have to speak a little louder into the mike.

Ambassador Yovanovitch. Yes. Yes.

Mr. Krishnamoorthi. Thank you.

On page 10 of your opening statement you mentioned, quote/unquote, corrupt interests apparently hijacking our Ukraine policy, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. A couple suspect individuals in that regard were Lev Parnas and Igor Fruman, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. You mentioned in response to minority counsel earlier that you learned that Fruman and Parnas were attempting to open a liquefied natural gas company, correct?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. How did you learn that, by the way?

Ambassador Yovanovitch. I heard it from the Minister of Interior.

Mr. Krishnamoorthi. Interestingly at noon today, The Wall Street Journal reported that Federal prosecutors in Manhattan are investigating whether Rudy Giuliani stood to personally profit from that liquefied natural gas venture. Do you have any knowledge of that?

Ambassador Yovanovitch. No, I do not.

Mr. Krishnamoorthi. Maybe we should talk to Rudy, huh?

Ambassador, I'd like to direct you to another line of questioning that I had for Ambassador Taylor earlier this week. He said that there were irregular channels of diplomacy at work in Ukraine circumventing normal diplomatic channels and threatening American interests in favor of private interests.

I asked him the question, can you rule out the possibility that these irregular

channels of diplomacy are being used in other countries where we conduct foreign policy?

In response, he said that he could not rule it out.

Ambassador Yovanovitch, I ask you, and I assume that you can't rule it out either, correct?

Ambassador Yovanovitch. I can't, but I would also add, I have no knowledge of that.

Mr. Krishnamoorthi. I understand. Are you concerned that these irregular channels of diplomacy may be at work elsewhere?

Ambassador Yovanovitch. I think it's a possibility.

Mr. Krishnamoorthi. You testified that it was a, quote/unquote, dangerous precedent that private interests and people who don't like a particular ambassador could combine to replace that ambassador.

Are you concerned that other ambassadors may suffer the same fate as you?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. Ambassador, in your service as an American diplomat you have encountered various dictators and strongmen ruling other countries, right?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. In your personal life, your parents fled the Soviet Union and Nazi Germany and they became familiar with despots and dictators as well, correct?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. Indeed, you're an authority on authoritarianism, right?

Ambassador Yovanovitch. Well, maybe.

Mr. Krishnamoorthi. Is it a feature of authoritarianism to allow corrupt interests to hijack foreign policy?

Ambassador Yovanovitch. Yeah.

Mr. Krishnamoorthi. Is it a feature of authoritarianism for the rulers there to claim absolute rights?

Ambassador Yovanovitch. Yes.

Mr. Krishnamoorthi. And is it a hallmark of authoritarianism for those rulers to smear their opponents?

Ambassador Yovanovitch. Sometimes, yes.

Mr. Krishnamoorthi. Thank you.

The Chairman. The time of the gentleman has expired.

Mr. Nunes, do you have any concluding remarks?

Mr. Nunes. I would just say to the American people, today's show trial has come to an end. We're headed down now to the basement of the Capitol to go until I don't know what time, and we'll be back there hiding again behind the closed doors, interviewing more witnesses that you may or may not be able to see in the public.

I hate to break it to my colleagues, if there's anyone else out there watching television ratings, but they must be plummeting right now, and I would suggest that we get back to the work of the Intelligence Committee, that we pass a trade agreement with the United States, Mexico, and Canada that would actually help the American people out, because this is an embarrassment.

I'll yield back.

Mr. Conaway. Mr. Chairman, may I be recognized for a motion?

The Chairman. No. I have some concluding remarks.

Ambassador, I want to thank you for your decades of service. I want to thank you, as Mr. Maloney said, for being the first one through the gap. What you did in coming forward and answering a lawful subpoena was to give courage to others that also

witnessed wrongdoing, that they, too, could show the same courage that you have, that they could stand up, speak out, answer questions, they could endure whatever threats, insults may come their way.

And so in your long and distinguished career you have done another great public service in answering the call of our subpoena and testifying before us today.

I think you gathered from our comments that we not only grieve for what you went through, but what damage is being done to the State Department, to career Federal Foreign Service officers all over the country.

I am profoundly grateful to you and Mr. Kent and Ambassador Taylor who have done so much in the last 2 days or 3 days to show the American people the face of our diplomatic corps, the extraordinary public servants who work all around the world in very dangerous places, as you have.

And so I'm glad they have gotten to see you, because you're often vilified as bureaucrats, or diplomacy is diminished as unimportant, anything other than military doesn't really matter, when it's your efforts that often prevent us from going to war. Sometimes you're disparaged as the deep state.

But what you are is what holds this country together, what holds our foreign policy together, what makes it seamless, what makes it work. And I'm glad America gets to see that.

I will just emphasize once again about the importance of your testimony. Mr. Kent and Ambassador Taylor gave us the broad outlines of this story. This is a story about an effort to coerce, condition, or bribe a foreign country into doing the dirty work of the President, investigations of his political rival, by conditioning U.S. taxpayer money, by conditioning a meeting that President Zelensky desperately wanted and needed to establish that relationship with the most powerful patron of Ukraine, the United States of

America.

The fact that they failed in this solicitation of bribery doesn't make it any less bribery, doesn't make it any less immoral or corrupt. It just means it was unsuccessful. And to that we owe other dedicated public servants who blew the whistle. Had they not blown the whistle, we wouldn't be here.

And I think it is appalling that my colleagues continue to want to out this whistleblower so that he or she can be punished by this President.

But let's underscore once again, while you are the beginning of this story, you're not the end of it. But nonetheless the beginning is important, because the beginning of the story is an effort to get you out of the way, an effort by Rudy Giuliani and Fruman and Parnas and corrupt Ukrainians like Lutsenko to get you out of the way, because they felt you were an impediment to these political investigations the President so desperately wanted.

Giuliani has made it abundantly clear he was in Ukraine on a mission for his client, for the President, to investigate the Bidens, and you were viewed as an obstacle that had to go, not just by Giuliani, but by the President of the United States.

And if people had any doubt about it, they should do what the President asks -- read the transcript. And what they'll see in that transcript is the President praises the corrupt, he praises the corrupt Lutsenko, he condemns the just, you, and then he asks for an investigation of the Bidens.

There is no camouflaging that corrupt intent.

We are adjourned.

[Whereupon, at 3:22 p.m., the committee was adjourned.]



**AS PREPARED FOR DELIVERY**

Opening Statement of Marie L. Yovanovitch to the  
House of Representatives Permanent Select Committee on  
Intelligence

November 15, 2019

Mr. Chairman, Ranking Member Nunes, and other Members of the Committee: Thank you for the opportunity to start with this statement, to reintroduce myself to the Committee and to highlight parts of my biography and experience.

**My Background**

I come before you as an American citizen, who has devoted the majority of my life, 33 years, to service to the country that all of us love. Like my colleagues, I entered the Foreign Service understanding that my job was to implement the foreign policy interests of this nation, as defined by the President and Congress, and to do so regardless of which person or party was in power. I had no agenda other than to pursue our stated foreign policy goals.

My service is an expression of gratitude for all that this country has given my family and me. My late parents did not have the good fortune to come of age in a free society. My father fled the Soviets before ultimately finding refuge in the United States. My mother's family escaped the USSR after the Bolshevik revolution, and she grew up stateless in Nazi Germany, before eventually making her way to the United States. Their personal histories—my personal history—gave me both deep

gratitude towards the United States and great empathy for others—like the Ukrainian people—who want to be free.

I joined the Foreign Service during the Reagan Administration and subsequently served three other Republican Presidents, as well as two Democratic Presidents. It was my great honor to be appointed to serve as an ambassador three times—twice by President George W. Bush and once by President Barack Obama.

There is a perception that diplomats lead a comfortable life throwing dinner parties in fancy homes. Let me tell you about some of my reality. It has not always been easy. I have moved 13 times and served in seven different countries, five of them hardship posts.

My first tour was Mogadishu, Somalia, an increasingly dangerous place, as that country's civil war kept grinding on and the government was weakening. The military took over policing functions in a particularly brutal way and many basic services disappeared.

Several years later, after the Soviet Union collapsed, I helped open our Embassy in Tashkent, Uzbekistan. As we were establishing relations with a new country, our small Embassy was attacked by a gunman, who sprayed the Embassy building with gunfire.

I later served in Moscow. In 1993, during the attempted coup in Russia, I was caught in crossfire between presidential and parliamentary forces. It took us three tries—me without a helmet or body armor—to get into a vehicle to go to the Embassy. We

went to the Embassy, because the Ambassador asked us to come. We went, because it was our duty.

### **My Service in Ukraine**

From August 2016 until May 2019, I served as the U.S. Ambassador to Ukraine. During my tenure in Ukraine, I went to the Front Line approximately ten times during a shooting war: to show the American flag, to hear what was going on (sometimes literally as we heard the impact of artillery), and to see how our assistance dollars were being put to use.

I worked to advance U.S. policy—fully embraced by Democrats and Republicans alike—to help Ukraine become a stable and independent democratic state, with a market economy integrated into Europe. A secure, democratic, and free Ukraine serves not just the Ukrainian people, but the American people as well. That’s why it was our policy to help the Ukrainians achieve their objectives—they matched our objectives.

### **The War Against Russia**

The U.S. is the most powerful country in the history of the world, in large part because of our values. And our values have made possible the network of alliances and partnerships that buttresses our own strength. Ukraine, with an enormous landmass and a large population, has the potential to be a significant commercial and political partner for the U.S., as well as a force-multiplier on the security side.

We see the potential in Ukraine. Russia, by contrast, sees the risk. The history is not written yet, but Ukraine could move

out of Russia's orbit. And now Ukraine is a battleground for great power competition, with a hot war for the control of territory and a hybrid war to control Ukraine's leadership. The U.S. has provided significant security assistance since the onset of the war against Russia in 2014. And as is well-known, the Trump administration strengthened our policy by approving the provision to Ukraine of anti-tank missiles known as Javelins.

Supporting Ukraine is the right thing to do. It is also the smart thing to do. If Russia prevails and Ukraine falls to Russian dominion, we can expect to see other attempts by Russia to expand its territory and influence.

### **The War Against Corruption**

As critical as the war against Russia is, Ukraine's struggling democracy has an equally important challenge: Battling the Soviet legacy of corruption, which has pervaded Ukraine's government. Corruption makes Ukraine's leaders ever vulnerable to Russia, and the Ukrainian people understand that. That's why they launched the Revolution of Dignity in 2014 demanding to be a part of Europe, demanding the transformation of the system, demanding to live under the rule of law. Ukrainians wanted the law to apply equally to all persons, whether the individual in question is the president or any other citizen. It was a question of fairness, of dignity.

Here, again, there is a coincidence of interests. Corrupt leaders are inherently less trustworthy, while an honest and accountable Ukrainian leadership makes a U.S.-Ukrainian partnership more reliable and more valuable to the United States.

A level playing field in this strategically-located country bordering four NATO allies, creates an environment in which U.S. business can more easily trade, invest, and profit. Corruption is also a security issue, because corrupt officials are vulnerable to Moscow. In short, it is in America's national security interest to help Ukraine transform into a country where the rule of law governs and corruption is held in check. It was—and remains—a top U.S. priority to help Ukraine fight corruption. Significant progress has been made since the 2014 Revolution of Dignity.

Unfortunately, as the past couple of months have underlined, not all Ukrainians embraced our anti-corruption work. Thus, perhaps, it was not surprising, that when our anti-corruption efforts got in the way of a desire for profit or power, Ukrainians who preferred to play by the old, corrupt rules sought to remove me. What continues to amaze me is that they found Americans willing to partner with them and, working together, they apparently succeeded in orchestrating the removal of a U.S. Ambassador.

How could our system fail like this? How is it that foreign corrupt interests could manipulate our government?

Which country's interests are served when the very corrupt behavior we have been criticizing is allowed to prevail? Such conduct undermines the U.S., exposes our friends, and widens the playing field for autocrats like President Putin. Our leadership depends on the power of our example and the consistency of our purpose. Both have now been opened to question.

## **Addressing Specific Concerns**

With that background in mind, I would like briefly to address some of the factual issues I expect you may want to ask me about, starting with my timeline in Ukraine and the events about which I do and do not have first-hand knowledge.

### **Events Before and After I Served in Ukraine**

I arrived in Ukraine on August 22, 2016 and left Ukraine permanently on May 20, 2019. There are a number of events you are investigating to which I cannot bring any first-hand knowledge. The events that pre-dated my Ukraine service include:

- the release of the so-called “Black Ledger” and Mr. Manafort’s subsequent resignation from President Trump’s campaign; and
- the departure from office of former Prosecutor General Viktor Shokin.

Several other events occurred after I returned from Ukraine. These include:

- President Trump’s July 25, 2019 call with President Zelenskiy;
- The discussions surrounding that phone call; and
- Any discussions surrounding the delay of security assistance to Ukraine in Summer 2019.

## **During my Tenure in Ukraine**

As for events *during* my tenure in Ukraine:

- I want to reiterate first that the allegation that I disseminated a “Do Not Prosecute” list was a fabrication. Mr. Lutsenko, the former Ukrainian Prosecutor General who made that allegation, has acknowledged that the list never existed.
- I did not tell Mr. Lutsenko or other Ukrainian officials who they should or should not prosecute. Instead, I advocated the U.S. position that rule of law should prevail and Ukrainian law enforcement, prosecutors, and judges should stop wielding their power selectively, as a political weapon against their adversaries, and start dealing with all consistently and according to the law.
- Also untrue are unsourced allegations that I told unidentified Embassy employees or Ukrainian officials that President Trump’s orders should be ignored because “he was going to be impeached”—or for any other reason. I did not and would not say such a thing. Such statements would be inconsistent with my training as a Foreign Service Officer and my role as an Ambassador.
- The Obama administration did not ask me to help the Clinton campaign or harm the Trump campaign, nor would I have taken any such steps if they had. Partisanship of this type is not compatible with the role of a career Foreign Service Officer.

- I have never met Hunter Biden, nor have I had any direct or indirect conversations with him. And although I have met former Vice President Biden several times over the course of our many years in government, neither he nor the previous Administration ever raised the issue of either Burisma or Hunter Biden with me.
- With respect to Mayor Giuliani, I have had only minimal contacts with him—a total of three. None related to the events at issue. I do not understand Mr. Giuliani’s motives for attacking me, nor can I offer an opinion on whether he believed the allegations he spread about me. Clearly, no one at the State Department did. What I can say is that Mr. Giuliani should have known those claims were suspect, coming as they reportedly did from individuals with questionable motives and with reason to believe that their political and financial ambitions would be stymied by our anti-corruption policy in Ukraine.

### **My Departure from Ukraine**

After being asked by the Under Secretary of State for Political Affairs in early March 2019 to extend my tour until 2020, the smear campaign against me entered a new public phase in the United States. In the wake of the negative press, State Department officials suggested an earlier departure, and we agreed upon July 2019. I was then abruptly told just weeks later, in late April, to come back to Washington from Ukraine “on the next plane.” At the time I departed, Ukraine had just concluded game-changing presidential elections. It was a sensitive period

with much at stake for the U.S. and called for all the experience and expertise we could muster.

When I returned to the United States, Deputy Secretary of State Sullivan told me there had been a concerted campaign against me, that the President no longer wished me to serve as Ambassador to Ukraine, and that in fact, the President had been pushing for my removal since the prior summer. As Mr. Sullivan recently recounted during his Senate confirmation hearing, neither he nor anyone else ever explained or sought to justify the President's concerns about me, nor did anyone in the Department justify my early departure by suggesting I had done something wrong. I appreciate that Mr. Sullivan publicly affirmed at his hearing that I had served "capably and admirably."

Although, then and now, I have always understood that I served at the pleasure of the President, I still find it difficult to comprehend that foreign and private interests were able to undermine U.S. interests in this way. Individuals, who apparently felt stymied by our efforts to promote *stated U.S. policy against corruption*—that is, to do the mission—were able to successfully conduct a campaign of disinformation against a sitting Ambassador, using unofficial back channels. As various witnesses have recounted, they shared baseless allegations with the President and convinced him to remove his Ambassador, despite the fact that the State Department fully understood that the allegations were false and the sources highly suspect.

These events should concern everyone in this room. Ambassadors are the symbol of the United States abroad, the personal representatives of the President. They should always act

and speak with full authority to advocate for U.S. policies. If our chief representative is kneecapped, it limits our effectiveness to safeguard the vital national security interests of the United States. This is especially important now, when the international landscape is more complicated and more competitive than it has been since the dissolution of the Soviet Union.

Our Ukraine policy has been thrown into disarray, and shady interests the world over have learned how little it takes to remove an American Ambassador who does not give them what they want. After these events, what foreign official, corrupt or not, could be blamed for wondering whether the Ambassador represents the President's views? And what U.S. Ambassador could be blamed for harboring the fear that they cannot count on our government to support them as they implement stated U.S. policy and defend U.S. interests?

\*\*\*\*\*

I would like to comment on one other matter before taking your questions. At the closed deposition, I expressed grave concerns about the degradation of the Foreign Service over the past few years and the failure of State Department leadership to push back as foreign and corrupt interests apparently hijacked our Ukraine policy. I remain disappointed that the Department's leadership and others have declined to acknowledge that the attacks against me and others are dangerously wrong.

This is about far more than me or a couple of individuals. As Foreign Service professionals are being denigrated and undermined, the institution is also being degraded. This will soon

cause real harm, if it hasn't already. The State Department as a tool of foreign policy often doesn't get the same attention and respect as the military might of the Pentagon does, but we are—as they say—"the pointy end of the spear." If we lose our edge, the U.S. will inevitably have to use other tools, even more often than it does today. And those other tools are blunter, more expensive, and not universally effective.

Moreover, the attacks are leading to a crisis in the State Department as the policy process is visibly unravelling, leadership vacancies go unfilled, and senior and midlevel officers ponder an uncertain future and head for the doors. The crisis has moved from the impact on individuals to an impact on the institution. The State Department is being hollowed out from within at a competitive and complex time on the world stage. This is not a time to undercut our diplomats.

It is the responsibility of the Department's leaders to stand up for the institution and the individuals who make that institution the most effective diplomatic force in the world. And Congress has a responsibility to reinvest in our diplomacy. That's an investment in our national security, an investment in our future.

As I close, let me be clear on who we are and how we serve this country. We are professionals, public servants who by vocation and training pursue the policies of the President, regardless of who holds that office or what party they affiliate with. We handle American Citizen Services, facilitate trade and commerce, work security issues, represent the U.S., and report to and advise Washington, to mention just a few of our functions.

And we make a difference every day.

We are people who repeatedly uproot our lives, who risk—and sometimes give—our lives for this country.

We are the fifty-two Americans who forty years ago this month began 444 days of deprivation, torture and captivity in Teheran.

We are the dozens of Americans stationed at our embassy in Cuba and consulates in China, who mysteriously and dangerously—and in some cases perhaps permanently—were injured in attacks from unknown sources several years ago.

And we are Ambassador Chris Stevens, Sean Patrick Smith, Ty Woods, and Glen Doherty—people rightly called heroes for their ultimate sacrifice to this nation’s foreign policy interests in Libya, eight years ago.

We honor these individuals. They represent each one of you here—and every American. These courageous individuals were attacked because they symbolized America.

What you need to know, what the American people need to know, is that while, thankfully, most of us answer the call to duty in less dramatic ways, every Foreign Service Officer runs these same risks. And, very often, so do our families. They serve too. As individuals, as a community, we answer the call to duty to advance and protect the interests of the United States.

We take our oath of office seriously, the same oath that each one of you take, “to support and defend the Constitution of the

United States against all enemies, foreign and domestic” and to “bear true faith and allegiance to the same.”

I count myself lucky to be a Foreign Service Officer, fortunate to serve with the best America has to offer, blessed to serve the American people for the last 33 years.

Thank you for your attention. I welcome your questions.



CHARLES E. GRASSLEY, IOWA, CHAIRMAN

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## United States Senate

COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Staff Director*

July 20, 2017

### VIA ELECTRONIC TRANSMISSION

The Honorable Rod J. Rosenstein  
Deputy Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Mr. Rosenstein,

According to news reports, during the 2016 presidential election, “Ukrainian government officials tried to help Hillary Clinton and undermine Trump” and did so by “disseminat[ing] documents implicating a top Trump aide in corruption and suggested they were investigating the matter...”<sup>1</sup> Ukrainian officials also reportedly “helped Clinton’s allies research damaging information on Trump and his advisers.”<sup>2</sup> At the center of this plan was Alexandra Chalupa, described by reports as a Ukrainian-American operative “who was consulting for the Democratic National Committee” and reportedly met with Ukrainian officials during the presidential election for the express purpose of exposing alleged ties between then-candidate Donald Trump, Paul Manafort, and Russia.<sup>3</sup> *Politico* also reported on a Financial Times story that quoted a Ukrainian legislator, Serhiy Leschenko, saying that Trump’s candidacy caused “Kiev’s wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election.”<sup>4</sup>

Reporting indicates that the Democratic National Committee encouraged Chalupa to interface with Ukrainian embassy staff to “arrange an interview in which Poroshenko [the president of Ukraine] might discuss Manafort’s ties to Yanukovich.”<sup>5</sup> Chalupa also met with Valeriy Chaly, Ukraine’s ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador in March 2016 and shared her alleged concerns about Manafort. Reports state that the purpose of their initial meeting was to “organize a June reception at the embassy to promote Ukraine.” However, another Ukrainian embassy official, Andrii Telizhenko, told *Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the

<sup>1</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, POLITICO (Jan. 11, 2017).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

Russians. He reportedly said, “[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa” and that “Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with” Chalupa.<sup>6</sup>

Chalupa’s actions appear to show that she was simultaneously working on behalf of a foreign government, Ukraine, and on behalf of the DNC and Clinton campaign, in an effort to influence not only the U.S. voting population but U.S. government officials. Indeed, Telizhenko recalled that Chalupa told him and Shulyar, “[i]f we can get enough information on Paul [Manafort] or Trump’s involvement with Russia, she can get a hearing in Congress by September.”<sup>7</sup> Later, Chalupa did reportedly meet with staff in the office of Democratic representative Marcy Kaptur to discuss a congressional investigation. Such a public investigation would not only benefit the Hillary Clinton campaign, but it would benefit the Ukrainian government, which, at the time, was working against the Trump campaign. When *Politico* attempted to ask Rep. Kaptur’s office about the meeting, the office called it a “touchy subject.”

Aside from the apparent evidence of collusion between the DNC, Clinton campaign, and Ukrainian government, Chalupa’s actions implicate the Foreign Agents Registration Act (FARA). As you know, the Committee is planning a hearing on FARA enforcement. Given the public reporting of these activities in support of a foreign government, it is imperative that the Justice Department explain why she has not been required to register under FARA.

FARA requires individuals to register with the Justice Department if they act, even through an intermediary, “as an agent, representative, employee, or servant” or “in any other capacity” at the behest of a foreign principal, including a foreign political party, for purposes of engagement with a United States official.<sup>8</sup> The registration applies to anyone who attempts to influence a U.S. government official on behalf of a foreign principal in an effort to “formulat[e], adopt[,], or chang[e] the domestic or foreign policies of the United States.”<sup>9</sup> As such, the focus of FARA is to require registration for individuals engaged in political or quasi-political activity on behalf of a foreign government. Likewise, an individual whose activities are subject to registration under FARA and who sends informational material “for or in the interest of [a] foreign principal” with the intent or belief that such material will be circulated among at least two persons must transmit the material to the Attorney General no later than 48 hours after actual transmission.<sup>10</sup> Notably, an ongoing failure to register is an ongoing offense.<sup>11</sup>

According to documents provided to the Committee, the Justice Department required the Podesta Group and Mercury LLC to register under FARA for working on behalf of the Ukrainian government.<sup>12</sup> Their registration was required even though the client, the European Centre for

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> 22 U.S.C. §§ 611(b)-(c).

<sup>9</sup> 22 U.S.C. § 611(o).

<sup>10</sup> 22 U.S.C. § 614(a).

<sup>11</sup> 22 U.S.C. § 618(e).

<sup>12</sup> Letter from Samuel R. Ramer, Acting Assistant Attorney General, U.S. Dep’t. of Justice to Senator Charles E. Grassley, Chairman, U.S. Senate Comm. on Judiciary (June 15, 2017).

the Modern Ukraine (ECFMU), wrote a letter saying it was not directly or indirectly controlled by the Ukrainian government. That did not matter to the Justice Department because their lobbying activity was not to “benefit commercial interests” of the ECFMU but instead to promote the “political or public interests of a foreign government or foreign political party.” The Justice Department made clear that an individual acting in the political or public interests of a foreign government must register under FARA. As such, because Podesta and Mercury were effectively working on behalf of Ukrainian government interests, they were required to register.

Unlike that situation where the Podesta Group and Mercury LLC worked for the middleman (EFCMU) and not the Ukrainian government, here Chalupa reportedly worked directly with Ukrainian government officials to benefit Ukraine, lobbying Congress on behalf of Ukraine, and worked to undermine the Trump campaign on behalf of Ukraine and the Clinton campaign. Accordingly, these facts appear to be exactly the type of activity Congress intended to reach with FARA. Please answer the following:

1. What actions has the Justice Department taken to enforce FARA’s requirements regarding Chalupa given the public reporting of her actions on behalf of the Ukrainian government?
2. Why has the Justice Department not required her to register under FARA?
3. Has the Justice Department sent a letter of inquiry to Chalupa? If so, please provide a copy. If not, why not?
4. Under 28 C.F.R. § 5.2, any present or prospective agent of a foreign entity may request an advisory opinion from the Justice Department regarding the need to register. Has Chalupa ever requested one in relation to her work on behalf of the Ukrainian government? If so, please provide a copy of the request and opinion.
5. Please differentiate the facts that required the Podesta Group and Mercury LLC to register with Chalupa’s.
6. Are you investigating the Ukrainian government’s intervention in the 2016 presidential election on behalf of the Clinton campaign? If not, why not?
7. Are you investigating links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee? If not, why not?

I anticipate that your written response and the responsive documents will be unclassified. Please send all unclassified material directly to the Committee. 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 Committee, and provide a classified addendum to the

Office of Senate Security. The Committee complies with all laws and regulations governing the handling of classified information. The Committee is not bound, absent its prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

Thank you in advance for your cooperation with this request. Please respond no later than August 3, 2017. If you have questions, contact Josh Flynn-Brown of my Judiciary Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in black ink that reads "Chuck Grassley". The signature is written in a cursive, slightly slanted style.

Charles E. Grassley  
Chairman  
Senate Committee on the Judiciary

## READ: Pelosi letter on whistleblower complaint

Updated 10:36 AM ET, Mon September 23, 2019

*In a letter to all members of Congress, House Speaker Nancy Pelosi on Sunday again called for the administration to allow the whistleblower who has made the complaint to the Intelligence Community's Inspector General to come before Congress. Read Pelosi's letter below:*

September 22, 2019

Dear Colleague,

On Thursday, Acting Director of National Intelligence Joseph Maguire will appear before the House Intelligence Committee in an open hearing. At that time, we expect him to obey the law and turn over the whistleblower's full complaint to the Committee. We also expect that he will establish a path for the whistleblower to speak directly to the House and Senate Intelligence Committees as required by law.

The Intelligence Community Inspector General, who was appointed by President Trump, has determined that the complaint is both of "urgent concern and credible," and its disclosure "relates to one of the most significant and important of the Director of National Intelligence's responsibilities to the American people."

The Administration's blocking of Acting DNI Maguire from providing Congress with the whistleblower complaint calls upon him to violate the federal statute, which unequivocally states that the DNI "shall" provide Congress this information. The Administration is endangering our national security and having a chilling effect on any future whistleblower who sees wrongdoing.

We must be sure that the President and his Administration are always conducting our national security and foreign policy in the best interest of the American people, not the President's personal or political interest.

I am calling on Republicans to join us in insisting that the Acting DNI obey the law as we seek the truth to protect the American people and our Constitution.

This violation is about our national security. The Inspector General determined that the matter is "urgent" and therefore we face an emergency that must be addressed immediately.

If the Administration persists in blocking this whistleblower from disclosing to Congress a serious possible breach of constitutional duties by the President, they will be entering a grave new chapter of lawlessness which will take us into a whole new stage of investigation.

Thank you for your patriotism.

best regards,

Nancy

11/14/2019

Whistleblower Is Expected to Testify Soon, House Intelligence Chairman Schiff Says - WSJ

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...TIONAL SECURITY

## Whistleblower Is Expected to Testify Soon, House Intelligence Chairman Schiff Says

Adam Schiff says precautions are being taken to protect person's identity



House Intelligence Committee Chairman Adam Schiff (D, Calif.) said he hasn't set a timetable for concluding the investigation into President Trump. PHOTO: ANDREW HARNIK/ASSOCIATED PRESS

By *Josh Mitchell*

Updated Sept. 29, 2019 9:50 pm ET

WASHINGTON—The whistleblower at the center of the impeachment investigation of President Trump will testify in the House “very soon,” though in a way that will protect his identity, the Democrat leading the probe said Sunday.

The whistleblower, whose identity hasn't been made public, is a man who works for the Central Intelligence Agency, The Wall Street Journal confirmed last week. The House is waiting for the whistleblower's attorneys to receive security clearances, said Rep. Adam Schiff of California, the House Intelligence Committee chairman.

“We'll get the unfiltered testimony of that whistleblower,” Mr. Schiff said on ABC. “We are taking all the precautions” to protect his identity, he added.

The chairman said he hasn't set a timetable for concluding the investigation into Mr. Trump, a Republican up for re-election next year.

<https://www.wsj.com/articles/whistleblower-is-expected-to-testify-soon-house-intelligence-committee-chairman-says-11569768797>

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Whistleblower is expected to testify soon, House intelligence chairman Schiff says - WSJ

A lawyer for the whistleblower said talks with lawmakers are ongoing. "We continue to work w/both parties in House & Senate and we understand all agree that protecting whistleblower's identity is paramount," the lawyer, Mark S. Zaid, wrote on Twitter. "Discussions continue to occur to coordinate & finalize logistics but no date/time has yet been set."

It isn't clear how the whistleblower would testify without risking exposure of his identity. Any meeting with lawmakers would likely need to take place in a secure room—known as a Sensitive Compartmented Information Facility, or SCIF—given the sensitivity of the information at issue, according to national security lawyers.

While those rooms are available on Capitol Hill, appearing there likely would pose additional challenges to protect the whistleblower's anonymity given the number of people, especially reporters, in the halls of Congress. One alternative that the whistleblower's legal team and lawmakers may pursue would be to arrange a meeting in a SCIF at an executive branch agency, people familiar with the matter said.

Stephen Ryan, a lawyer at McDermott, Will & Emery LLP who specializes in congressional investigations, said there are two main hurdles: physically getting the whistleblower into Congress, and then limiting the number of people who hear him testify and read full transcripts.

"You literally have to sneak them into the building—you have to have a cordon that takes them in, perhaps through the House side, under the Capitol, coming out on the Senate side," he said. "We know how to get people in and out of buildings without being identified. But when you share their identity with a group of people the chances of their exposure increases exponentially."

Mr. Ryan added, "All you need is one [person] who wants to call a pal in the reporting world or who says something to their spouse or something to their boyfriend."

The whistleblower's complaint, released last week, focuses on a July 25 phone call between Mr. Trump and the Ukrainian president, Volodymyr Zelensky. The complaint alleges that Mr. Trump sought to use the powers of his office to push Ukraine to investigate Democratic rival Joe Biden, and that White House officials acted to conceal evidence of the president's actions.

Mr. Trump struck out at Mr. Schiff on Twitter Sunday evening, saying the chairman falsely attributed words to him during Mr. Schiff's opening remarks at the Intelligence Committee's Thursday hearing with acting Director of National Intelligence Joseph Maguire.

"Lies were made in perhaps the most blatant and sinister manner ever seen in the great Chamber. He wrote down and read terrible things, then said it was from the mouth of the President of the United States. I want Schiff questioned at the highest level for Fraud & Treason," Mr. Trump wrote.

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Mr. Trump also said he deserved to confront not only the whistleblower, who didn't have firsthand knowledge of the telephone call with Mr. Zelensky, "but also the person who illegally gave this information, which was largely incorrect, to the 'Whistleblower.' Was this person SPYING on the U.S. President? Big Consequences!"

## SHARE YOUR THOUGHTS

*"What measures should be placed, if any, to protect the whistleblower's identity during his testimony? Why? Join the conversation below."*

The whistleblower complaint's description of the call with Mr. Zelensky aligned closely with the content of the reconstructed transcript released by the White House. The complaint said it drew from testimonials of more than a half-dozen unidentified U.S. officials who expressed concern about Mr. Trump's conduct.

Mr. Schiff has said his comments at the committee hearing were "at least in part,

parody."

"I think the whistleblower did the right thing," Mr. Maguire said during the hearing. "I think he followed the law every step of the way."

Mr. Trump's former homeland security adviser Tom Bossert on Sunday denounced the president for bringing up a debunked conspiracy theory during the call. Mr. Trump asked the Ukrainian leader to do another favor for the U.S. related to the U.S.-based cybersecurity firm CrowdStrike, which conducted forensic analysis of the Democratic National Committee's computer network after it was hacked in 2016.

CrowdStrike concluded the hack was carried out by Russian intelligence officers, a finding corroborated by U.S. intelligence agencies and special counsel Robert Mueller's investigation into Russian interference into the 2016 election. But Mr. Trump has repeatedly cast doubt on the conclusion of Russian involvement in the Democratic hacks, and said in an April 2017

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Whistleblower is expected to testify soon, House intelligence chairman Schiff says - WSJ

interview that CrowdStrike's findings may not be credible because the company is "Ukrainian-based," which is false.

"DNC server and that conspiracy theory has got to go, they have to stop with that," Mr. Bossert, the former Trump adviser, said on ABC. "It cannot be repeated in our discourse."



## Rudy Giuliani's Ukrainian Connections



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Mr. Bossert was forced out of his job in April 2018 after months of internal frustration with his leadership and as the new national security adviser moved to establish power in the White House, the Journal reported last year.

Separately, Mr. Schiff said Sunday on NBC that he and

other Democrats have yet to decide whether to push for the president's personal attorney, former New York Mayor Rudy Giuliani, to testify in the investigation.

Giuliani initially said Sunday on ABC that he wouldn't cooperate with Mr. Schiff's probe, accusing the congressman of lacking fairness. But he quickly changed his position, saying he would consider testifying.

"I have to be guided by my client," Mr. Giuliani said. "Frankly, it's his privilege, not mine. If he decides he wants me to testify I will testify."

Mr. Schiff said in an interview on "60 Minutes" Sunday night that the committee planned to issue a subpoena to Mr. Giuliani for evidence. "It's our intention as soon as first thing next week to subpoena him for documents," he said. "And there may very well come a time where we want to hear from him directly."

Mr. Giuliani is a key figure in the impeachment probe and is depicted in the whistleblower complaint released Thursday as eager to thrust himself into U.S. foreign policy. As the president's personal attorney, Mr. Giuliani pressed Ukraine to pursue an investigation of Mr. Biden and his son Hunter, according to the whistleblower's complaint.

Progressive advocacy group MoveOn.org on Sunday solicited donations to help the whistleblower, seeking \$3 contributions it said would be split with Whistleblower Aid, a

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nonprofit, nonpartisan legal organization that offers assistance to government employees who expose illegal activity.

Whistleblower Aid operates a separate GoFundMe site seeking donations to assist the whistleblower. By Sunday night the site had raised about \$162,000.

A person familiar with the matter said the whistleblower's attorneys aren't involved in the fundraising and have never communicated with MoveOn. The person said the attorneys are working for the client pro bono, but Whistleblower Aid will be helping them financially.

MoveOn and Whistleblower Aid didn't immediately respond to requests for comment Sunday.

—*Dustin Volz and Alex Leary contributed to this article.*

Write to Josh Mitchell at [joshua.mitchell@wsj.com](mailto:joshua.mitchell@wsj.com)

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Trump-Ukraine whistleblower agrees to testify before Congress



## POLITICS

# Whistleblower reaches agreement to testify, will appear 'very soon,' Rep. Adam Schiff says

**Christal Hayes** USA TODAY

Published 11:57 a.m. ET Sep. 29, 2019 | Updated 4:42 p.m. ET Sep. 29, 2019

WASHINGTON – The whistleblower who filed an anonymous complaint about President Donald Trump asking Ukraine to investigate a political rival has reached an agreement to testify before Congress, Rep. Adam Schiff announced Sunday.

Talking with ABC News' "This Week," Schiff, the Democrat who chairs the House Intelligence Committee, said the whistleblower would testify "very soon" and the only thing standing in the way was getting security clearances for the attorneys representing the whistleblower so they could attend the testimony.

The whistleblower, whose identity has not been made public, revealed deep concern that Trump "used the power of his office" to solicit Ukraine's help to discredit one of his main political rivals, former Vice President Joe Biden.

The complaint went on to detail efforts by senior White House officials to later "lock down" access to all records of the July 25 call with Ukrainian President Volodymyr Zelensky in which Trump urged his counterpart to investigate Democratic presidential candidate Biden and his son Hunter Biden.

The whistleblower's concerns were the tipping point for House Democrats, who formally launched an impeachment inquiry into Trump this week after months of investigating the administration and conduct of the president.

Schiff did not outline a date for testimony and the whistleblower's attorneys said in a statement that they continue to work with the House and Senate about finalizing logistics, adding no date has been set.

https://www.usatoday.com/story/news/politics/2019/09/29/trump-ukraine-whistleblower-testify-congress/3811071002/

Congress is on a two-week recess, but the impeachment inquiry doesn't appear to be slowing down. On Friday, Schiff announced a number of depositions scheduled with State Department officials and a private hearing with the intelligence community's inspector general, the official who received the whistleblower complaint and found it credible and urgent. Schiff also announced Secretary of State Mike Pompeo was being subpoenaed for documents related to the Trump-Ukraine episode.

Schiff said Sunday that the biggest concern with having the whistleblower appear before Congress was protecting the person's identity, noting comments made by Trump at a private event where he suggested the whistleblower had committed treason and should be punished.

**'Almost a spy':** Donald Trump suggests whistleblower source committed treason as Ukraine firestorm builds

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"You know what we used to do in the old days when we were smart with spies and treason, right?" Trump said, according to published reports. "We used to handle it a little differently than we do now."

Schiff said there were a number of "security concerns" that were being worked out to protect the person.

"We are taking all the precautions we can," he said, so that the congressional panel allows the "testimony to go forward in a way that protects the whistleblower's identity."

Throughout the week, a series of developments have deepened this controversy, including the public release of the complaint and a summary of the call Trump had with Ukraine's president.

**More:** Nancy Pelosi has put the Trump impeachment inquiry on a fast track. Here's the plan, timeline and key players

**More:** Whistleblower says Trump used 'the power of his office' to solicit foreign help to discredit Joe Biden

Some Republicans have signaled concern as the details have continued to mount, though no congressional Republicans have come out in support of ousting Trump from office.

11/14/2019

Schiff: Trump-Ukraine whistleblower agrees to testify before Congress

Trump's former homeland security adviser Tom Bossert on Sunday acknowledged the reports were not good news for the president.

"It is a bad day and a bad week for the president and for this country if he is asking for political dirt on an opponent," he told "This Week" anchor George Stephanopoulos.

But, Bossert, who left the administration in April, noted that the allegations lodged against Trump were "far from proven," especially when it comes to whether military aid was being kept from Ukraine in exchange for an investigation into Biden. He urged caution and a refrain from rushing to judgment.

**More:** What's going on with Trump and Ukraine? And how does it involve Biden and a whistleblower complaint?

**More:** Read the summary of President Trump's call with Ukraine president about Biden

Bossert voiced frustration, specifically, for Trump's personal attorney Rudy Giuliani, who went to Ukraine multiple times to investigate Biden and a theory that Ukraine meddled in the 2016 elections. Bossert said he explained to Trump multiple times that this theory was not only a conspiracy theory, it is completely debunked."

"I am deeply frustrated with what (Giuliani) and the legal team is doing and repeating that debunked theory to the president," Bossert said. "It sticks in his mind when he hears it over and over again."

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Schiff confirms tentative agreement for whistleblower to testify before House Intelligence Committee - CNNPolitics



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# Schiff confirms tentative agreement for whistleblower to testify before House Intelligence Committee

By Pamela Brown and Kevin Bohn, CNN

Updated 4:44 PM ET, Sun September 29, 2019

**Washington (CNN)** — There is a tentative agreement for the anonymous whistleblower who filed a complaint containing allegations about President Donald Trump's conduct to testify before the House Intelligence Committee, Chairman Adam Schiff said Sunday, confirming CNN's previous reporting.

CNN reported on Wednesday that the potential testimony is dependent on the whistleblower's attorneys getting security clearance.

Asked on ABC's "This Week" whether he had reached an agreement with the whistleblower and his attorneys to come before the committee, Schiff said: "Yes, we have."

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Ukraine to investigate former Vice President Joe Biden -- his potential 2020 political rival -- and his son, Hunter Biden, though there is no evidence of wrongdoing by either Biden. The complaint also alleges a coverup by the White House of the July 25 phone conversation.

Democratic House leaders opened an impeachment inquiry into Trump in the wake of the complaint.

"And as (acting Director of National Intelligence Joseph) Maguire promised during the hearing, that whistleblower will be allowed to come in and come in without ... a minder from the Justice Department or from the White House to tell the whistleblower what they can and cannot say. We will get the unfiltered testimony of that whistleblower," he said.

The California Democrat added that his committee is currently "taking all the precautions we can to make sure that we do so -- we allow that testimony to go forward in a way that protects the whistleblower's identity, because as you can imagine, when the President is showing threats like, 'We ought to treat these people who expose my wrongdoing as we used to treat traitors and spies,' and we used to execute traitors and spies. You can imagine the security concerns here."

The whistleblower is at the center of a fast-moving scandal in Washington surrounding a complaint made about Trump's communications with Ukrainian President Volodymyr Zelensky. According to their complaint, Trump pressured

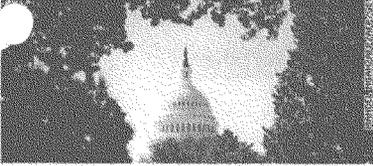
Ukraine to investigate former Vice President Joe Biden -- his potential 2020 political rival -- and his son, Hunter Biden, though there is no evidence of wrongdoing by either Biden. The complaint also alleges a coverup by the White House of the July 25 phone conversation.

Schiff said Sunday on ABC, as well as NBC's "Meet the Press," that he expects the whistleblower to testify "very soon," adding that the committee is now focused on the security clearances for the whistleblower's attorneys as well as the whistleblower's protection.

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**Related Article: Whistleblower tentatively agrees to testify, attorneys say, as long as they get appropriate clearances to attend hearing**

lawyers for the whistleblower and House and Senate officials about testimony by the person.

Zaid said "protecting whistleblower's identity is paramount" and that "discussions continue to occur to coordinate & finalize logistics but no date/time has yet been set."

During his interview with ABC, Schiff said, "We will keep, obviously, riding shotgun to make sure that the acting director doesn't delay that clearance process."

Schiff wrote a letter to Maguire making the clearance request on Wednesday, after the whistleblower's lawyers agreed to meet with lawmakers if the security clearance condition is met and requested assistance from the acting DNI.

The process is already underway to ensure the lawyers have access to any relevant classified information, a source familiar with the situation previously told CNN.

*CNN's Greg Clary, Zach Cohen, Gloria Cat and Devan Cole contributed this report.*

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Washington Post

# Intelligence panel has deal to hear whistleblower's testimony

By

Felicia Sonmez and Mike DeBonis

September 29, 2019 at 9:17 p.m. EDT

House Intelligence Committee Chairman Adam B. Schiff said Sunday that his panel has reached an agreement to secure testimony from the anonymous whistleblower whose detailed complaint launched an impeachment investigation into President Trump.

The announcement from Schiff came on the same day that Tom Bossert, a former Trump homeland security adviser, delivered a rebuke of the president, saying in an interview on ABC's "This Week" that he was "deeply disturbed" by the implications of Trump's recently reported actions.

Those comments come as members of Congress return to their districts for a two-week recess, during which they will either have to make the case for Trump's impeachment or defend him to voters amid mounting questions about his conduct.

In appearances over the weekend, House Speaker Nancy Pelosi (D-Calif.) offered a preview of the Democratic message, casting the impeachment inquiry as a somber task that she chose to endorse only as a last resort.

"I have handled this with great care, with great moderation, with great attention to what we knew was a fact or what was an allegation," Pelosi said Saturday at the Texas Tribune Festival in Austin. "This is very bad news for our country, because if it is as it seems to be, our president engaged in something that is so far beyond what our founders had in mind."

While privately favoring a rapid probe confined to the Ukraine allegations, Pelosi said Saturday that the investigation would last "as long as the Intelligence Committee follows the facts."

On a conference call with House Democrats on Sunday afternoon, Pelosi told her colleagues that public sentiment — something she had frequently cited as an obstacle to pursuing impeachment — had begun to swing around.

"The polls have changed drastically about this," she said, urging a careful approach, according to notes taken by a person on the call: "Our tone must be prayerful, respectful, solemn, worthy of the Constitution."

In an interview broadcast Sunday on CBS's "60 Minutes," Pelosi summarized her message to Trump and his aides: "Speak the truth, and let us work together to have this be a unifying experience, not a dividing one for our country. Don't make this any worse than it already is."

In an appearance on ABC News's "This Week," Schiff (D-Calif.) echoed Pelosi's message. He also said he expected the Intelligence Committee to hear from the whistleblower "very soon" pending a security clearance from acting director of national intelligence Joseph Maguire.

"We'll get the unfiltered testimony of that whistleblower," Schiff said, noting that Maguire said in a hearing Thursday that he would allow the whistleblower to testify privately without constraints.

One of the whistleblower's attorneys, Mark Zaid, said in a statement that bipartisan negotiations in both chambers are ongoing "and we understand and agree that protecting the whistleblower's identity is paramount." He added that no date or time for the testimony has been set.

Andrew P. Bakaj, another lawyer representing the whistleblower, sent a letter Saturday to Maguire expressing fears for his client's safety, citing remarks Trump made Wednesday calling the whistleblower "close to a spy" and alluding to the death penalty.

"Unfortunately, we expect this situation to worsen, and to become even more dangerous for our client and any other whistleblowers, as Congress seeks to investigate this matter," Bakaj wrote.

In a separate letter, Bakaj urged the leaders of the congressional intelligence committees to "speak out in favor of whistleblower protection and reiterate that this is a protected system where retaliation is not permitted, whether direct or implied."

Most Republican lawmakers and White House aides, meanwhile, continued to voice support for the president, even as they faced particularly tough grilling by hosts on the morning news shows over their efforts to discredit the unidentified whistleblower and keep the focus on former vice president Joe Biden and his son Hunter Biden.

Rep. Jim Jordan (R-Ohio) pointed to an initial finding by the intelligence community inspector general stating that while the complaint was credible, the whistleblower had an "arguable political bias."

"He had no firsthand knowledge. . . . And, second, he has a political bias," Jordan said on CNN's "State of the Union." "That should tell us something about this guy who came forward with this claim."

Host Jake Tapper repeatedly pushed back against Jordan's assertions. "There is no evidence of that," he said in response to Jordan's claim of political bias, noting that the language used by the inspector general in describing the whistleblower "could mean that he interned for John McCain 20 years ago. We have no idea what it means."

White House senior adviser Stephen Miller went even further in an at-times heated interview on "Fox News Sunday."

Miller dodged several questions from host Chris Wallace about allegations surrounding the president's actions, such as Trump's decision to use not the federal government but rather his personal attorney, Rudolph W. Giuliani, to obtain information on the Bidens' activities in Ukraine.

He also declined to answer when asked by Wallace to outline how, in his view, the Bidens broke any laws. And he disputed the use of the word "whistleblower" to describe the person who sounded the alarm about Trump's actions, arguing that the complaint was a "partisan hit job" by a "deep-state operative" — even though Maguire said in congressional testimony last week that he thinks the whistleblower "is operating in good faith and has followed the law."

As both sides sparred, Trump largely stayed out of public view. The president spent the weekend playing golf at his club in Sterling, Va., and occasionally attacking Democrats and the news media online. On Sunday morning, he sent more than 20 tweets and retweets slamming Fox News Channel host Ed Henry's performance during a segment with conservative commentator Mark Levin.

Later Sunday, Trump tweeted that he wants Schiff "questioned at the highest level for Fraud & Treason" for his remarks at last week's hearing where Maguire testified. And Trump demanded to meet the whistleblower as well as the person's sources.

"In addition, I want to meet not only my accuser, who presented SECOND & THIRD HAND INFORMATION, but also the person who illegally gave this information, which was largely incorrect, to the 'Whistleblower,' " Trump tweeted. "Was this person SPYING on the U.S. President? Big Consequences!"

House Democrats last week began an impeachment inquiry into Trump's actions after the release of the whistleblower complaint as well as a rough transcript of a July phone call in which Trump repeatedly urged Ukrainian President Volodymyr Zelensky to investigate Biden, who is leading in polls for the 2020 Democratic presidential nomination.

Hunter Biden served for nearly five years on the board of Burisma, Ukraine's largest private gas company, whose owner came under scrutiny by Ukrainian prosecutors for possible abuse of power and unlawful enrichment. The former vice president's son was not accused of any wrongdoing in the investigation.

As vice president, Biden pressured Ukraine to fire the top prosecutor, Viktor Shokin, who Biden and other Western officials said was not sufficiently pursuing corruption cases. At the time, the investigation into Burisma was dormant, according to former Ukrainian and U.S. officials.

Trump's handling of the matter appears to have alarmed voters. An ABC News-Ipsos poll released Sunday showed that 63 percent of adults say it is a serious problem that Trump pushed Zelensky to look at Hunter Biden.

However, less than half of the public, 43 percent, said Trump's action was "very serious." And just about half of Americans said they are "not surprised at all" to hear of Trump's actions.

Among those expressing concern Sunday was Bossert, a rare official with ties to Trump to take on the president.

Bossert said he was "deeply disturbed" by the implications of Trump's call to Zelensky and strongly criticized the president for seemingly furthering an unfounded theory that cybersecurity firm CrowdStrike played a role in shielding emails sent by Trump's 2016 Democratic opponent, Hillary Clinton, and circulating allegations of Russian hacking.

The U.S. intelligence community has concluded that the Russians did hack Democratic sources in an effort to swing the election to Trump.

"That conspiracy theory has got to go," Bossert said on ABC News's "This Week," explaining that Trump was motivated to spread the "completely debunked" theory because he had "not gotten his pound of

flesh yet” over accusations that he had Russian help in winning the 2016 election. “They have to stop with that. It cannot continue to be repeated in our discourse. . . . If he continues to focus on that white whale, it’s going to bring him down.”

But Bossert said he was not convinced that Trump had leveraged U.S. aid to Ukraine for political dirt, noting that the president had other potential legitimate reasons to withhold the aid.

Both sides continued to dig in as scrutiny of Trump intensified.

Democrats argued that the documents the Trump administration released last week reveal that the president was misusing his office.

Rep. Hakeem Jeffries (D-N.Y.) said the president’s call clearly showed an abuse of power that justified impeachment proceedings. In an appearance on “State of the Union,” he referred to “The Godfather,” saying Trump used a “high-pressure tactic” by asking for an investigation of the Bidens.

“It was an offer that the Ukrainian president could not refuse,” Jeffries said.

Republicans, meanwhile, escalated their attacks on the whistleblower and dismissed the individual’s claims as invalid.

“You can’t get a parking ticket conviction based on hearsay,” Sen. Lindsey O. Graham (R-S.C.) said Sunday in an interview on CBS’s “Face the Nation.” “Donald Trump is still an American. Every American deserves to confront their accuser. So this is a sham as far as I’m concerned.”

In a combative appearance on “This Week,” Giuliani was asked at one point whether he would cooperate with the House Intelligence Committee’s probe. Giuliani initially said he would not unless its leadership changed, calling Schiff “illegitimate” and accusing him of having “prejudged the case.”

But Giuliani then backtracked and said he would “consider it,” based on the direction of Trump. “If he decides that he wants me to testify, of course I’ll testify,” he said.

Schiff disputed Giuliani’s characterization of his role, telling host George Stephanopoulos: “My role here is to do the investigation, to make sure the facts come out. What we have seen already is damning.”

Giuliani was somewhat more subdued in a separate appearance on Fox News Channel’s “Sunday Morning Futures,” during which host Maria Bartiromo pressed him on criticism from some Republicans that his frequent television appearances were not helping the president.

“What am I supposed to do, keep silent?” Giuliani asked.

*Shane Harris contributed to this report.*

# Arkansas Democrat - Gazette

## Schiff: Panel will hear from whistleblower

Deserve to meet accuser, his sources, Trump tweets

by Compiled by Democrat-Gazette staff from wire reports | September 30, 2019 at 7:15 a.m.

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WASHINGTON -- House Intelligence Committee Chairman Adam Schiff said Sunday that he expects the whistleblower at the heart of impeachment proceedings against President Donald Trump to testify "very soon."

"All that needs to be done, at this point, is to make sure that the attorneys that represent the whistleblower get the clearances that they need to be able to accompany the whistleblower to testimony," said Schiff, D-Calif., "and that we figure out the logistics to make sure that we protect the identity of the whistleblower."

As Democrats and the director of national intelligence worked out key arrangements, Trump's allies took part in a surge of second-guessing and conspiracy theorizing across the Sunday talk shows. One former adviser urged Trump to confront the crisis at hand and get past his anger over the probe of Russian election interference.

"I honestly believe this president has not gotten his pound of flesh yet from past grievances on the 2016 investigation," said Tom Bossert, Trump's former homeland security adviser. "If he continues to focus on that white whale," Bossert added, "it's going to bring him down."

The investigation in Ukraine produced what the Russian probe did not: formal House impeachment proceedings based on the president's own words and actions.

The White House last week released a nonverbatim memorandum of Trump's July 25 call with Ukrainian President Volodymyr Zelenskiy, as well as the whistleblower's complaint alleging the U.S. president pressured his counterpart to investigate the family of former Vice President Joe Biden, who is seeking the Democratic nomination to challenge Trump's re-election next year.

In a series of tweets Sunday night, Trump said he deserved to meet "my accuser" as well as whoever provided the whistleblower with what the president called "largely incorrect" information. He also accused Democrats of "doing great harm to our Country" in an effort to destabilize the nation and the 2020 election.

Trump has sought to implicate Biden and his son Hunter Biden in the kind of corruption that has long plagued Ukraine. Hunter Biden served on the board of a Ukrainian gas company at the same time his father was leading the Obama administration's diplomatic dealings with Kiev. There has been no evidence of wrongdoing by either of the Bidens.

The House forged ahead, with Schiff's committee leading the investigation. Democrats are planning a rapid start to their push for impeachment, with hearings and depositions starting this week. Many Democrats are pushing for a vote on articles of impeachment before the end of the year, mindful of the looming 2020 elections.

## 'COULD NOT REFUSE'

On a conference call later Sunday, House Speaker Nancy Pelosi D-Calif., who was traveling in Texas, urged Democrats to proceed "not with negative attitudes towards [Trump], but a positive attitude towards our responsibility," according to an aide on the call who requested anonymity to share the private conversation. She also urged the caucus to be "somber" and noted that polling on impeachment has changed "drastically."

On the call, Democratic Caucus Chairman Hakeem Jeffries of New York urged the caucus to talk about impeachment by repeating the words "betrayal, abuse of power, national security." At the same time, the Democrats' campaign arm was mobilizing to support the candidates, according to a person on the call who spoke on condition of anonymity to discuss the details.

In an appearance on CNN's State of the Union, Jeffries invoked a line from The Godfather, saying Trump used a "high-pressure tactic" by asking for an investigation of the Bidens.

"It was an offer that the Ukrainian president could not refuse," Jeffries said

In an interview Sunday on CBS' 60 Minutes, Pelosi summarized her message to Trump and his aides: "Speak the truth, and let us work together to have this be a unifying experience, not a dividing one for our country. Don't make this any worse than it already is."

In an appearance on ABC News's This Week, Schiff echoed Pelosi's message. He also said he expected the Intelligence Committee to hear from the whistleblower "very soon," pending a security clearance from acting Director of National Intelligence Joseph Maguire.

"We'll get the unfiltered testimony of that whistleblower," Schiff said, noting that Maguire said in a hearing Thursday that he would allow the whistleblower to testify privately without constraints.

## GOP DEFENDERS

Republicans offered a televised array of strategies to a president who spent the day at his golf club in Virginia and prefers to handle his own communications.

Stephen Miller, the president's senior policy adviser, called the whole inquiry a "partisan hit job" orchestrated by "a deep state operative" who is also "a saboteur."

"The president of the United States is the whistleblower," Miller said.

And House Republican leader Kevin McCarthy of California said Trump had done nothing impeachable.

"Why would we move forward with impeachment? There's not something that you have to defend here," McCarthy said.

Rep. Steve Scalise of Louisiana, the No. 2 Republican in the House, repeatedly changed the subject Sunday when Chuck Todd, the moderator of NBC's Meet the Press, pressed him on whether he believed a memo of the Ukraine call merited further investigation.

"Well, they've been investigating President Trump for two years, making way for baseless allegations," Scalise finally said. "They're investigating everything."

Sen. Lindsey Graham, R-S.C., suggested that Trump appoint a special prosecutor to look into Biden's role in the firing of a former prosecutor in Ukraine, and said he had no problem with the president's call.

"I'm openly telling everybody in the country I have the president's back because I think this is a setup," he said on CBS' Face the Nation.

Rep. Jim Jordan, R-Ohio, pointed to an initial finding by the intelligence community inspector general stating that while the complaint was credible, the whistleblower had an "arguable political bias."

"He had no firsthand knowledge. ... And, second, he has a political bias," Jordan said on State of the Union. "That should tell us something about this guy who came forward with this claim."

State of the Union host Jake Tapper repeatedly pushed back against Jordan's assertions. "There is no evidence of that," he said in response to Jordan's claim of political bias, noting that the language used by the inspector general in describing the whistleblower "could mean that he interned for John McCain 20 years ago. We have no idea what it means."

Miller went even further in an at-times heated interview on Fox News Sunday.

He dodged several questions from host Chris Wallace about allegations surrounding the president's actions, such as Trump's decision to use not the federal government but rather his personal attorney Rudy Giuliani to obtain information on the Bidens' activities in Ukraine.

Giuliani, who has been encouraging Ukraine to investigate both Biden and former Secretary of State Hillary Clinton, promoted a debunked conspiracy theory, insisting that Ukraine had spread disinformation during the 2016 election.

Bossert advised that Trump drop that defense

"I am deeply frustrated with what he and the legal team is doing and repeating that debunked theory to the president. It sticks in his mind when he hears it over and over again," said Bossert, who also was an adviser to President George W. Bush. "That conspiracy theory has got to go, they have to stop with that, it cannot continue to be repeated."

Giuliani not only repeated it but also brandished what he said were affidavits that support them and claimed that Trump "was framed by the Democrats."

Schiff said in one interview that his committee intends to subpoena Giuliani for documents and may eventually want to hear from Giuliani directly. In a separate TV appearance, Giuliani said he would not cooperate with Schiff, but then acknowledged he would do what Trump tells him. The White House did not provide an official response on whether the president would allow Giuliani to cooperate.

"If they're going to obstruct," Schiff warned, "then they're going to increase the likelihood that Congress may feel it necessary to move forward with an article on obstruction."

Two advisers to the Biden campaign sent a letter Sunday urging major news networks to stop booking Giuliani on their shows, accusing Trump's personal attorney of spreading "false, debunked conspiracy

theories" on behalf of the president. The letter added: "By giving him your air time, you are allowing him to introduce increasingly unhinged, unfounded and desperate lies into the national conversation."

Biden advisers Anita Dunn and Kate Bedingfield sent the letter to the presidents of ABC News, NBC News, CBS News, MSNBC, CNN and Fox News as well as executive producers and anchors of their news shows. The advisers also asked that if Giuliani continues to appear, the networks give equivalent time to a Biden campaign surrogate and admonished the networks for giving Giuliani time in the first place, calling it "a disservice to your audience and a disservice to journalism."

*Information for this article was contributed by Laurie Kellman, Kevin Freking, Eric Tucker, Mary Clare Jalonick, Bill Barrow and Emily Swanson of The Associated Press; by Sheryl Gay Stolberg of The New York Times; and by Felicia Sonmez, Mike DeBonis, Scott Clement and Christopher Rowland of The Washington Post.*

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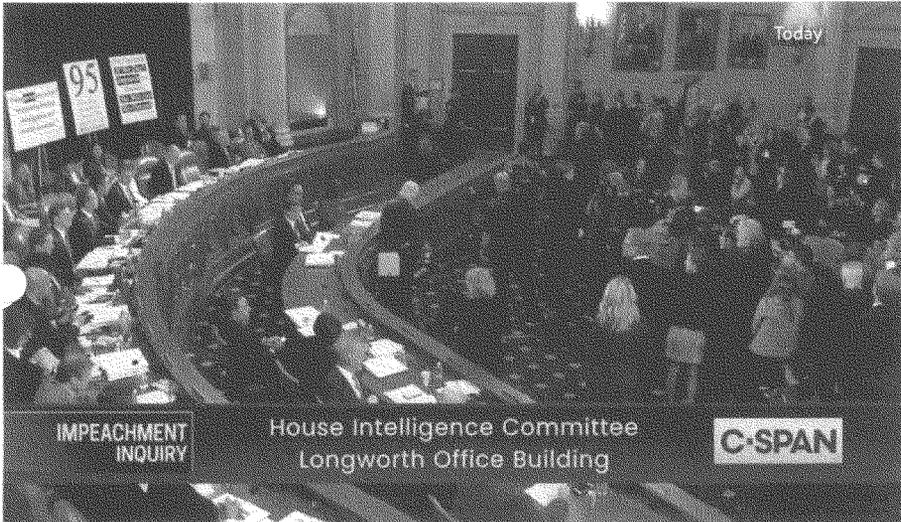
Impeachment Hearing with Former Ukraine Ambassador Marie Yovanovitch

RESOURCES

On the second day of open testimony in the impeachment inquiry of President Trump, the House Intelligence Committee heard from former U.S. Ambassador to Ukraine Marie Yovanovitch.

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Adam B. Schiff

CONVERSATIONS] >> THE MEETING WILL COME TO ORDER MORNING, EVERYONE, THIS IS THE SECOND IN A SERIES OF HEARINGS THE COMMITTEE WILL BE HOLDING...

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Devin Nunes

REMARKS. >> I THANK THE GENTLEMAN. IT'S UNFORTUNATE AND FOR MOST OF NEXT WEEK WE WILL CONTINUE ENGAGE DEMOCRATS' DAY LONG TV SPECTACLES...

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Adam B. Schiff

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OF ORDER, GENTLE WOMAN WILL SUSPEND. >> MR. CHAIR!  
A-- >> RECOGNIZED: GENTLEMAN IS NOT RECOGNIZED. >>  
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**Steve Castor**  
Deputy General Counsel  
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00:25:26

Marie Yovanovitch

\*This transcript was compiled from uncorrected Closed Captioning.

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**Devin Nunes and Republican Counsel Question Ambassador Yovanovitch**

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Kurt Volker, the former U.S. special envoy to Ukraine, and Tim Morrison, a National Security Council aide, publicly...

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IMPEACHMENT INQUIRY: AMBASSADOR WILLIAM B. TAYLOR

AND MR. GEORGE KENT

Wednesday, November 13, 2019

U.S. House of Representatives,

Permanent Select Committee on Intelligence,

Washington, D.C.

The committee met, pursuant to call, at 10:00 a.m., in Room HVC-304, Capitol Visitor Center, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

1

2           The Chairman. The committee will come to order.

3           Good morning, everyone. This is the first in a series of public hearings the  
4 committee will be holding as part of the House's impeachment inquiry.

5           Without objection, the chair is authorized to declare a recess of the committee at  
6 any time there is a quorum present. Here is how the committee will proceed for this  
7 hearing. I will make an opening statement, and then Ranking Member Nunes will have  
8 an opportunity to make a statement. Then we will go to witness statements and then to  
9 questions.

10           For audience members, we welcome you, and we respect your interest in being  
11 here. In turn, we ask for your respect as we proceed with today's hearing.

12           Mr. Ratcliffe. Mr. Chairman.

13           The Chairman. It is the intention of the committee to proceed without  
14 disruption.

15           Mr. Ratcliffe. Mr. Chairman, may I make a parliamentary inquiry?

16           The Chairman. The gentleman will state the inquiry.

17           Mr. Ratcliffe. Mr. Chairman, this is our first hearing under these new set of rules.  
18 House Resolution 660 gives you the discretion to allow yourself and the ranking member  
19 periods of extended questions of up to 45 minutes each before other members are  
20 allowed to ask questions.

21           If possible, we'd like to know the rules of engagement before we get started.  
22 Have you made a decision yet as to how many 45-minute rounds you will allow yourself  
23 and the ranking member?

24           The Chairman. I have not. As we informed the minority yesterday, we will see  
25 how the first period goes and how much material we are able to get through. At that

1 point the chair will announce the period, if there is a period, of the second round, which  
2 may be up to 45 minutes, or we'll go straight to 5-minute questions by members.

3 For audience members, again, we welcome you and your interest. In turn, we  
4 expect and will insist on decorum in the committee. As chairman, I will take all  
5 necessary and appropriate steps to maintain order and ensure the committee is run in  
6 accordance with House rules and House Resolution 660.

7 With that, I now recognize myself to give an opening statement in the  
8 impeachment inquiry into Donald J. Trump, the 45th President of the United States.

9 In 2014, Russia invaded the United States' ally Ukraine to reverse that Nation's  
10 embrace of the West and to fulfill Vladimir Putin's desire to rebuild a Russian empire. In  
11 the following years, 14,000 Ukrainians died as they battled superior Russian forces.

12 Earlier this year, Volodymyr Zelensky was elected President of the Ukraine on a  
13 platform of ending the conflict and tackling corruption. He was a newcomer to politics  
14 and immediately sought to establish a relationship with Ukraine's most powerful patron:  
15 the United States.

16 The questions presented by this impeachment inquiry are whether President  
17 Trump sought to exploit that ally's vulnerability and invite Ukraine's interference in our  
18 elections; whether President Trump sought to condition official acts, such as a White  
19 House meeting or U.S. military assistance, on Ukraine's willingness to assist with two  
20 political investigations that would help his reelection campaign; and, if President Trump  
21 did either, whether such an abuse of his power is compatible with the office of the  
22 Presidency.

23 The matter is as simple and as terrible as that. Our answer to these questions  
24 will affect not only the future of this Presidency but the future of the Presidency itself and  
25 what kind of conduct or misconduct the American people may come to expect from their

1 Commander in Chief.

2 There are few actions as consequential as the impeachment of a President.  
3 While the Founders did not intend that impeachment be employed for mere differences  
4 over policy, they also made impeachment a constitutional process that the Congress must  
5 utilize as necessary.

6 The facts in the present inquiry are not seriously contested. Beginning in January  
7 of this year, the President's personal attorney, Rudy Giuliani, pressed Ukrainian  
8 authorities to investigate Burisma, the country's largest natural gas producer, and the  
9 Bidens, since Vice President Joe Biden was seen as a strong potential challenger to  
10 Trump.

11 Giuliani also promoted a debunked conspiracy that it was Ukraine, not Russia, that  
12 hacked the 2016 U.S. election. The Nation's intelligence agencies have stated  
13 unequivocally that it was Russia, not Ukraine, that interfered in our election, but Giuliani  
14 believed this conspiracy theory, referred to as CrowdStrike, shorthand for the company  
15 that discovered the Russian hack, would aid his client's reelection.

16 Giuliani also conducted a smear campaign against the U.S. Ambassador to  
17 Ukraine, Marie Yovanovitch. On April 29, a senior State Department official told her  
18 that, although she had done nothing wrong, President Trump had lost confidence in her.  
19 With the sidelining of Yovanovitch, the stage was set for the establishment of an irregular  
20 channel in which Giuliani and later others, including Gordon Sondland, an influential  
21 donor to the President's inauguration, now serving as Ambassador to the European  
22 Union, could advance the President's personal and political interests.

23 Yovanovitch's replacement in Kyiv, Ambassador Bill Taylor, is a West Point  
24 graduate and a Vietnam veteran. As he began to better understand the scheme through  
25 the summer of 2019, he pushed back, informing Deputy Assistant Secretary Kent and

1 others about a plan to condition U.S. Government actions and funding on the  
2 performance of political favors by the Ukrainian Government, favors intended for  
3 President Trump that would undermine our security and our elections.

4 Several key events in this scheme took place in the month of July. On July 10th,  
5 Ambassador Sondland informed a group of U.S. and Ukrainian officials meeting at the  
6 White House that, according to Chief of Staff Mick Mulvaney, a White House meeting  
7 desperately sought by the Ukrainian President with Trump would happen only if Ukraine  
8 undertook an investigation into the energy sector, which was understood to mean  
9 Burisma and specifically the Bidens. National Security Advisor Bolton abruptly ended  
10 the meeting and said afterwards that he would not be, quote, part of whatever drug deal  
11 Sondland and Mulvaney are cooking up on this, end quote.

12 A week later on July 18th, a representative of the Office of Management and  
13 Budget, the White House agency that oversees Federal spending, announced on a video  
14 conference that Mulvaney, at the direction of the President, was freezing nearly  
15 \$400 million in security assistance authorized and appropriated by Congress and which  
16 the entirety of the U.S. national security establishment supported.

17 One week after that, Donald Trump would have the now-infamous July 25th  
18 phone call with Ukrainian President Zelensky. During that call, Trump complained that  
19 the U.S. relationship with Ukraine had not been reciprocal. Later, Zelensky thanks  
20 Trump for his support in the area of defense and says that Ukraine is ready to purchase  
21 more Javelins, an antitank weapon that was among the most important deterrents of  
22 further Russian military action. Trump's immediate response: I would like to you do  
23 us a favor, though. Trump then requested that Zelensky investigate the discredited  
24 2016 CrowdStrike conspiracy theory and, even more ominously, look into the Bidens.

25 Neither of these investigations was in the U.S. national interest, and neither was

1 part of the official preparatory material for the call. Both, however, were in Donald  
2 Trump's personal interest and in the interest of his 2020 reelection campaign, and the  
3 Ukrainian President knew about both in advance because Sondland and others had been  
4 pressing Ukraine for weeks about investigations into the 2016 election, Burisma, and the  
5 Bidens.

6 After the call, multiple individuals were concerned enough to report it to the  
7 National Security Council's top lawyer. The White House would then take the  
8 extraordinary step of moving the call record to a highly classified server exclusively  
9 reserved for the most sensitive intelligence matters. In the weeks that followed,  
10 Ambassador Taylor learned new facts about a scheme that even Sondland would describe  
11 as becoming more insidious.

12 Taylor texted Sondland, quote: Are we now saying that security assistance and  
13 White House meeting are conditioned on investigations?

14 As summer turned to fall, it kept getting more insidious, Mr. Sondland testified.  
15 Mr. Taylor, who took notes of his conversations, said the Ambassador told him on a  
16 September 1st phone call that everything was dependent on the public announcement of  
17 investigations, including security assistance. President Trump wanted Mr. Zelensky in a  
18 public box.

19 "President Trump is a businessman," Sondland said later. "When a businessman  
20 is about to sign a check to someone who owes him something, the businessman asks that  
21 person to pay up before signing the check."

22 In a sworn declaration after Taylor's testimony, Sondland would admit to telling  
23 Ukrainians at a September 1st meeting in Warsaw, quote: The resumption of U.S. aid  
24 would likely not occur until Ukraine provided the public anticorruption statement that we  
25 have been discussing for many weeks.

1           The President's chief of staff confirmed Trump's efforts to coerce Ukraine by  
2 withholding aid. When Mick Mulvaney was asked publicly about it, his answer was  
3 breathtaking. "We do that all the time with foreign policy," he said. "I have news for  
4 everybody: get over it. There is going to be political influence in foreign policy. That is  
5 going to happen." The video of that confession is plain for all to see.

6           Some have argued in the President's defense that the aid was ultimately released.  
7 And that is true, but only after Congress began an investigation, only after the President's  
8 lawyers learned of a whistleblower complaint, and only after Members of Congress began  
9 asking uncomfortable questions about quid pro quos. A scheme to condition official  
10 acts or taxpayer funding to obtain a personal political benefit does not become less  
11 odious because it is discovered before it is fully consummated. In fact, the security  
12 assistance had been delayed so long, it would take another act of Congress to ensure that  
13 it could still go out. And that Oval Office meeting that Zelensky desperately sought, it  
14 still hasn't happened.

15           Although we have learned a great deal about these events in the last several  
16 weeks, there are still missing pieces. The President has instructed the State Department  
17 and other agencies to ignore congressional subpoenas for documents. He has  
18 instructed witnesses to defy subpoenas and refuse to appear, and he has suggested that  
19 those who do expose wrongdoing should be treated like traitors and spies.

20           These actions will force Congress to consider, as it did with President Nixon,  
21 whether Trump's obstruction of the constitutional duties of Congress constitute  
22 additional grounds for impeachment. If the President can simply refuse all oversight,  
23 particular in the context of an impeachment proceeding, the balance of power between  
24 our two branches of government will be irrevocably altered. That is not what the  
25 Founders intended, and the prospects for further corruption and abuse of power in this

1 administration or any other will be exponentially increased.

2 This is what we believe the testimony will show, both as to the President's  
3 conduct and as to his obstruction of Congress. The issue that we confront is the one  
4 posed by the President's acting chief of staff when he challenged Americans to get over it.

5 If we find that the President of the United States abused his power and invited  
6 foreign interference in our elections or if he sought to condition, coerce, extort, or bribe  
7 an ally into conducting investigations to aid his reelection campaign and did so by  
8 withholding official acts, a White House meeting, or hundreds of millions of dollars of  
9 needed military aid, must we simply get over it? Is this what Americans should now  
10 expect from their President? If this is not impeachable conduct, what is? Does the  
11 oath of office itself requiring that our laws be faithfully executed, that our President  
12 defend the Constitution that balances the powers of its branches, setting ambition  
13 against ambition so we become no monarchy, still have meaning? These are the  
14 questions we must ask and answer, without rancor, if we can, without delay regardless,  
15 and without party favor, and without prejudice if we are true to our responsibilities.

16 Benjamin Franklin was asked what kind of a country America was to become. "A  
17 republic," he answered, "if you can keep it." The fundamental issue raised by the  
18 impeachment inquiry into Donald J Trump is: Can we keep it?

19 I now recognize Ranking Member Nunes for any remarks he may wish to make.

20 [The statement of The Chairman follows:]

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22 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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Mr. Nunes. Thank you, Chairman.

In a July open hearing of this committee following publication of the Mueller report, the Democrats engaged in a last-ditch effort to convince the American people that President Trump is a Russian agent. That hearing was the pitiful finale of a 3-year-long operation by the Democrats, a corrupt media, and partisan bureaucrats to overturn the results of the 2016 election.

After the spectacular implosion of their Russia hoax on July 24th, in which they spent years denouncing any Republican who ever shook hands with a Russian, on July 25th, they turned on a dime and now claim the real malfeasance is Republicans' dealings with Ukraine. In the blink of an eye, we're asked to simply forget about Democrats on this committee falsely claiming they had more than circumstantial evidence of collusion between President Trump and Russians. We should forget about them reading fabrications of Trump/Russia collusion from the Steele dossier into the Congressional Record. We should also forget about them trying to obtain nude pictures of Trump from Russian pranksters who pretended to be Ukrainian officials. We should forget about them leaking a false story to CNN while he was still testifying to our committee, claiming that Donald Trump, Jr., was colluding with Wikileaks, and forget about countless other deceptions, large and small, that make them the last people on Earth with the credibility to hurl more preposterous accusations at their political opponents.

And yet now here we are. We are supposed to take these people at face value when they trot out a new batch of allegations, but anyone familiar with the Democrat's scorched-earth war against President Trump would not be surprised to see all the typical signs that this is a carefully orchestrated media smear campaign.

1           For example, after vowing publicly that impeachment requires bipartisan support,  
2 Democrats are pushing impeachment forward without the backing of a single Republican.  
3 The witnesses deemed suitable for television by the Democrats were put through a  
4 closed-door audition process in a cult-like atmosphere in the basement of the Capitol  
5 where Democrats conducted secret depositions, released a flood of misleading and  
6 one-sided leaks, and, later, selectively released transcripts in a highly staged manner.

7           Violating their own guidelines, Democrats repeatedly redacted from the  
8 transcripts the name of Alexandra Chalupa, a contractor for the  
9 Democrat National Committee who worked with Ukrainian officials to collect dirt on the  
10 Trump campaign which she provided to the DNC and the Hillary Clinton campaign.

11           The Democrats rejected most of the Republicans' witness requests, resulting in a  
12 horrifically one-sided process where the crucial witnesses are denied a platform if their  
13 testimony does not support the Democrats' absurd accusations. Notably, they are  
14 trying to impeach the President for inquiring about Hunter Biden's activities, yet they  
15 refuse our request to hear from Biden himself.

16           The whistleblower was acknowledged to have a bias against President Trump, and  
17 his attorney touted a coup against the President and called for his impeachment just  
18 weeks after the election.

19           At a prior hearing, Democrats on this committee read out a purely fictitious  
20 rendition of the President's phone call with President Zelensky. They clearly found the  
21 real conversation to be insufficient for their impeachment narrative. So they just made  
22 up a new one. And most egregiously, the staff of the Democrats on this committee had  
23 direct discussions with the whistleblower before his or her complaint was submitted to  
24 the inspector general.

25           Republicans can't get a full account of these contacts because Democrats broke

1 their promise to have the whistleblower testify to this committee. Democrat members  
2 hid these contacts from Republicans and then lied about them to the American people on  
3 national television.

4 I have noted before the Democrats have a long habit of accusing Republicans of  
5 offenses they themselves are committing. Let's recall: For years, they accused the  
6 Trump campaign of colluding with Russia when they themselves were colluding with  
7 Russia by funding and spreading the Steele dossier, which relied on Russian sources, and  
8 now they accuse President Trump of malfeasance in Ukraine when they themselves are  
9 culpable. The Democrats cooperated in Ukrainian election meddling, and they defend  
10 Hunter Biden's securing of a lavishly paid position with a corrupt Ukrainian company, all  
11 while his father served as Vice President.

12 Despite this hypocrisy, the Democrats are advancing their impeachment sham, but  
13 we should not hold any hearings at all until we get answers to three crucial questions the  
14 Democrats are determined to avoid asking. First, what is the full extent of the  
15 Democrats' prior coordination with the whistleblower, and who else did the  
16 whistleblower coordinate this effort with? Second, what is the full extent of Ukraine's  
17 election meddling against the Trump campaign? And, third, why did Burisma hire  
18 Hunter Biden, and what did he do for them, and did his position affect any U.S. actions  
19 under the Obama administration?

20 These questions will remain outstanding because Republicans were denied their  
21 right to call witnesses that know these answers.

22 What we will witness today is a televised theatrical performance staged by the  
23 Democrats. Ambassador Taylor and Mr. Kent, I would like to welcome you here. I  
24 would like to congratulate you for passing the Democrats' star chamber auditions held for  
25 the last weeks in the basement of the Capitol. It seems you agreed witting or

1 unwittingly to participate in a drama, but the main performance, the Russia hoax, has  
2 ended and you've been cast in the low-rent Ukrainian sequel.

3 I will conclude by noting the immense damage the politicized bureaucracy has  
4 done to Americans' faith in government. Though executive branches employees are  
5 charged with implementing the policies set by our President, who is elected and  
6 responsible to the American people, elements of the Civil Service have decided that they,  
7 not the President, are really in charge.

8 Thus, as we will learn in these hearings, after expressing skepticism of foreign aid  
9 and concern about foreign corruption on the campaign trail, President Trump outraged  
10 the bureaucracy about acting skeptically about foreign aid and expressing concerns about  
11 foreign corruption. Officials alarm at the President's actions was typically based on  
12 secondhand, thirdhand, and even fourth-hand rumors and innuendo. They believed it  
13 was an outrage for the President to fire an ambassador, even though the President has  
14 full authority to retain or remove diplomats for any reason at any time. Officials showed  
15 a surprising lack of interest in the indications of Ukrainian election meddling that deeply  
16 concerned the President at whose pleasure they serve.

17 Despite all their dissatisfaction with President Trump's Ukraine policy, the  
18 President approved the supply of weapons to Ukraine, unlike the previous administration,  
19 which provided blankets as defense against invading Russians.

20 By undermining the President, who they are supposed to be serving, the elements  
21 of the FBI or the Department of Justice and now the State Department have lost the  
22 confidence of millions of Americans who believe that their vote should count for  
23 something. It will take years, if not decades, to restore faith in these institutions. This  
24 spectacle is doing great damage to our country. It's nothing more than an impeachment  
25 process in search of a crime.

1           With that, I yield back.

2           [The statement of Mr. Nunes follows:]

3

4           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1  
2           The Chairman. Today, we are joined by Ambassador William Taylor and Deputy  
3 Assistant Secretary of State George Kent, both of whom are appearing under subpoena.  
4 Ambassador William Taylor has served our country for over half a century. He attended  
5 U.S. Military Academy at West Point, graduating in the top 1 percent of his class before  
6 serving as an infantry officer in the U.S. Army for 6 years, including with the 101st  
7 Airborne Division during the Vietnam War.

8           Ambassador Taylor led a rifle platoon in Vietnam and was awarded the Bronze  
9 Star Medal and the Air Medal for Valor. Following his military service, he worked at the  
10 Department of Energy, as a staffer in the U.S. Senate, as an advisor as well to U.S.  
11 Ambassador to NATO.

12           In the 1990s, Ambassador Taylor coordinated U.S. assistance to Eastern Europe  
13 and the Soviet Union and later served in Afghanistan, Iraq, and worked on the Middle  
14 East peace process.

15           In 2006, President Bush nominated him as Ambassador to Ukraine where he  
16 served until 2009 and then was appointed by President Barack Obama to be Special  
17 Coordinator For Middle East Transitions.

18           Ambassador Taylor was serving as the executive vice president of the nonpartisan  
19 U.S. Institute for Peace when, in June 2019, Secretary of State Mike Pompeo asked him to  
20 return to lead the U.S. Embassy in Kyiv as charge d'affaires.

21           Mr. George Kent currently serves as Deputy Assistant Secretary in the Department  
22 of State's Bureau of European and Eurasian Affairs, overseeing policy towards Ukraine  
23 and other countries. He has served twice in Ukraine from 2004 to 2007. He was the  
24 deputy political counsel including during the Orange Revolution. And from 2015 to  
25 2018, he served as deputy chief of mission in Kyiv.

1           Since joining the Foreign Service in 1992, Mr. Kent has served in Poland,  
2           Uzbekistan, and Thailand. He also served as the senior anticorruption coordinator and  
3           oversaw programs to strengthen the rule of law.

4           All witness depositions as part of this inquiry were unclassified in nature, and all  
5           open hearings will also be at the unclassified level. Any information that may touch on  
6           classified information will be addressed separately. Congress will not tolerate any  
7           reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for  
8           testifying before Congress including you or any of your colleagues.

9           If you would both rise and raise your right hand, I will begin by swearing you in.

10          Do you swear or affirm that the testimony you are about to give is the truth, the  
11          whole truth, and nothing but the truth, so help you God?

12          Let the record show that the witnesses answered in the affirmative. Thank you,  
13          and please be seated.

14          Ms. Stefanik. Mr. Chairman, before we hear from the witnesses, I have a  
15          parliamentary inquiry.

16          The Chairman. The gentlewoman will state her parliamentary inquiry.

17          Ms. Stefanik. Mr. Chairman, when can we anticipate a response to our  
18          November 9th letter requesting certain individual witnesses to be called?

19          The Chairman. The gentlewoman should be aware that three of the witnesses  
20          the minority has requested are scheduled for next week.

21          Ms. Stefanik. Those were your witnesses, Mr. Chairman. What about the  
22          additional six witnesses?

23          The Chairman. The gentlewoman may inquire about additional witnesses or  
24          make a request for a vote on additional witnesses following the witness testimony.

25          Ms. Stefanik. And, Mr. Chairman, I have a point of order under H.Res. 660.

1           The Chairman.   The gentlewoman will state her point of order.

2           Ms. Stefanik.   Mr. Chairman, will you be prohibiting witnesses from answering  
3 members' questions as you have in the closed-door depositions?

4           The Chairman.   As the gentlewoman should know if she was present for the  
5 depositions --

6           Ms. Stefanik.   Which I was, Mr. Chairman.

7           The Chairman.   For some of them, yes.

8           Ms. Stefanik.   Correct.

9           The Chairman.   The only times I prevented witnesses from answering questions,  
10 along with their counsel, was when it was apparent that members were seeking to out  
11 the whistleblower.   We will do everything necessary to protect the whistleblower's  
12 identity, and I am disturbed to hear members of the committee, who have in the past  
13 voiced strong support for whistleblower protections, seek to undermine those  
14 protections by outing the whistleblower.

15          Ms. Stefanik.   Mr. Chairman, only one member and their staff --

16          The Chairman.   The gentlewoman --

17          Ms. Stefanik.   -- has direct knowledge of the identity of the whistleblower.

18          The Chairman.   The gentlewoman will suspend.

19                 You asked a parliamentary inquiry, and I am responding -- or a point of order, and  
20 I am responding.

21                 We will not permit the outing of the whistleblower, and questions along those  
22 lines, counsel will inform their clients not to respond to.   If necessary, I will intervene.  
23 Otherwise, I want members to feel free to ask any questions they like.

24          Mr. Conaway.   Mr. Chairman, I would like to make a motion --

25          The Chairman.   The gentlemen is not recognized.

1 I am responding to the gentlewoman's point of order.

2 Otherwise, members will have every opportunity to ask any questions they like.

3 Mr. Conaway, do you seek recognition and for what purpose?

4 Mr. Conaway. I seek recognition to make a motion that we actually subpoena  
5 the whistleblower for a closed-door secret deposition so that the questions that should  
6 be appropriately asked of the whistleblower by our side and your side may be asked, and  
7 I would prefer that, rather than it be your single decision, that the committee speak to  
8 that issue rather than just the chairman, and I move that we --

9 The Chairman. I thank the gentleman.

10 It won't be my single decision.

11 Mr. Conaway. -- subpoena the whistleblower.

12 The Chairman. It won't be my single decision. We will entertain a motion to  
13 subpoena any witness but after the witnesses have had an opportunity to testify. That  
14 motion will be in order, but that motion will be suspended until after the witnesses  
15 testify.

16 Mr. Jordan. Mr. Chairman, do you anticipate when we would vote on that?

17 The Chairman. For what purpose does Mr. Jordan seek recognition?

18 Mr. Jordan. Just to ask a clarifying questioning. Do you anticipate when we  
19 might vote on the ability to have the whistleblower in front of us, something you -- of the  
20 435 Members of the Congress, you are the only Member who knows who that individual  
21 is, and your staff is the only staff of any Member of Congress who has had a chance to  
22 talk with that individual. We would like that opportunity. When might that happen in  
23 this proceeding today?

24 The Chairman. First, as the gentleman knows, that is a false statement. I do  
25 not know the identity of the whistleblower, and I am determined to make sure that

1 identity is protected.

2 But as I said to Mr. Conaway, you have an opportunity after the witnesses testify  
3 to make a motion to subpoena any witness and compel a vote.

4 With that, I now recognize the witnesses. Before I do, I want to just emphasize  
5 the microphones are sensitive, so please speak directly into them. Without objection,  
6 your written statements will be made part of the record.

7 With that, Deputy Assistant Secretary Kent, you are recognized for your opening  
8 statement.

9 Ambassador Taylor, you are recognized immediately thereafter for your opening  
10 statement.

1

2 **STATEMENTS OF GEORGE KENT, DEPUTY ASSISTANT SECRETARY OF STATE FOR**  
3 **EUROPEAN AND EURASIAN AFFAIRS; AND THE HONORABLE WILLIAM B. TAYLOR,**  
4 **CHARGE D’AFFAIRES AD INTERIM, KYIV, UKRAINE, DEPARTMENT OF STATE.**

5

6 **STATEMENT OF GEORGE KENT**

7

8 Mr. Kent. Good morning.

9 My name is George Kent, and I am the Deputy Assistant Secretary of State for  
10 Eastern Europe and the Caucasus. I have served proudly as a nonpartisan career Foreign  
11 Service officer for more than 27 years under five Presidents, three Republican and two  
12 Democrat.

13 As I mentioned in my opening comments last month in the closed-door  
14 deposition, I represent the third generation of my family to have chosen a career in public  
15 service and sworn the oath of office that all U.S. public servants do in defense of our  
16 Constitution.

17 Indeed, there has been a George Kent sworn to defend the Constitution  
18 continuously for nearly 60 years, ever since my father reported to Annapolis for his Plebe  
19 Summer. After graduating first in his Naval Academy class in 1965, the year best known  
20 for his Heisman-winning classmate Roger Staubach, my father served a full honorable  
21 30 years, including as a captain of a nuclear ballistic missile submarine during the height  
22 of the Cold War.

23 Five great uncles served honorably in the Navy and the Army in World War II. In  
24 particular, Tom Taggart was stationed in the Philippines at the time of the attack on Pearl  
25 Harbor. He survived the brutal Bataan Death March and 3 and a half years in a Japanese

1 prisoner-of-war camp unbroken. He returned to service as an Air Force judge advocate,  
2 upholding the rule of law until his death in 1965.

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

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

10 For the past 5 years, we have focused our united efforts across the Atlantic to  
11 support Ukraine in its fight for the cause of freedom and the rebirth of a country free  
12 from Russian dominion and the warped legacy of Soviet institutions and post-Soviet  
13 behavior.

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

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

24 The United States has very clear national interests at stake in Ukraine. Ukraine's  
25 success is very much in our national interest in the way we have defined our national

1 interests broadly in Europe for the past 75 years. After World War II, U.S. leadership  
2 furthered farsighted policies like the Marshall Plan in the creation of a rules-based  
3 international order. Protected by the collective security provided by NATO, Western  
4 Europe recovered and thrived after the carnage of World War II, notwithstanding the  
5 shadow of the Iron Curtain. Europe's security and prosperity contributed to our security  
6 and prosperity. Support of Ukraine's success also fits squarely into our strategy for  
7 Central and Eastern Europe since the fall of the wall 30 years ago this past week. A  
8 Europe truly whole, free, and at peace, our strategic aim for the entirety of my Foreign  
9 Service career is not possible without a Ukraine whole, free, and at peace, including  
10 Crimea and the Donbas, territories currently occupied by Russian, represented by the red  
11 in the map.

12 Looking forward, the Trump administration's national security strategy makes  
13 clear the global strategic challenge now before us, great power competition with rivals  
14 such as Russia and China, and the need to compete for positive influence without taking  
15 countries for granted. In that sense, Ukraine has been on the front lines not just of  
16 Russia's conventional war in Eastern Europe since 2014 and its broader campaign of  
17 malign influence but of the greater geopolitical challenges now facing the United States.

18 Ukraine's popular revolution of dignity in 2014 forced a corrupt pro-Russian  
19 leadership to flee to Moscow. After that, Russia invaded Ukraine, occupying 7 percent  
20 of its territory, roughly equivalent to the size of Texas for the United States. At that  
21 time, Ukraine's state institutions were on the verge of collapse.

22 Ukrainian civil society answered the challenge. They formed volunteer  
23 battalions of citizens including technology professionals and medics. They  
24 crowdsourced funding for their own weapons, body armor, and supplies. They were the  
25 21st century Ukrainian equivalent of our own minutemen of 1776, buying time for a

1 regular Army to reconstitute. Since then, more than 13,000 Ukrainians have died on  
2 Ukrainian soil, defending their territorial integrity and sovereignty from Russia aggression.  
3 America's support in Ukraine's own de facto war of independence has been critical in this  
4 regard.

5 By analogy, the American Colonies may not have prevailed against the British  
6 imperial might without the help of transatlantic friends after 1776. In an echo of  
7 Lafayette's organized assistance to General George Washington's Army and Admiral John  
8 Paul Jones' Navy, Congress has generously appropriated over \$1.5 billion over the past 5  
9 years in desperately needed train-and-equip security assistance to Ukraine. These funds  
10 increase Ukraine's strength and ability to fight Russian aggression. Ultimately, Ukraine  
11 is on a path to become a full security partner of the United States within NATO.

12 Similar to von Steuben training colonials at Valley Forge, U.S. and NATO allied  
13 trainers developed the skills of Ukrainian units at Yavoriv near the Polish border and  
14 elsewhere. They help rewrite military education for Ukraine's next generation as von  
15 Steuben did for America's first.

16 In supporting Ukraine's brave resistance to Russian aggression, we have a  
17 front-row seat to the Russian way of war in the 21st century, gaining priceless insights  
18 that contribute to our own security.

19 This year, in 2019, Ukrainian citizens passed the political torch to a new  
20 generation, one that came of age not in the final years of the Soviet Union but in an  
21 independent Ukraine. Presidential and parliamentary elections swept out much of  
22 Ukraine's previous governing elite and seated 41-year-old President Zelensky a Cabinet  
23 with an average age of 39, and a Parliament with the average age of 41.

24 At the heart of that change mandate 5 years after Ukraine's revolution of dignity is  
25 a thirst for justice because there cannot be dignity without justice. Without a reformed

1 judicial sector that delivers justice with integrity for all, Ukrainian society will remain  
2 unsettled. Foreign investors, including American investors, will not bring the great  
3 investment needed to ensure that Ukraine's long-term prosperity is secured.

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

8 I am grateful to all of the Members of Congress and staffers, including many of  
9 you sitting here today, who have traveled to Ukraine over the past 5 years and  
10 appropriated billions of dollars of assistance in support of our primary policy goals.  
11 Those funds increase Ukraine's ability to fight Russian aggression in the defense, energy,  
12 cyber, and information spheres. And they also empower state institutions and civil  
13 society to undertake systemic reforms and tackle corruption.

14 I believe all of us can be proud of our efforts in Ukraine over the past 5 years, even  
15 though much remains to be done. And by "all of us," I mean those of us in the  
16 legislative and the executive branches, in both parties, the interagency community  
17 working out of our Embassy in Kyiv, with Ukrainians in government, the military, and civil  
18 society, and our transatlantic allies and partners. We cannot allow our resolve to waiver  
19 since too much is at stake, not just for Ukraine and the future of European security but  
20 for the national interests of the United States broadly defined.

21 My prior deposition covered a lot of ground over 10 hours. Here are the main 10  
22 themes from my testimony.

23 I outlined my experience with longstanding U.S. interests in supporting  
24 anticorruption efforts in Ukraine. This work gave me a front row seat to problematic  
25 activities by successive prosecutors general in Ukraine. For many of the issues this

1 committee is investigating, my knowledge and understanding is sometimes firsthand and  
2 sometimes comes from others involved in specific conversations and meetings. This is  
3 no different than how anyone learns and carries out his or her job responsibilities. I  
4 have been and remain willing to share my factual observations with the committee and  
5 will make clear when those are based on personal knowledge or from information  
6 gleaned from others.

7 U.S. efforts to counter corruption in Ukraine focus on building institutional  
8 capacity so that the Ukrainian Government has the ability to go after corruption and  
9 effectively investigate, prosecute, and judge alleged criminal activities using appropriate  
10 institutional mechanisms, that is, to create and follow the rule of law. That means that  
11 if there are criminal nexuses for activity in the United States, U.S. law enforcement should  
12 pursue the case. If we think there has been a criminal act overseas that violates U.S.  
13 law, we have the institutional mechanisms to address that. It could be through the  
14 Justice Department and FBI agents assigned overseas or through treaty mechanisms, such  
15 as the mutual legal assistance treaty.

16 As a general principle, I do not believe the United States should ask other  
17 countries to engage in selective politically associated investigations or prosecutions  
18 against opponents of those in power because such selective actions undermine the rule  
19 of law, regardless of the country.

20 The pervasive and longstanding problem of corruption in Ukraine included  
21 exposure to a situation involving the energy company Burisma. The primary concern of  
22 the U.S. Government since 2014 was Burisma's owner, Mykola Zlochevsky, whose frozen  
23 assets abroad we had attempted to recover on Ukraine's behalf. In early 2015, I raised  
24 questions with the deputy prosecutor general about why the investigation of  
25 Mr. Zlochevsky had been terminated based on our belief that prosecutors had accepted

1 bribes to close the case.

2 Later, I became aware that Hunter Biden was on the board of Burisma. Soon  
3 after that, in a briefing call with the national security staff of the Office of the Vice  
4 President in February of 2015, I raised my concern that Hunter Biden's status as a board  
5 member could create the perception of a conflict of interest. Let me be clear, however:  
6 I did not witness any effort by any U.S. official to shield Burisma from scrutiny. In fact, I  
7 and other U.S. officials consistently advocated reinstating a scuttled investigation of  
8 Zlochevsky, Burisma's founder, as well as holding the corrupt prosecutors who closed the  
9 case to account.

10 Over the course of 2018 and 2019, I became increasingly aware of an effort by  
11 Rudy Giuliani and others, including his associates Lev Parnas and Igor Fruman, to run a  
12 campaign to smear Ambassador Yovanovitch and other officials at the U.S. Embassy in  
13 Kyiv. The chief agitators on the Ukrainian side of this effort were some of those same  
14 corrupt former prosecutors I had encountered, particularly Yuriy Lutsenko and Viktor  
15 Shokin. They were now peddling false information in order to extract revenge against  
16 those who had exposed their misconduct, including U.S. diplomats, Ukrainian  
17 anticorruption officials, and reform-minded civil society groups in Ukraine.

18 During the late spring and summer of 2019, I became alarmed as those efforts  
19 bore fruit. They led to the ouster of Ambassador Yovanovitch and hampered U.S. efforts  
20 to establish rapport with the new Zelensky administration in Ukraine. In mid-August, it  
21 became clear to me that Giuliani's efforts to gin up politically motivated investigations  
22 were now infecting U.S. engagement with Ukraine, leveraging President Zelensky's desire  
23 for a White House meeting.

24 There are and always have been conditionality placed on our sovereign loan  
25 guarantees for Ukraine. Conditions include anticorruption reforms, as well as meeting

1 larger stability goals and social safety nets. The International Monetary Fund does the  
2 same thing. Congress and the executive branch work together to put conditionality on  
3 some security assistance in the Ukraine Security Assistance Initiative.

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

7 First, the State Department has collected all materials in response to the  
8 September 27th subpoena that may contain facts relevant to my testimony. I have no  
9 such documents or materials with me today. I will thus do my best to answer as  
10 accurately, completely, and truthfully as I can to the best of my recollection.

11 Second, as this committee knows from the deposition testimony, throughout this  
12 process there have been concerns that questions may be asked about classified  
13 information. We have asked the State Department for guidance about classification  
14 concerns related to the public release of my deposition, and the State Department has  
15 declined to provide any. So, if I'm asked a question today that I believe may implicate  
16 classified information, I will respectfully decline to answer in this public forum.

17 Third, there may be questions focusing on the identity of people in the  
18 Intelligence Community. These questions were redacted from my deposition's  
19 transcript. If such a question arises today, I will follow my counsel's advice and decline  
20 to answer.

21 I would like to conclude my opening remarks with an observation about some of  
22 my fellow public servants who have come under personal attacks: Ambassador  
23 Yovanovitch, Lieutenant Colonel Vindman, and Dr. Hill, at least one of whom is going  
24 appear before this body in the coming days. Masha, Alex, and Fiona were born abroad  
25 before their families or they themselves personally chose to immigrate to the United

1 States. They all made the professional choice to serve the United States as public  
2 officials, helping shape our national security policy towards Russia in particular. And we  
3 and our national security are the better for it.

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

9 That honorable tradition of transatlantic ties goes back to the very founding of our  
10 Republic. Our 18th century independence would not have been secured without the  
11 choice of European officers, the French-born Lafayette and Rochambeau, the  
12 German-born von Steuben, and the Poles Pulaski and Kosciuszko to come to the new world  
13 and fight for our cause of freedom and the birth of a new country, free from imperial  
14 dominion. It is my privilege to sit next to my former boss, Ambassador Taylor, today.  
15 And it is my honor to serve with all of these patriotic Americans.

16 Thank you.

17 [The statement of Mr. Kent follows:]

18

19 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1  
2           The Chairman. Thank you.

3           Ambassador Taylor.  
4

5           **STATEMENT OF THE HONORABLE WILLIAM B. TAYLOR**  
6

7           Ambassador Taylor. Mr. Chairman, I'm appearing today at the committee's  
8 request to provide my perspective on the events that are the subject of the committee's  
9 inquiry. I want to emphasize at the outset that while I am aware that the committee  
10 has requested my testimony as part of impeachment proceedings, I am not here to take  
11 one side or the other or to advocate for any particular outcome of these proceedings.  
12 My sole purpose is to provide facts as I know them about the incidents in question, as  
13 well as my views about the strategic importance of Ukraine to the United States.

14           By way of background, it has been a privilege for me to serve our country and the  
15 American people for more than 50 years, starting as a cadet at West Point, as you have  
16 mentioned, Mr. Chairman; then as an infantry officer for six years including with the  
17 101st Airborne Division in Vietnam; then at the Department of Energy; then as a member  
18 of a Senate staff; then at NATO; then with the State Department here and abroad in  
19 Afghanistan, Iraq, Jerusalem, and Ukraine.

20           I retired from the State Department in 2009 to join the United States Institute of  
21 Peace. I am neither a career member of the Foreign Service nor of the Civil Service. I  
22 am nonpartisan and have been appointed to my positions by every President from  
23 President Reagan to President Trump.

24           Let me emphasize my main points. First, Ukraine is a strategic partner of the  
25 United States, important for the security of our country as well as Europe. Ukraine is on

1 the front line in the conflict with a newly aggressive Russia.

2 Second, even as we sit here today, the Russians are attacking Ukrainian soldiers in  
3 their own country and have been for the last 4 years. I saw this on the front line last  
4 week. The day I was there, a Ukrainian soldier was killed and four were wounded.

5 Third, the security assistance we provide is crucial to Ukraine's defense and to the  
6 protection of the soldiers I met on the front line last week. It demonstrates to  
7 Ukrainians and Russians that we are Ukraine's reliable strategic partner. It is clearly in  
8 our national interest to deter further Russian aggression.

9 And, finally, as the committee is aware, I wrote that withholding security  
10 assistance in exchange for help with a domestic political campaign in the United States  
11 would be crazy. I believe that then, and I believe it now. Let me tell you why.

12 On May 28th of this year, I met with Secretary of State Mike Pompeo who asked  
13 me to rejoin the State Department and return to Kyiv to lead our embassy in Ukraine. It  
14 was and is a critical time for U.S./Ukraine relations. I had served as Ambassador to  
15 Ukraine from 2006 to 2009, having been nominated by George W. Bush, and in the  
16 intervening 10 years had stayed engaged with Ukraine. Across the responsibilities I have  
17 had in public service, Ukraine is the highlight. And so Secretary Pompeo's offer to return  
18 as chief of mission was compelling.

19 Since I left Ukraine in 2009, the country had continued to turn toward the West,  
20 but in 2013, Vladimir Putin was so threatened by the prospect of Ukraine joining the  
21 European Union that he tried to bribe the Ukrainian President. This triggered mass  
22 protests in the winter of 2013 that drove that President to flee to Russia in February of  
23 2014 but not before his forces killed a hundred Ukrainian protestors in central Kyiv.

24 Days later, Mr. Putin invaded Crimea, holding a sham referendum at the point of  
25 Russian Army rifles. The Russians absurdly claimed that 97 percent voted to join Russia.

1 In early April, Putin sent his Army and security forces into southeastern Ukraine to  
2 generate illegal armed formations and puppet governments in what we know as Donbas.  
3 You can see this on the map in the right-hand portion in the eastern portion of the  
4 country. 14,000 Ukrainians have died in the war in Donbas, and more die each week.

5 In July 2014, these Russian-led forces in Donbas shot down a civilian airliner en  
6 route from Amsterdam to Malaysia, killing all 298 people on board. We, the Europeans,  
7 and most of the West imposed economic sanctions and kicked the Russians out of the G8.  
8 Beginning in 2014, we and NATO began to provide military assistance to Ukraine's Armed  
9 Forces in the form of training, advice, military equipment, and weapons.

10 It is this security assistance that is at the heart of the controversy that we are  
11 discussing today. The pro-Russian President, who was run out of Kyiv in 2014, had let  
12 the Russian Armed Forces deteriorate to the point of ruin. In response to the Russian  
13 invasion, the new Ukrainian authorities, with an amazing outpouring of support from  
14 regular Ukrainian people, rebuilt the Army nearly from scratch, spending more than  
15 5 percent of Ukrainian GDP on defense since the war started. The whole Ukrainian  
16 nation fiercely responded to the Russian attack. The nation united like never before.  
17 A ragtag army developed into a strong fighting force, and the United States played a vital  
18 role.

19 Since 2014, you and Congress have provided over \$1.6 billion in military assistance  
20 to Ukraine. The security assistance provides small unit training at an Army base near  
21 Lviv in the west end of the country. It provides ambulances, night-vision devices,  
22 communications equipment, counterbattery radar, Navy ships, and, finally, weapons.  
23 This security assistance demonstrates our commitment to resist aggression and defend  
24 freedom.

25 During the 2014 to 2016 period, I was serving outside of government and joined

1 two other former Ambassadors to Ukraine, urging the Obama administration officials at  
2 the State Department, Defense Department, and other agencies to provide lethal  
3 defensive weapons to Ukraine in order to deter further Russian aggression. I also  
4 supported much stronger sanctions on Russia. I was pleased when the Trump  
5 administration provided Javelin antitank missiles and enacted stronger sanctions. All to  
6 say, I cared about Ukraine's future and the important U.S. interests there.

7 So, when Secretary Pompeo asked me to go back to Kyiv, I wanted to say yes, but  
8 it was not an easy decision. The former Ambassador, Masha Yovanovitch, has been  
9 treated poorly, caught in a web of political machinations, both in Kyiv and Washington.  
10 I feared that those problems were still present. I consulted both my wife and the  
11 respected former senior Republican official who has been a mentor. I will tell you that  
12 my wife in no uncertain terms strongly opposed the idea. The mentor counseled: If  
13 your country asks to you do something, you do it if you can be effective.

14 I could be effective only if the U.S. policy of strong support for Ukraine, strong  
15 diplomatic support, along with robust security, economic, and technical assistance were  
16 to continue, and if I had the backing of the Secretary of State to implement that policy.  
17 And I worried about what I had heard concerning the role of Rudy Giuliani, who had made  
18 several controversial statements about Ukraine and U.S. policy toward the country.

19 So, during my meeting with Secretary Pompeo on May 28th, I made clear to him  
20 and the others present that if U.S. policy towards Ukraine changed, he would not want  
21 me posted there and I could not stay. He assured me that the policy of strong support  
22 for Ukraine would continue and that he would support me in defending that policy.

23 With that understanding, I agreed to go back to Kyiv. Because I was appointed  
24 by the Secretary but not reconfirmed by the Senate, my official position was charge  
25 d'affaires ad interim. In effect, I was the Acting Ambassador to Ukraine. I returned to

1 Kyiv on June 17th, carrying the original copy of a letter President Trump signed the day  
2 after I met with the Secretary. In that letter, President Trump congratulated President  
3 Zelensky on his election victory and invited him to a meeting in the Oval Office.

4 But once I arrived in Kyiv, I discovered a weird combination of encouraging,  
5 confusing, and ultimately alarming circumstances.

6 First the encouraging. President Zelensky was reforming Ukraine in a hurry. He  
7 appointed reformist ministers and supported long-stalled anticorruption legislation. He  
8 took quick executive action, including opening Ukraine's high anticorruption court. With  
9 a new parliamentary majority stemming from snap elections, President Zelensky changed  
10 the Ukrainian constitution to remove absolute immunity from Rada deputies, the source  
11 of raw corruption for two decades. The excitement in Kyiv was palpable. This time  
12 could be different, a new Ukraine finally breaking from its corrupt post-Soviet past.

13 And yet I found the confusing and unusual arrangement for making U.S. policy  
14 towards Ukraine. There appeared to be two channels of U.S. policymaking and  
15 implementation, one regular and one highly irregular. As the Acting Ambassador, I had  
16 authority over the regular, formal diplomatic processes, including the bulk of the U.S.  
17 effort to support Ukraine against Russian invasion and to help it defeat corruption.

18 My colleague, Deputy Assistant Secretary of State George Kent, and our  
19 colleagues at the National Security Council were my main points of contact in Washington  
20 in this regular channel. This channel is formally responsible for formulating and  
21 overseeing the implementation of U.S. foreign policy with respect to Ukraine, a policy  
22 that has consistently enjoyed strong, bipartisan support both in Congress and in all  
23 administrations since Ukraine's independence from Russia in 1991.

24 At the same time, however, I encountered an irregular, informal channel of U.S.  
25 policymaking with respect to Ukraine. Unaccountable to Congress, a channel that

1 included then Special Envoy Kurt Volker, U.S. Ambassador to the European Union Gordon  
2 Sondland, Secretary of Energy Rick Perry, White House Chief of Staff Mick Mulvaney, and,  
3 as I subsequently learned, Mr. Giuliani.

4 I was clearly in the regular channel, but I was also in the irregular one to the  
5 extent that Ambassadors Volker and Sondland included me in certain conversations.  
6 Although this irregular channel was well connected in Washington, it operated mostly  
7 outside of official State Department channels.

8 The irregular channel began when Ambassador Volker, Ambassador Sondland,  
9 Secretary Perry, and Senator Ron Johnson briefed President Trump on May 23rd upon  
10 their return from President Zelensky's inauguration.

11

1           RPTR PANGBURN

2           EDTR HOFSTAD

3           [11:04 a.m.]

4           Ambassador Taylor. The delegation was as enthusiastic as I would soon become  
5 about the new Ukrainian President and urged President Trump to meet with him early on  
6 to cement the U.S.-Ukraine relationship. But from what I understood from the  
7 participants, President Trump did not share their enthusiasm for a meeting with President  
8 Zelensky.

9           When I arrived in Kyiv, the actions of both the regular and the irregular channels  
10 of foreign policy appeared to serve the same goal: a strong U.S.-Ukraine partnership.  
11 But it became clear to me by August that the channels had diverged in their objectives.  
12 As this occurred, I became increasingly concerned.

13           In late June, both channels were trying to facilitate a visit by President Zelensky to  
14 the White House for a meeting with President Trump, which President Trump had  
15 promised in his congratulatory letter of May 29th. The Ukrainians were clearly eager for  
16 the meeting to happen.

17           But during my subsequent communications with Ambassadors Volker and  
18 Sondland, they relayed to me that the President wanted to hear from Zelensky before  
19 scheduling the meeting in the Oval Office. It was not clear to me what this meant.

20           On June 27th, Ambassador Sondland told me during a phone conversation that  
21 President Zelensky needed to make clear to President Trump that he, President Zelensky,  
22 was not standing in the way of investigations.

23           I sensed something odd when Ambassador Sondland told me on June 28th that he  
24 did not wish to include most of the regular interagency participants in a call planned with  
25 President Zelensky later that day. Ambassador Sondland, Ambassador Volker, Secretary

1 Perry, and I were on this call, dialing in from different locations. However, Ambassador  
2 Sondland said he wanted to make sure no one was transcribing or monitoring as they  
3 added President Zelensky to the call.

4 Also, before President Zelensky joined the call, Ambassador Volker separately told  
5 the U.S. participants that he, Ambassador Volker, planned to be explicit with President  
6 Zelensky in a one-on-one meeting in Toronto on July 2nd. In that meeting, Ambassador  
7 Volker planned to make clear what President Zelensky should do to get the White House  
8 meeting. I did not understand what this meant, but Ambassador Volker said he would  
9 relay that President Trump wanted to see rule of law, transparency, but also, specifically,  
10 cooperation on investigations to get to the bottom of things.

11 Once President Zelensky joined the call, the conversation was focused on energy  
12 policy and the war in Donbas. President Zelensky also said he looked forward to the  
13 White House visit President Trump had offered in his May 29th letter.

14 By mid-July, it was becoming clear to me that the meeting President Zelensky  
15 wanted was conditioned on the investigations of Burisma and alleged Ukrainian  
16 interference in the 2016 U.S. elections. It was also clear that this condition was driven  
17 by the irregular policy channel I had come to understand was guided by Mr. Giuliani.

18 In a regular NSC secure video conference call on July 18th, I heard a staff person  
19 from the Office of Management and Budget say that there was a hold on security  
20 assistance to Ukraine but could not say why. Toward the end of an otherwise normal  
21 meeting, a voice on the call -- the person was off-screen -- said that she was from OMB  
22 and her boss had instructed her not to approve any additional spending on security  
23 assistance for Ukraine until further notice.

24 I and others sat in astonishment. The Ukrainians were fighting Russians and  
25 counted on not only the training and weapons but also the assurance of U.S. support.

1 All that the OMB staff person said was that the directive had come from the President, to  
2 the Chief of Staff, to OMB.

3 In an instant, I realized that one of the key pillars of our strong support for Ukraine  
4 was threatened. The irregular policy channel was running contrary to the goals of  
5 longstanding U.S. policy.

6 There followed a series of NSC-led interagency meetings, starting at the staff level  
7 and quickly reaching the level of Cabinet Secretaries. At every meeting, the unanimous  
8 conclusion was that the security assistance should be resumed, the hold lifted.

9 At one point, the Defense Department was asked to perform an analysis of the  
10 effectiveness of the assistance. Within a day, the Defense Department came back with  
11 the determination that the assistance was effective and should be resumed.

12 My understanding was that the Secretaries of Defense and State, the CIA Director  
13 and the National Security Advisor sought a joint meeting with the President to convince  
14 him to release the hold, but such a meeting was hard to schedule, and the hold lasted  
15 well into September.

16 On July 9th, in a phone call with then-Senior Director for European and Russian  
17 Affairs Fiona Hill and Director of European Affairs Lieutenant Colonel Alex Vindman at the  
18 NSC, they tried to assure me that they were not aware of any official change in U.S. policy  
19 towards Ukraine, OMB's announcement notwithstanding. They did confirm that the  
20 hold on security assistance for Ukraine came from Chief of Staff Mick Mulvaney, who  
21 maintained a skeptical view of Ukraine.

22 In the same July 19th phone call, they gave me an account of a July 10th meeting  
23 with Ukrainian and American officials at the White House. They told me that, partway  
24 through the meeting, Ambassador Sondland had connected investigations with an Oval  
25 Office meeting for President Zelensky, which so irritated then-National Security Advisor

1 John Bolton that he abruptly ended the meeting, telling Dr. Hill and Lieutenant Colonel  
2 Vindman that they should have nothing to do with domestic politics. He also directed  
3 Dr. Hill to brief the lawyers.

4 Dr. Hill said that Ambassador Bolton referred to this deal as -- this as a drug deal  
5 after the July 10th meeting. Ambassador Bolton opposed a call between President  
6 Zelensky and President Trump, out of concern that it would be a disaster.

7 Needless to say, the Ukrainians in the meetings were confused. Ambassador  
8 Bolton and the regular Ukraine policy decision-making channel wanted to talk about  
9 security, energy, and reform. Ambassador Sondland, a participant in the irregular  
10 channel, wanted to talk about the connection between a White House meeting and  
11 Ukrainian investigations.

12 Also during our July 19th call, Dr. Hill informed me that Ambassador Volker had  
13 met with Mr. Giuliani to discuss Ukraine. This caught me by surprise. The next day, I  
14 asked Ambassador Volker about that meeting but received no response.

15 I began to sense that these two separate decision-making channels, the regular  
16 and the irregular, were separate and at odds.

17 Later that day, I received text messages on a three-way WhatsApp text  
18 conversation with Ambassadors Volker and Sondland, a record of which was provided by  
19 Ambassador Volker. Ambassador Sondland said that a call between President Trump  
20 and President Zelensky would take place soon. Ambassador Volker said that what was  
21 most important is for Zelensky to say that he will help the investigation and address any  
22 specific personnel issues, if there are any.

23 On the next day, July 20th, I had a phone conversation with Ambassador Sondland  
24 while he was on a train from Paris to London. Ambassador Sondland told me that he  
25 had recommended to President Zelensky that he use the phrase "I will leave no stone

1 unturned" with regard to investigations when President Zelensky spoke with President  
2 Trump.

3 Also on July 20th, I had a phone conversation with Oleksandr Danylyuk, President  
4 Zelensky's national security advisor, who emphasized that President Zelensky did not  
5 want to be used as an instrument in a U.S. reelection campaign. The next day, I texted  
6 both Ambassadors Volker and Sondland about President Zelensky's concern.

7 On July 25th, President Trump and President Zelensky had the long-awaited  
8 phone conversation. Even though I was Acting Ambassador and was scheduled to meet  
9 with President Zelensky along with Ambassador Volker the following day, I received no  
10 readout of the call from the White House. The Ukrainian Government issued a short,  
11 cryptic summary.

12 During a previously planned July 26th meeting, President Zelensky told  
13 Ambassador Volker and me that he was happy with the call but did not elaborate.  
14 President Zelensky then asked about the face-to-face meeting in the Oval Office, as  
15 promised in the May 29th letter from President Trump. We could give him no firm  
16 answer.

17 After our meeting with President Zelensky, Ambassador Volker and I traveled to  
18 the front line in northern Donbas to receive a briefing from the commander of forces on  
19 the line of contact. Arriving for the briefing in the military headquarters, the  
20 commander thanked us for the security assistance. But I was aware that this assistance  
21 was on hold, which made me uncomfortable.

22 Ambassador Volker and I could see the armed and hostile Russian-led forces on  
23 the other side of the damaged bridge across the line of contact. Russian-led forces  
24 continued to kill Ukrainians in the war, one or two a week. More Ukrainians would  
25 undoubtedly die without the U.S. assistance.

1           Although I spent the morning of July 26th with President Zelensky and other  
2 Ukrainian officials, the first summary of the July 25th Trump-Zelensky call that I heard  
3 from anybody inside the U.S. Government was during a phone call I had with Tim  
4 Morrison, Dr. Hill's recent replacement at the NSC, on July 28th.

5           Mr. Morrison told me that the call could have been better and that President  
6 Trump had suggested that President Zelensky or his staff meet with Mr. Giuliani and  
7 Attorney General William Barr. I did not see any official readout of the call until it was  
8 publicly released on September 25th.

9           By August, I was becoming more concerned. On August 16th, I exchanged text  
10 messages with Ambassador Volker in which I learned that Andriy Yermak, a senior advisor  
11 to President Zelensky, had asked that the United States submit an official request for an  
12 investigation into Burisma's alleged violations of Ukrainian law if that is what the United  
13 States desired.

14           A formal U.S. request to the Ukrainians to conduct an investigation based on  
15 violations of their own law struck me as improper, and I recommended to Ambassador  
16 Volker that we stayed clear. To find out the legal aspects of the question, however, I  
17 gave him the name of a deputy assistant attorney general whom I thought would be the  
18 proper point of contact for seeking a U.S. request for a foreign investigation.

19           By mid-August, because the security assistance had been held for over a month  
20 for no reason that I could discern, I was beginning to fear that the longstanding U.S. policy  
21 of support for Ukraine was shifting.

22           I called State Department counselor Ulrich Brechbuhl to discuss this on August  
23 21st. He said he was not aware of a change in policy but would check on the status of  
24 the security assistance.

25           My concern deepened the next daily, on August 22nd, during a phone

1 conversation with Mr. Morrison. I asked him if there had been a change in policy of  
2 strong support for Ukraine, to which he responded, "it remains to be seen." He also told  
3 me during this call that "the President doesn't want to provide any assistance at all."

4 That was extremely troubling to me, as I had told Secretary Pompeo in May, if the  
5 policy of strong support for Ukraine were to change, I would have to resign. Based on  
6 my call with Mr. Morrison, I was preparing to do so.

7 Just days later, on August 27th, Ambassador Bolton arrived in Kyiv and met with  
8 President Zelensky. During their meeting, security assistance was not discussed. As far  
9 as I knew, the Ukrainians were not aware of the hold until August 29th. I, on the other  
10 hand, was all too aware of and still troubled by the hold.

11 Near the end of Ambassador Bolton's visit, I asked to meet him privately, during  
12 which I expressed to him my serious concern about the withholding of military assistance  
13 to Ukraine while the Ukrainians were defending their country from Russian aggression.  
14 Ambassador Bolton recommended that I send a first-person cable to Secretary Pompeo  
15 directly relaying my concerns.

16 I wrote and transmitted such a cable on August 29th, describing the folly I saw in  
17 withholding military aid to Ukraine at a time when hostilities were still active in the east  
18 and when Russia was watching closely to gauge the level of American support for the  
19 Ukrainian Government. The Russians, as I said at my deposition, would love to see the  
20 humiliation of President Zelensky at the hands of the Americans. I told the Secretary  
21 that I could not and would not defend such a policy.

22 Although I received no specific response, I heard that soon thereafter the  
23 Secretary carried the cable with him to a meeting at the White House focused on security  
24 assistance for Ukraine.

25 The same day that I sent my cable to the Secretary, Mr. Yermak contacted me,

1 very concerned, asking about the withheld security assistance. The hold that the White  
2 House had placed on assistance had just been made public that day in a Politico story.

3 At that point, I was embarrassed that I could give him no explanation for why it  
4 was withheld. It had still not occurred to me that the hold on security assistance could  
5 be related to the investigations. That, however, would change.

6 On September 1st, just 3 days after my cable to Secretary Pompeo, President  
7 Zelensky met Vice President Pence at a bilateral meeting in Warsaw. President Trump  
8 had planned to travel to Warsaw but at the last minute had canceled because of  
9 Hurricane Dorian.

10 Just hours before the Pence-Zelensky meeting, I contacted Mr. Danylyuk to let him  
11 know that the delay of U.S. assistance was an all-or-nothing proposition, in the sense that  
12 if the White House did not lift the hold prior to the end of the fiscal year, September 30th,  
13 the funds would expire and Ukraine would receive nothing.

14 I was hopeful that at the bilateral meeting or shortly thereafter the White House  
15 would lift the hold, but this was not to be.

16 On the evening of September 1st, I received a readout of the Pence-Zelensky  
17 meeting over the phone from Mr. Morrison, during which he told me that President  
18 Zelensky had opened the meeting by immediately asking the Vice President about the  
19 security cooperation. The Vice President did not respond substantively but said that he  
20 would talk to President Trump that night. The Vice President did say that President  
21 Trump wanted the Europeans to do more to support Ukraine and that he wanted the  
22 Ukrainians to do more to fight corruption.

23 During the same phone call with Mr. Morrison, he described a conversation  
24 Ambassador Sondland had with Mr. Yermak in Warsaw. Ambassador Sondland told  
25 Mr. Yermak that the security assistance money would not come until President Zelensky

1 committed to pursue the Burisma investigation.

2 I was alarmed by what Mr. Morrison told me about the Sondland-Yermak  
3 conversation. I understand that Mr. Morrison testified at his deposition that  
4 Ambassador Sondland proposed it might be sufficient for the Ukrainian Prosecutor  
5 General to commit to pursue the investigations, as opposed to President Zelensky. But  
6 this was the first time that I had heard that the security assistance, not just the White  
7 House meeting, was conditioned on the investigations.

8 Very concerned, on that same day, September 1st, I sent Ambassador Sondland a  
9 text message asking if we are now saying that the security assistance and a White House  
10 meeting are conditioned on investigations. Ambassador Sondland responded, asking  
11 me to call him, which I did.

12 During that phone call, Ambassador Sondland told me that President Trump had  
13 told him that he wants President Zelensky to state publicly that Ukraine will investigate  
14 Burisma and alleged Ukrainian interference in the 2016 election.

15 Ambassador Sondland also told me that he now recognized that he had made a  
16 mistake by earlier telling Ukrainian officials that only a White House meeting with  
17 President Zelensky was dependent on a public announcement of the investigations. In  
18 fact, Ambassador Sondland said, everything was dependent on such an announcement,  
19 including security assistance.

20 He said that President Trump wanted President Zelensky in a public box, by  
21 making a public statement about ordering such investigations.

22 In the same September 1st call, I told Ambassador Sondland that President Trump  
23 should have more respect for another head of State and that what he described was not  
24 in the interest of either President Trump or President Zelensky. At that point, I asked  
25 Ambassador Sondland to push back on President Trump's demand. Ambassador

1 Sondland pledged to try.

2 I suggested the possibility that the Ukrainian Prosecutor General, rather than  
3 President Zelensky, would make a statement about the investigations, potentially in  
4 coordination with Attorney General Barr's probe into the investigation of interference in  
5 the 2016 elections.

6 The next day, September 2nd, Mr. Morrison called to inform me that Mr.  
7 Danylyuk had asked him to come to his hotel in Warsaw. Mr. Danylyuk expressed  
8 President Zelensky's concern about the possible loss of U.S. support for Ukraine.

9 In particular, Mr. Morrison relayed to me that the inability of any U.S. officials to  
10 respond to the Ukrainians' explicit questions about security assistance was troubling  
11 them. I was experiencing the same tension in my dealings with the Ukrainians, including  
12 a meeting I had had with the Defense Minister that day.

13 On September 5th, I accompanied Senators Johnson and Murphy during their visit  
14 to Kyiv. When we met with President Zelensky, his first question to the Senators was  
15 about the withheld security assistance. My recollection of the meeting is that both  
16 Senators stressed that bipartisan support for Ukraine in Washington was Ukraine's most  
17 important strategic asset and that President Zelensky should not jeopardize that  
18 bipartisan support by getting drawn in to U.S. domestic politics.

19 I had been making and continue to make this point to all of my official Ukrainian  
20 contacts. But the odd push to make President Zelensky publicly commit to  
21 investigations of Burisma and alleged interference in the 2016 election showed how the  
22 official foreign policy of the United States was undercut by the irregular efforts led by Mr.  
23 Giuliani.

24 Two days later, September 7th, I had a conversation with Mr. Morrison in which  
25 he described a phone conversation earlier that day between Ambassador Sondland and

1 President Trump. Mr. Morrison said that he had a sinking feeling after learning about  
2 this conversation from Ambassador Sondland.

3 According to Mr. Morrison, President Trump told Ambassador Sondland he was  
4 not asking for a quid pro quo, but President Trump did insist that President Zelensky go to  
5 a microphone and say he is opening investigations of Biden and 2016 election  
6 interference and that President Zelensky should want to do this himself.

7 Mr. Morrison said that he told Ambassador Bolton and the NSC lawyers of this  
8 phone call between President Trump and Ambassador Sondland.

9 The following day, on September 8th, Ambassador Sondland and I spoke on the  
10 phone. He confirmed that he had talked to President Trump, as I had suggested a week  
11 earlier, but that President Trump was adamant that President Zelensky himself had to  
12 clear things up and do it in public. President Trump said it was not a quid pro quo. I  
13 believe this was the same conversation between Ambassador Sondland and President  
14 Trump that Mr. Morrison had described to me on September 7th.

15 Ambassador Sondland also said that he had talked to President Zelensky and Mr.  
16 Yermak and had told them that, although this was not a quid pro quo, if President  
17 Zelensky did not clear things up in public, we would be at a stalemate. I understood a  
18 "stalemate" to mean that Ukraine would not receive the much-needed military  
19 assistance.

20 Ambassador Sondland said that this conversation concluded with President  
21 Zelensky agreeing to make a public statement in an interview on CNN.

22 Shortly after that call with Ambassador Sondland, I expressed my strong  
23 reservations in a text message to Ambassador Sondland, stating that my nightmare is that  
24 they, the Ukrainians, give the interview and don't get the security assistance. "The  
25 Russians love it. (And I quit.)" And I was serious.

1           The next day, September 9th, I said to Ambassadors Sondland and Volker that the  
2 message to the Ukrainians and the Russians we send with the decision on security  
3 assistance is key. With the hold, we have already shaken their faith in us. I also said, I  
4 think it's crazy to withhold security assistance for help with a political campaign.

5           Ambassador Sondland responded about 5 hours later that I was incorrect about  
6 President Trump's intentions. The President has been crystal-clear: No quid pro quos  
7 of any kind.

8           During our meeting -- during our call on September 8th, Ambassador Sondland  
9 tried to explain to me that President Trump is a businessman. When a businessman is  
10 about to sign a check to someone who owes him something, the businessman asks that  
11 person to pay up before signing the check. Ambassador Volker used the same language  
12 several days later while we were together at the Yalta European Strategy Conference.

13           I argued to both that the explanation made no sense. The Ukrainians did not  
14 owe President Trump anything. And holding up security assistance for domestic political  
15 gain was crazy, as I had said in my text message to Ambassadors Sondland and Volker on  
16 September 9th.

17           Finally, on September 11th, I learned that the hold had been lifted and security  
18 assistance would be provided. I was not told the reason why the hold had been lifted.

19           The next day, I personally conveyed the news to President Zelensky and the  
20 Ukrainian Foreign Minister, and I again reminded Mr. Yermak of the high strategic value  
21 of bipartisan support for Ukraine and the importance of not getting involved in other  
22 countries' elections. My fear at the time was that, since Ambassador Sondland had told  
23 me President Zelensky had already agreed to do a CNN interview, President Zelensky  
24 would make a statement regarding investigations that would've played into domestic  
25 U.S. politics.

1 I sought to confirm through Mr. Danylyuk that President Zelensky was not  
2 planning to give such an interview to the media. While Mr. Danylyuk initially confirmed  
3 that on September 12th, I noticed during a meeting on the morning of September 13th at  
4 President Zelensky's office that Mr. Yermak looked uncomfortable in response to the  
5 question. Again, I asked Mr. Danylyuk to confirm that there would be no CNN interview,  
6 which he did.

7 On September 25th, at the U.N. General Assembly session in New York City,  
8 President Trump met President Zelensky face-to-face. He also released the transcript of  
9 the July 25th call. The United States gave the Ukrainians virtually no notice of the  
10 release, and they were livid.

11 Although this was the first time I had seen the details of President Trump's  
12 July 25th call with President Zelensky in which he mentioned Vice President Biden, I had  
13 come to understand well before then that "investigations" was a term Ambassadors  
14 Volker and Sondland used to mean matters related to the 2016 elections and to  
15 investigations of Burisma and the Bidens.

16 Last Friday, a member of my staff told me of events that occurred on July 26th.  
17 While Ambassador Volker and I visited the front, a member of my staff accompanied  
18 Ambassador Sondland. Ambassador Sondland met with Mr. Yermak.

19 Following that meeting, in the presence of my staff at a restaurant, Ambassador  
20 Sondland called President Trump and told him of his meetings in Kyiv. The member of  
21 my staff could hear President Trump on the phone asking Ambassador Sondland about  
22 the investigations. Ambassador Sondland told President Trump the Ukrainians were  
23 ready to move forward.

24 Following the call with President Trump, the member of my staff asked  
25 Ambassador Sondland what President Trump thought about Ukraine. Ambassador

1 Sondland responded that President Trump cares more about the investigations of Biden  
2 which Giuliani was pressing for.

3 At the time I gave my deposition on October 22nd, I was not aware of this  
4 information. I am including it here for completeness. As the committee knows, I  
5 reported this information, through counsel, to the State Department's Legal Advisor as  
6 well as to counsel for both the majority and the minority of this committee. It is my  
7 understanding that the committee is following up on this matter.

8 Mr. Chairman, I recognize that this is a rather lengthy recitation of the events of  
9 the past few months, told from my vantage point in Kyiv. But I also recognize the  
10 importance of the matters your committee is investigating, and I hope that this  
11 chronology will provide some framework for your questions.

12 As I mentioned in my October 22nd deposition, the information in quotes in my  
13 testimony are based on my best recollection as well as a review of my personal notes.

14 Let me return to the points I made at the outset. Ukraine is important to the  
15 security of the United States. The largest country in Europe by land mass, Ukraine is a  
16 young democracy struggling to join Europe and ally itself with the United States. It has  
17 been violently attacked by Russia, which continues its armed aggression against Ukraine  
18 to this day.

19 If we believe in the principle of the sovereignty of nations, on which our security  
20 and the security of our friends and allies depends -- if we believe that nations get to  
21 decide on their own economic, political, and security alliances, we must support Ukraine  
22 in its fight against its bullying neighbor. Russian aggression cannot stand.

23 Republican and Democratic administrations over three decades have been  
24 generous with assistance, funding both civilian and military and political support. With  
25 overwhelming bipartisan majorities, Congress has imposed harsh sanctions on Russia for

1 invading and occupying Ukraine.

2 Mr. Chairman, there are two Ukraine stories today. The first is the one we are  
3 discussing this morning that you've been hearing about for the past 2 weeks. It's a  
4 rancorous story about whistleblowers, Mr. Giuliani, side channels, quid pro quos,  
5 corruption, and interference in elections. In this story, Ukraine is merely an object.

6 But there's another story -- a positive, bipartisan one. In this second story,  
7 Ukraine is the subject. This one is about young people in a young nation struggling to  
8 break free of its past, hopeful that their new government will finally usher in a new  
9 Ukraine, proud of its independence from Russia, eager to join Western institutions and  
10 enjoy a more secure and prosperous life.

11 This story describes a nation developing an inclusive, democratic nationalism not  
12 unlike what we in America, in our best moments, feel about our diverse country -- less  
13 concerned about what language we speak, what religion, if any, we practice, where our  
14 parents and grandparents came from, more concerned about building a new country.

15 And I'm now looking forward to your questions.

16 [The statement of Ambassador Taylor follows:]

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The Chairman. I thank you both for your testimony.

And I now recognize myself and majority counsel for 45 minutes of questions.

Mr. Conaway. Mr. Chairman, I --

The Chairman. Ambassador Taylor, I'd like to begin by following up on something that you have disclosed today and you disclosed earlier to both majority and minority but it is some new information for the committee.

You said in your testimony that one of your staff was present with Ambassador Sondland on the day after the July 25th phone call. Is that right?

Ambassador Taylor. That's correct, Mr. Chairman.

The Chairman. And as your staff related the event to you, your staff member could overhear Mr. Sondland on the phone -- could overhear the President on the phone with Mr. Sondland. Is that right?

Ambassador Taylor. That's correct.

The Chairman. So the President must have been speaking loud enough on the phone -- this was a cell phone, I take it?

Ambassador Taylor. It was a cell phone.

The Chairman. The President must have been speaking loud enough for your staff member to be able to overhear this?

Ambassador Taylor. It was.

The Chairman. And what your staff member could overhear was President Trump asking Ambassador Sondland about, quote, "the investigations." Is that right?

Ambassador Taylor. That's correct.

The Chairman. Now, I think you testified also that you had come to understand that the term "investigations" was a term that Ambassador Sondland, as well as Volker,

1 used to mean matters related to the 2016 elections and to the investigations of Burisma  
2 and the Bidens. Is that correct?

3 Ambassador Taylor. That is correct, Mr. Chairman.

4 The Chairman. So your staff member overhears the President asking about the  
5 investigations, meaning Burisma and the Bidens and 2016. Ambassador Sondland told  
6 President Trump that the Ukrainians were ready to move forward?

7 Ambassador Taylor. He did.

8 The Chairman. And I think you said that, after the call, when your staff asked  
9 Ambassador Sondland what President Trump thought of Ukraine, his response was that  
10 President Trump cares more about the investigations of Biden. Is that right?

11 Ambassador Taylor. And Burisma. Yes, sir.

12 The Chairman. And, I take it, the import of that is he cares more about that than  
13 he does about Ukraine?

14 Ambassador Taylor. Yes, sir.

15 The Chairman. During your testimony, Ambassador Taylor, you also said that  
16 more Ukrainians would undoubtedly die without U.S. assistance. Why is that?

17 Ambassador Taylor. Mr. Chairman, the security assistance that we provide takes  
18 many forms. One of the components of that assistance is counter-battery radar.

19 Another component are sniper weapons.

20 These weapons and this assistance allows the Ukrainian military to deter further  
21 incursions by the Russians against Ukrainian territory. If that further incursion, further  
22 aggression, were to take place, more Ukrainians would die. So it is a deterrent effect  
23 that these weapons provide.

24 It's also the ability -- it gives the Ukrainians the ability to negotiate from a position  
25 of a little more strength when they negotiate an end to the war in Donbas, negotiating

1 with the Russians. This also is a way that would reduce the number of Ukrainians who  
2 would die.

3 The Chairman. I take it, if the provision of the U.S. military assistance would save  
4 Ukrainian lives, that any delay in that assistance may also cost Ukrainian lives. Is that  
5 true?

6 Ambassador Taylor. Chairman, of course it's hard to draw any direct lines  
7 between any particular element of security assistance and any particular death on the  
8 battlefield. But it is certainly true that that assistance had enabled Ukrainian Armed  
9 Forces to be effective and deter and to be able to take countermeasures to the attacks  
10 that the Russians had --

11 The Chairman. I think you said that a Ukrainian soldier lost their life while you  
12 were visiting Donbas.

13 Ambassador Taylor. We keep very careful track of the casualties. And I  
14 noticed, on the next day, the information that we got, that one was killed, four soldiers  
15 were wounded on that day.

16 The Chairman. And, indeed, Ukrainians lose their lives every week.

17 Ambassador Taylor. Every week.

18 The Chairman. I think you also testified that Russia was watching closely to  
19 gauge the level of American support for the Ukrainian Government. Why is that  
20 significant?

21 Ambassador Taylor. This is significant, Mr. Chairman, because the Ukrainians, in  
22 particular under this new administration, are eager to end this war, and they are eager to  
23 end it in a way that the Russians leave their territory.

24 These negotiations, like all negotiations, are difficult. Ukrainians would like to be  
25 able to negotiate from a position of strength or at least more strength than they now

1 have.

2 Part of that strength, part of the ability of the Ukrainians to negotiate against the  
3 Russians with the Russians for an end to the war in Donbas, depends on United States  
4 and other international support.

5 If we withdraw or suspend or threaten to withdraw our security assistance, that's  
6 a message to the Ukrainians, but it's at least as important, as your question indicates,  
7 Mr. Chairman, to the Russians, who are looking for any sign of weakness or any sign that  
8 we are withdrawing our support for Ukraine.

9 The Chairman. And so, when the Ukrainians learned of the suspension of the  
10 military aid, either privately or when others learned publicly, the Russians would be  
11 learning also, and they would take that as a lack of robust U.S. support for Ukraine. Is  
12 that right?

13 Ambassador Taylor. That's correct, sir.

14 The Chairman. And that would weaken Ukraine in negotiating an end to the war  
15 in Donbas.

16 Ambassador Taylor. It would.

17 The Chairman. People watching, I'm sure, are interested in how military  
18 assistance and diplomatic support for Ukraine affects Ukraine but, even more so,  
19 interested in how does this affect our national security.

20 Now, I think you said that, if we believe in the principle of sovereignty of nations,  
21 where countries get to determine their own economic, political, and security alliances, we  
22 have to support Ukraine in its fight, that the kind of aggression we see by Russia can't  
23 stand.

24 How is it important to American national security that we provide for a robust  
25 defense of Ukraine's sovereignty?

1           Ambassador Taylor. Mr. Chairman, as my colleague, Deputy Assistant Secretary  
2 George Kent, described, we have a national security policy, a national defense policy that  
3 identifies Russia and China as adversaries.

4           The Russians are violating all of the rules, treaties, understandings that they  
5 committed to that actually kept the peace in Europe for nearly 70 years. Until they  
6 invaded Ukraine in 2014, they had abided by sovereignty of nations, of inviolability of  
7 borders. That rule of law, that order that kept the peace in Europe and allowed for  
8 prosperity as well as peace in Europe was violated by the Russians. And if we don't push  
9 back on that, on those violations, then that will continue.

10           And that, Mr. Chairman, affects us. It affects the world that we live in, that our  
11 children will grow up in, and our grandchildren. This affects the kind of world that we  
12 want to see abroad. So that affects our national interest very directly. Ukraine is on  
13 the front line of that conflict.

14           The Chairman. I want to thank you both for your decades of service to the  
15 country.

16           And I'll now recognize Mr. Goldman for questioning.

17           Mr. Goldman. Thank you, Mr. Chairman.

18           Ambassador Taylor, on the heels of your discussing the importance of the security  
19 assistance to Ukraine, I want to go to the end of the timeline, where you learned that that  
20 security assistance was conditioned on Ukraine announcing the investigations that the  
21 President wanted.

22           And, in particular, on September 9th of this year, you texted Ambassadors  
23 Sondland and Volker. And the text message should be on the screen in front of you.  
24 And if you could read what you wrote.

25           Ambassador Taylor. "As I said on the phone, I think it's crazy to withhold security

1 assistance for help with a political campaign."

2 Mr. Goldman. What did you mean when you said you thought it was crazy?

3 Ambassador Taylor. Mr. Goldman, I meant that the importance -- because of the  
4 importance of security assistance that we had just described and had a conversation with  
5 the chairman, because that was so important, that security assistance was so important  
6 for Ukraine as well as our own national interests, to withhold that assistance for no good  
7 reason other than help with a political campaign made no sense. It was  
8 counterproductive to all of what we had been trying to do. It was illogical. It could not  
9 be explained. It was crazy.

10 Mr. Goldman. And when you say "all of what we were trying to do," what do  
11 you mean by "we"?

12 Ambassador Taylor. I mean that the United States was trying to support Ukraine  
13 as a frontline state against Russian attack. And, again, the whole notion of a rules-based  
14 order was being threatened by the Russians in Ukraine. So our security assistance was  
15 designed to support Ukraine. And it was not just the United States; it was all of our  
16 allies.

17 Mr. Goldman. When you referenced "help with a political campaign" in this text  
18 message, what did you mean?

19 Ambassador Taylor. I meant that the investigation of Burisma and the Bidens  
20 was clearly identified by Mr. Giuliani in public for months as a way to get information on  
21 the two Bidens.

22 Mr. Goldman. And that investigation, at the very least, was mentioned by  
23 President Trump in the July 25th phone call with President Zelensky. Is that right?

24 Ambassador Taylor. As we now know, yes. I -- yes. On September 25th, that  
25 transcript was released.

1           Mr. Goldman. Ambassador Taylor, in your decades of military service and  
2 diplomatic service representing the United States around the world, have you ever seen  
3 another example of foreign aid conditioned on the personal or political interests of the  
4 President of the United States?

5           Ambassador Taylor. No, Mr. Goldman, I have not.

6           Mr. Goldman. Mr. Kent, that vital military assistance, that was not the only thing  
7 that President Trump was withholding from Ukraine. What else was contingent on  
8 Ukraine initiating these investigations?

9           Mr. Kent. Well, as we've talked earlier today, the possibility of a White House  
10 meeting was being held contingent to an announcement.

11          Mr. Goldman. How important to President Zelensky was a White House  
12 meeting?

13          Mr. Kent. New leaders, particularly countries that are trying to have good  
14 footing in the international arena, see a meeting with the U.S. President in the Oval Office  
15 at the White House as the ultimate sign of endorsement and support from the United  
16 States.

17          Mr. Goldman. And President Zelensky was a relatively new President. Is that  
18 right?

19          Mr. Kent. That's correct. He was elected on April 21st, and his government  
20 was formed after parliamentary elections in July.

21          Mr. Goldman. Would a White House meeting for President Zelensky boost his  
22 legitimacy as a new President in Ukraine?

23          Mr. Kent. It would primarily boost his leverage to negotiate with Vladimir Putin  
24 about the Russian occupation of 7 percent of Ukrainian territory.

25          Mr. Goldman. Mr. Kent, is pressuring Ukraine to conduct what I believe you

1 have called "political investigations" a part of U.S. foreign policy to promote the rule of  
2 law in Ukraine and around the world?

3 Mr. Kent. It is not.

4 Mr. Goldman. Is it in the national interests of the United States?

5 Mr. Kent. In my opinion, it is not.

6 Mr. Goldman. Why not?

7 Mr. Kent. Because our policies, particularly in promoting the rule of law, are  
8 designed to help countries. And in Eastern Europe and Central Europe, that is  
9 overcoming the legacy of communism. In the communist system in particular, the  
10 Prosecutor General Office was used to suppress and persecute citizens, not promote the  
11 rule of law.

12 So, in helping these countries reach their own aspirations to join the Western  
13 community of nations and live lives of dignity, helping them have the rule of law, with  
14 strong institutions, is the purpose of our policy.

15 Mr. Goldman. So, in other words, it is a purpose of our foreign policy to  
16 encourage foreign nations to refrain from conducting political investigations. Is that  
17 right?

18 Mr. Kent. Correct. And, in fact, as a matter of policy, not of programming, we  
19 oftentimes raise our concerns, usually in private, with countries that we feel are engaged  
20 in selective, political prosecution and persecution of their opponents.

21 Mr. Goldman. Ambassador Taylor, now that we've established that you  
22 ultimately did understand that President Trump was withholding the security assistance  
23 and a White House meeting from Ukraine until they announced these investigations to  
24 benefit his reelection campaign, let's go back a little bit in time to when you first learned  
25 about this conditionality.

1           And on September 1st, so a little more than a week before that text we just read,  
2           you sent another text to Ambassadors Sondland and Volker, which should also be on the  
3           screen in front of you, and if you could read what you wrote to them.

4           Ambassador Taylor. "Are we now saying that security assistance and White  
5           House meeting are conditioned on investigations?"

6           Mr. Goldman. And Ambassador Sondland responded, "Call me."

7           Ambassador Taylor. He did.

8           Mr. Goldman. Now, what information had you learned that prompted you to  
9           write this text message?

10          Ambassador Taylor. I had learned that, in Warsaw, after the meeting Vice  
11          President Pence had with President Zelensky, Ambassador Sondland had had meetings  
12          there and had described to Mr. Yermak, the assistant to President Zelensky, that the  
13          security assistance was also held, pending announcement by President Zelensky in public  
14          of these investigations.

15          Before that, I had only understood from Ambassador Sondland that the White  
16          House meeting was conditioned. And at this time, after I heard of this conversation, it  
17          struck me -- it was clear to me that security assistance was also being held.

18          Mr. Goldman. You said previously that you were alarmed to learn this. Why  
19          were you alarmed?

20          Ambassador Taylor. It's one thing to try to leverage a meeting in the White  
21          House. It's another thing, I thought, to leverage security assistance -- security assistance  
22          to a country at war, dependent on both the security assistance and the demonstration of  
23          support. It was much more alarming. The White House meeting was one thing;  
24          security assistance was much more alarming.

25          Mr. Goldman. Now, Ambassador Taylor, in your opening statement, you

1 outlined a very detailed timeline. And, in fact, we have a written copy here, and you  
2 included some phrases and words in quotations.

3 Did you take notes of this conversation on September 1st with Ambassador  
4 Sondland?

5 Ambassador Taylor. I did.

6 Mr. Goldman. And did you take notes related to most of the conversations, if  
7 not all of them, that you recited in your opening statement?

8 Ambassador Taylor. All of them, Mr. Goldman.

9 Mr. Goldman. And what do those quotations that you include in your opening  
10 statement reflect?

11 Ambassador Taylor. They reflect my notes on the exact words that I heard on  
12 that call. So it was -- if I put those in quotes, that meant that those were the words use<sup>d</sup>  
13 on that phone call or in that conversation.

14 Mr. Goldman. And did you review those notes before you drafted your opening  
15 statement and came here to testify?

16 Ambassador Taylor. I did.

17 Mr. Goldman. Now, is that how, for example, you remember that Ambassador  
18 Sondland was on a train from Paris to London during a call in July?

19 Ambassador Taylor. That's correct.

20 Mr. Goldman. And you are aware, I presume, that the State Department has not  
21 provided those notes to the committee. Is that right?

22 Ambassador Taylor. I am aware.

23 Mr. Goldman. So we don't have the benefit of reviewing them to ask you these  
24 questions.

25 Ambassador Taylor. Correct. I understand that they may be coming, sooner or

1 later.

2 Mr. Goldman. Well, we would welcome that.

3 You also testified earlier, Ambassador Sondland -- or Ambassador Taylor, that  
4 President Trump had delegated some matters overseeing Ukraine policy to Ambassador  
5 Sondland, who was a big inaugural supporter of President Trump, even though Ukraine is  
6 not in his domain of the European Union. Is that right?

7 Ambassador Taylor. Several members -- several participants in the meeting in  
8 the Oval Office with President Trump with the delegation to the inauguration of President  
9 Zelensky told me of that conversation. And it was at that meeting, as I understand it  
10 from several participants, that President Trump asked the participants to work with  
11 Mr. Giuliani on Ukraine policy.

12 Mr. Goldman. Did you come to understand that Ambassador Sondland had a  
13 direct line of communication into President Trump?

14 Ambassador Taylor. I did.

15 Mr. Goldman. And you testified -- or, rather, in that text message, Ambassador  
16 Sondland says to call him after you wrote that. Did you, in fact, call him?

17 Ambassador Taylor. I did.

18 Mr. Goldman. And what did he say to you?

19 Ambassador Taylor. He said that I had -- I was wrong about President Trump's  
20 intent, that there was no quid pro quo.

21 Mr. Goldman. And -- but did he say anything after that? Did he describe to  
22 you -- I believe you said -- I'll refresh your memory.

23 Ambassador Taylor. Thank you.

24 Mr. Goldman. You mentioned something in your opening statement. You said  
25 that he said that everything -- and you had that in quotes -- was actually contingent on

1 the initiation of these investigations. What did he mean by "everything"?

2 Ambassador Taylor. Mr. Goldman, what he meant by "everything" was the  
3 security assistance and the White House meeting.

4 Mr. Goldman. And I believe you also testified that he said he had made a  
5 mistake in relaying a message to the Ukrainians. What was that mistake?

6 Ambassador Taylor. The mistake he told me was, earlier, he had told  
7 presumably President Zelensky and Mr. Yermak that what was necessary for the White  
8 House meeting was the pursuit of these investigations. And he said he recognized that  
9 that was a mistake. It was not just the White House meeting that was dependent on the  
10 investigations; he said it was now everything. It included the security assistance.

11 Mr. Goldman. So it was not just the White House meeting; it was also the  
12 security assistance.

13 Ambassador Taylor. Yes, sir.

14 Mr. Goldman. And so, even though President Trump was saying repeatedly that  
15 there is no quid pro quo, Ambassador Sondland relayed to you that the facts of the  
16 matter were that the White House meeting and the security assistance were conditioned  
17 on the announcement of these investigations. Is that your understanding?

18 Ambassador Taylor. That's my understanding.

19 Mr. Goldman. Now, you referenced a television interview and a desire for  
20 President Trump to put Zelensky in a public box, which you also have in quotes. Was  
21 that in your notes?

22 Ambassador Taylor. It was in my notes.

23 Mr. Goldman. And what did you understand that to mean, to put Zelensky in a  
24 public box?

25 Ambassador Taylor. I understood that to mean that President Trump, through

1 Ambassador Sondland, was asking for President Zelensky to very publicly commit to these  
2 investigations, that it was not sufficient to do this in private, that this needed to be a very  
3 public statement.

4 Mr. Goldman. And did you understand why it needed to be in public as opposed  
5 to a private confirmation?

6 Ambassador Taylor. No further information on that.

7 Mr. Goldman. Now, during this time period in early September, did you come to  
8 understand that, from your conversations with the Ukrainians or other individuals, that  
9 Ukraine felt pressure to initiate these investigations because of the conditionality of the  
10 White House meeting and the security assistance?

11 Ambassador Taylor. Mr. Goldman, here's what I know. I got several  
12 questions -- other officials got several questions as well -- from Ukrainians asking about  
13 the security assistance. So what I know is the security assistance was very important to  
14 the Ukrainians. They had begun to hear from Ambassador Sondland that the security  
15 assistance was not going to come until the investigations were pursued.

16 What I heard from the Defense Minister, what the Senators -- what Senator  
17 Johnson and Senator Murphy heard in their conversation with President Zelensky was the  
18 clear concern, the urgent concern, that Ukrainians had about the security assistance.

19 Mr. Goldman. Now, you also described a conversation that you had with  
20 Ambassador Sondland a week later, on September 8th. And in that conversation, in  
21 your opening statement, you described how Ambassador Sondland used the term  
22 "stalemate." What did you understand the concern about a stalemate to be?

23 Ambassador Taylor. Ambassador Sondland said that if President Zelensky did  
24 not clear things up in public we would be at a stalemate. He began that, again, by  
25 repeating, this is not a quid pro quo, but if President Zelensky did not clear things up in

1 public, we would be at a stalemate. And what I understood for, in that meeting, the  
2 meaning of "stalemate" was the security assistance would not come.

3 Mr. Goldman. So, even though he said the words, there was no quid pro quo, he  
4 then went on to say, but the security assistance will not come unless these investigations  
5 are done. Is that what you're saying?

6 Ambassador Taylor. My understanding, that's what was meant by "stalemate."

7 Mr. Goldman. You also described in your opening statement a discussion you  
8 had about President Trump being a businessman who wanted to have people pay up  
9 before signing the check. And what did you understand that to mean?

10 Ambassador Taylor. This was an explanation that Ambassador Sondland gave  
11 me about his understanding of President Trump's thought process. Ambassador  
12 Sondland is a businessman. President Trump's a businessman. He was explaining to  
13 me the relationship, the understanding that a businessman would have when he was  
14 about to sign a check.

15 And by that, he clearly meant that President Trump was thinking about or had in  
16 front of him the possibility of providing security assistance to Ukraine. It was similar to  
17 writing a check to someone who you're about to send.

18 He used that analogy very clearly to indicate that this would be -- this will require  
19 something. If that person owed him something, before he signed the check, he wanted  
20 to get whatever he was owed paid back to him.

21 And Ambassador Volker used very similar language about a week later, which  
22 indicates to me that they had that conversation as well.

23 Mr. Goldman. Did you Ukraine owe anything to the United States?

24 Ambassador Taylor. Mr. Goldman, they didn't. They owed appreciation for the  
25 support. And they were getting support, and they appreciated that. But there was

1 not -- there was nothing owed to President Trump on that.

2 Mr. Goldman. But you understood the upshot of this comment made by both  
3 Ambassador Sondland and Ambassador Volker to be that President Trump believed that  
4 Ukraine owed him something personally. Is that accurate?

5 Ambassador Taylor. It's hard to understand, but there was a feeling by President  
6 Trump that he -- and this came out in the transcript -- I'm sorry, this came out in the  
7 discussion with the inaugural delegation when they came back to have a conversation  
8 with President Trump on May 23rd -- that he had a feeling of having been wronged by the  
9 Ukrainians. And so this was something that he thought they owed him to fix that  
10 wrong.

11 Mr. Goldman. Right. But what he was talking about, as you understood  
12 it -- because in the context of the conversation is that what he owed him were these  
13 investigations that he wanted. Is that right?

14 Ambassador Taylor. That would've been to fix the wrong, exactly.

15 Mr. Goldman. And those investigations into the 2016 election and Biden and  
16 Burisma.

17 Ambassador Taylor. That's correct.

18 Mr. Goldman. Now, during this early period in September, we've talked a little  
19 bit about the fact that you continually heard that the President was repeatedly saying  
20 that there was no quid pro quo. Is that right?

21 Ambassador Taylor. That's correct.

22 Mr. Goldman. And he still says that repeatedly today. But regardless of what  
23 you call it, whether it's a quid pro quo, bribery, extortion, abuse of power of the Office of  
24 the Presidency, the fact of the matter, as you understood it, is that security assistance  
25 and the White House meeting were not going to be provided unless Ukraine initiated

- 1 these two investigations that would benefit Donald Trump's reelection. Is that what you
- 2 understood the facts to be?

1

2 RPTR JOHNSON3 EDTR SECKMAN

4 [12:02 p.m.]

5 Ambassador Taylor. Mr. Goldman, what I can do here for you today is tell you  
6 what I heard from people. And in this case, it was what I heard from Ambassador  
7 Sondland. He described the conditions for the security assistance and the White House  
8 meeting in those terms, that is, that it was dependent upon, conditioned on pursuing  
9 these investigations.

10 Mr. Goldman. And you heard that from Ambassador Sondland himself, correct?

11 Ambassador Taylor. Correct.

12 Mr. Goldman. And you also heard a similar story from Mr. Morrison as well. Is  
13 that right?

14 Ambassador Taylor. Who also talked to Ambassador Sondland about the  
15 conversations that he had had in Warsaw with Ukrainians.

16 Mr. Goldman. And what Mr. Morrison recounted to you was substantially  
17 similar to what Mr. Sondland recounted to you, right?

18 Ambassador Taylor. Yes.

19 Mr. Goldman. So, regardless of what Ukrainians may say now, now that  
20 everything is out in the public and we are here in this public hearing, that they felt no  
21 pressure from President Trump, it was your clear understanding, was it not, that, in early  
22 September, when the pressure campaign was still secret, that the Ukrainians believed  
23 that they needed to announce these public investigations? Is that right?

24 Ambassador Taylor. Mr. Goldman, I know that the Ukrainians were very  
25 concerned about the security assistance, and I know that they were prepared or

1 preparing to make a public statement, that is, with a CNN interview, that that was being  
2 planned. Those are the two pieces that I know.

3 Mr. Goldman. And that CNN interview was to announce these investigations as  
4 you understood it, right?

5 Ambassador Taylor. That was the implication. That was certainly the  
6 implication.

7 Mr. Goldman. We've been focused a lot on this September timeframe. But I  
8 want to go back 2 months to July, before the July 25th call. And you testified,  
9 Ambassador Taylor, in your opening statement, that it was in the middle of July when you  
10 understood that the White House meeting was first a condition on these investigations.  
11 Is that accurate?

12 Ambassador Taylor. Yes. We were preparing -- and I agreed that the White  
13 House meeting was going to be an important step in U.S./Ukrainian relations.

14 So, in June and in early July, attempts to work out a way to get that meeting  
15 included a phone call. And so there were several conversations about how to have this  
16 phone call that eventually happened on July 25th.

17 Mr. Goldman. And you described in your opening statement a July 10th White  
18 House meeting with a number of officials where Ambassador Bolton used the term that  
19 something was a drug deal. What did you understand him to mean in hearing that he  
20 said that -- used this term "drug deal"?

21 Ambassador Taylor. Mr. Goldman, I don't know. I don't know what  
22 Ambassador Bolton had in mind.

23 Mr. Goldman. And was that in reference to a discussion in that meeting related  
24 to the White House meeting that President Zelensky wanted in connection to the  
25 investigations?

1           Ambassador Taylor. The context of that comment was the discussion that  
2 Mr. Danylyuk, who was Mr. Bolton's counterpart, Ukrainian counterpart, the National  
3 Security Advisor, had had with Mr. Bolton. And that conversation was very substantive  
4 up until the point where the White House meeting was raised, and Mr. -- Ambassador  
5 Sondland intervened to talk about the investigations. It was at that point that  
6 Ambassador Bolton ceased the meeting, closed the meeting, finished the meeting, and  
7 told his staff to report this meeting to the lawyers.

8           And he also later, then, indicated to Fiona Hill, who was also a participant, on NSC  
9 staff, that he, Ambassador Bolton, didn't want to be associated with this drug deal. So it  
10 was -- the implication was, it was the domestic politics that was being cooked up.

11           Mr. Goldman. And did Ambassador Sondland say this in front of the Ukrainian  
12 officials, to your understanding?

13           Ambassador Taylor. Ambassador Sondland, in the meeting where Ambassador  
14 Bolton was having a conversation with his counterpart, raised the issue of investigations  
15 being important to come before the White House meeting that had just been raised.

16           Mr. Goldman. And Ukrainian officials were there?

17           Ambassador Taylor. And Ukrainian officials were in that meeting, yes, sir.

18           Mr. Goldman. Now, around this same time, in mid-July, did you have any  
19 discussions with Ukrainian officials about these investigations?

20           Ambassador Taylor. I don't recall.

21           Mr. Goldman. Well, let me show you a text message that you wrote on July 21st,  
22 where you wrote it again to Ambassadors Sondland and Volker. And if you could just  
23 read what you wrote here on July 21st.

24           Ambassador Taylor. "Gordon, one thing Kurt and I talked about yesterday about  
25 Sasha Danylyuk's point that President Zelensky is sensitive about Ukraine being taken

1 seriously, not merely as an instrument in Washington domestic reelection politics."

2 Mr. Goldman. And Sasha Danylyuk, I think you just said, is Ambassador Bolton's  
3 counterpart, right?

4 Ambassador Taylor. Is the National Security Advisor to the -- was. He is no  
5 longer, but was at the time.

6 Mr. Goldman. What did you understand it to mean when -- that Zelensky had  
7 concerns about being an instrument in Washington domestic reelection politics?

8 Ambassador Taylor. Mr. Danylyuk understood that these investigations were  
9 pursuant to Mr. Giuliani's request to develop information, to find information about  
10 Burisma and the Bidens. This was very well known in public. Mr. Giuliani had made  
11 this point clear in several instances in the beginning -- in the springtime. And  
12 Mr. Danylyuk was aware that that was a problem.

13 Mr. Goldman. And would you agree that, because President Zelensky is worried  
14 about this, they understood, at least, that there was some pressure for them to pursue  
15 these investigations? Is that fair?

16 Ambassador Taylor. Mr. Danylyuk indicated that President Zelensky certainly  
17 understood it, that he did not want to get involved in these type of activities.

18 Mr. Goldman. Now, I'm going to move ahead now to July 25th, which is when  
19 President Trump and President Zelensky had the phone call. But before we get to the  
20 phone call, I want to show both of you a text message, neither of which -- neither of you  
21 is on this text message. It is between Ambassador Volker and Andriy Yermak, a top aide  
22 to President Zelensky. I will read it, because neither of you is on it.

23 Ambassador Volker says: Good lunch, thanks. Heard from White House.  
24 Assuming President Z convinces Trump he will investigate/get to the bottom of what  
25 happened in 2016, we will nail down date for visit to Washington. Good luck. See you

1 tomorrow. Kurt.

2 And this was a half hour -- less than a half hour before the call actually occurred.

3 Now, Ambassador Taylor, was Ambassador Volker with you in Ukraine at this  
4 time?

5 Ambassador Taylor. He was.

6 Mr. Goldman. Did you know that he was prepping President Zelensky for this  
7 phone call with President Trump in this way?

8 Ambassador Taylor. Not in this way, Mr. Goldman, but I knew that Ambassador  
9 Volker was prepping Ukrainians for the phone call earlier on; that is, at a meeting in  
10 Toronto on July 2nd, Mr. -- Ambassador Volker had a conversation with President  
11 Zelensky and had indicated in a phone call that he, at that time, was going to talk  
12 Mr. Zelensky, President Zelensky, through the steps that needed to be taken in order to  
13 get to the phone call.

14 Mr. Goldman. Understood. And you testified earlier that the security  
15 assistance had already been frozen, to your knowledge, at least by July 18th. Is that  
16 right?

17 Ambassador Taylor. That's correct.

18 Mr. Goldman. So that was just a week earlier than this?

19 Ambassador Taylor. That's correct?

20 Mr. Goldman. Just so we're clear, Ambassador Taylor, before this July 25th call,  
21 President Trump had frozen the security assistance that Ukraine needed and that the  
22 White House meeting was conditioned on Ukraine initiating this investigation, and that  
23 had been relayed to the Ukrainians. Is that an accurate state of play at this time?

24 Ambassador Taylor. That's an accurate state of play. I at that point had no  
25 indication that any discussion of the security assistance being subject to, conditioned on

1 investigations had taken place.

2 Mr. Goldman. Right. But you understood that the White House meeting --

3 Ambassador Taylor. That's correct.

4 Mr. Goldman. All right. Let's move ahead to this July 25th call and -- between  
5 the Presidents. Now, am I correct that neither of you were on this call. Is that right,

6 Mr. Kent?

7 Mr. Kent. That's correct.

8 Ambassador Taylor. That's correct.

9 Mr. Goldman. And you weren't neither as well?

10 Ambassador Taylor. That's right.

11 Mr. Goldman. And you both read it after it was released publicly at the end of  
12 September?

13 Ambassador Taylor. Yes.

14 Mr. Kent. Yes.

15 Mr. Goldman. I want to spend just a little time reading the transcript, as we've  
16 been encouraged to do. And I want to particularly note four excerpts of the transcript:  
17 one that relates to the security assistance we've been talking about; another that  
18 discusses a favor that President Trump asked of President Zelensky; a third where  
19 President Trump asks the Ukrainian President to investigate his political opponent,  
20 former Vice President Biden; and then a final one where the Ukrainian President directly  
21 links the desired White House visit to the political investigations that President Trump  
22 wanted.

23 So let's look at the first excerpt, which is near the beginning of the call when  
24 President Zelensky discusses the military aid that the U.S. provides to Ukraine.

25 He says: I would also like to thank you for your great support in the area of

1 defense. We are ready to continue to cooperate for the next steps. Specifically, we  
2 are almost ready to buy more Javelins from the United States for defense purposes.

3 Now, at the time of this phone call, Ambassador Taylor and Mr. Kent, you both  
4 knew that the aid had been frozen; is that right?

5 Ambassador Taylor. That's correct.

6 Mr. Kent. Yes.

7 Mr. Goldman. And, Ambassador Taylor, you testified that President Trump  
8 obviously also knew that the aid had been frozen as well, since he was responsible for  
9 doing that. Is that correct?

10 Ambassador Taylor. That's what I had been told. That's what we heard on that  
11 conference call, yes.

12 Mr. Goldman. But to neither of your knowledge, the Ukrainians were not aware  
13 of that at that point?

14 Ambassador Taylor. Not to my knowledge.

15 Mr. Kent. Not to my knowledge.

16 Mr. Goldman. But right after President Zelensky thanks President Trump for his  
17 great support in the area of defense, President Trump then says, and we'll go to the next  
18 excerpt: I want you to do us a favor, though, because our country has been through a  
19 lot, and Ukraine knows a lot about it. I would like you to find out what happened with  
20 this whole situation with Ukraine. They say CrowdStrike. I guess you have one of your  
21 wealthy people, the server, they say Ukraine has it.

22 And at the end of the paragraph, he says: Whatever you can do, it's very  
23 important that you do it if that's possible.

24 Now, Mr. Kent, you've testified a little bit about how this important this White  
25 House meeting was to President Zelensky. How would you expect a new Ukrainian

1 President to interpret a request for a favor from the President of the United States?

2 Mr. Kent. I cannot interpret the mind of President Zelensky, other than to say  
3 that it was very clear that what they were hoping to get out of this meeting was a date  
4 and a confirmation that he could come to Washington.

5 Mr. Goldman. Obviously, you can't put yourself in the mind. But if the  
6 Ukrainian President, for a country that's so dependent on the United States for all things,  
7 including military assistance, is requested to do a favor, how do you think the Ukrainians  
8 would interpret that?

9 Mr. Kent. Well, if you go further into the call record as part of this -- and we  
10 don't have it on screen -- but to the best of my recollection, reading it after it was  
11 released on September 25th, President Zelensky went into having: Whatever your  
12 problems were, that was the old team. I've got a new team, and we will do whatever's  
13 appropriate and be transparent and honest about it.

14 I don't remember the exact words, but he was trying to be, in his own words, in  
15 response, be responsive, to conduct the business of the Ukrainian Government in a  
16 transparent and honest manner.

17 Mr. Goldman. Now, when he talks about this CrowdStrike and the server, what  
18 do you understand this to be a reference to?

19 Mr. Kent. To be honest, I had not heard of CrowdStrike until I read this  
20 transcript on September 25th.

21 Mr. Goldman. Do you now understand what it relates to?

22 Mr. Kent. I understand it has to do with the story that there's a server with  
23 missing emails. I also understand that one of the owners of CrowdStrike is a  
24 Russian-American. I'm not aware of any Ukrainian connection to the company.

25 Mr. Goldman. Now, are you aware that this is all part of a larger allegation that

1 Ukraine interfered in the 2016 election?

2 Mr. Kent. Yes, that is my understanding.

3 Mr. Goldman. And to your knowledge, is there any factual basis to support the  
4 allegation that Ukraine interfered in the 2016 election?

5 Mr. Kent. To my knowledge, there's no factual basis, no.

6 Mr. Goldman. And, in fact, who did interfere in the 2016 election?

7 Mr. Kent. I think it's amply clear that Russian interference was at the heart of  
8 the interference in the 2016 election cycle.

9 Mr. Goldman. Let's move to the third excerpt that I mentioned related to Vice  
10 President Biden. And it says: The other thing, there's a lot of talk about Biden's  
11 son -- this is President Trump speaking -- that Biden stopped the prosecution, and a lot of  
12 people want to find out about that. So whatever you can do with the Attorney General  
13 would be great. Biden went around bragging that he stopped the prosecution, so if you  
14 can look into it. It sounds horrible.

15 Now, at the time of this call, Vice President Biden was the frontrunner for the  
16 Democratic nomination in the 2020 election.

17 Mr. Kent, are you familiar, as you indicate in your opening statement, about these  
18 allegations related to Vice President Biden?

19 Mr. Kent. I am.

20 Mr. Goldman. And to your knowledge, is there any factual basis to support  
21 those allegations?

22 Mr. Kent. None whatsoever.

23 Mr. Goldman. When Vice President Biden acted in Ukraine, did he act in  
24 accordance with official U.S. policy?

25 Mr. Kent. He did.

1           Mr. Goldman. Now, let's go to, then, the last excerpts that I wanted to highlight,  
2           which is President Zelensky speaking. And he says, I also wanted to thank you for your  
3           invitation to visit the United States, specifically Washington, D.C. On the other hand, I  
4           also want to ensure you that we will be very serious about the case, and we will work on  
5           the investigation.

6           Now, Ambassador Taylor, right after President Zelensky mentions his  
7           much-desired Washington visit, he says "on the other hand" and then says that Ukraine  
8           will be very serious about the investigation.

9           Is this the same link between the White House visit and the investigations that  
10          Ambassador Volker had texted to Andriy Yermak just a few minutes before this  
11          conversation?

12          Ambassador Taylor. That's my assumption.

13          Mr. Goldman. Now, just to summarize what we've just read in this July 25th call  
14          between the Presidents, the Ukrainian President thanked President Trump for security  
15          assistance that President Trump had just frozen, to which President Trump responded  
16          that he wanted President Zelensky to do him a favor, though, by investigating the 2016  
17          U.S. election and the Bidens. And then President Zelensky says that he will pursue these  
18          investigations right after he mentions the White House visit.

19          Is that your understanding, Ambassador Taylor, of what we just read?

20          Ambassador Taylor. Yes.

21          Mr. Goldman. And, Mr. Kent, is that yours?

22          Mr. Kent. Yes.

23          Mr. Goldman. I yield back.

24          The Chairman. The majority time has expired.

25          Would you gentlemen like a brief recess?

1 Let's take a 5-minute recess, and then we'll resume with minority questioning.

2 [Recess.]

3 The Chairman. The committee will come back to order.

4 The chair now recognizes the ranking member and minority counsel for  
5 45 minutes.

6 Mr. Nunes. Thank you.

7 The call summary for which the Democrats want to impeach President Trump is  
8 dramatically different from their nefarious depiction of it. What it actually shows is a  
9 pleasant exchange between two leaders who discuss mutual cooperation over a range of  
10 issues.

11 The Democrats claim this call demonstrates extortion, bribery, and a host of other  
12 monstrous crimes being committed against President Zelensky. Yet President Zelensky  
13 himself insists there was nothing improper whatsoever about the conversation.

14 Indeed, the routine nature of the call helps to explain why, in this committee's last  
15 public hearing, Democrats recited a fictitious version of the call, instead of reading the  
16 actual transcript.

17 The Democrats depicted the President saying, quote: I want you to make up dirt  
18 on my political opponent, understand? Lots of it on this and on that, unquote.

19 The transcript did not show President Trump saying anything remotely like that.  
20 The President did not ask Ukraine to make up dirt on anyone. But the Democrats are  
21 not trying to discover facts; they're trying to invent a narrative. And if the facts they  
22 need do not exist, then they'll just make it up.

23 Not only does President Zelensky deny the Democrats' characterization of the call,  
24 but as Ambassador Taylor testified to this committee, the Ukrainians did not even know  
25 at the time of the call that a temporary delay was put on the security assistance for them.

1           Furthermore, as the Ambassador testified, these holds occur from time-to-time.  
2 Both he and Ambassador Volker were confident the delay would be lifted. And, in fact,  
3 military aid to Ukraine has actually substantially improved since President Trump took  
4 office.

5           Ambassador Taylor testified that President Trump was the first President to see  
6 that Ukraine was afforded Javelin antitank weapons. This was a very strong message  
7 that Americans are willing to provide more than blankets. This was the Obama  
8 administration's approach.

9           Note this important fact: the security assistant was provided to Ukraine without  
10 the Ukrainians having done any of the things they were supposedly being blackmailed to  
11 do. So we're supposed to believe that President Trump committed a terrible crime that  
12 never actually occurred and which the supposed victim denies ever happened.

13           I'd like to briefly speak about the core mistruth at the heart of the Democrats'  
14 impeachment drive. They claim the President tried to get the Ukrainians to, quote,  
15 manufacture dirt against his political rivals. This is supported by precisely zero evidence.  
16 Once again, the Democrats simply made it up.

17           But let's consider the broader question about why President Trump may have  
18 wanted answers to questions about Ukraine meddling in 2016. The Democrats  
19 downplay, ignore, outright deny the many indications that Ukrainians actually did meddle  
20 in the election, a shocking about-face for people who for 3 years argued that foreign  
21 election meddling was an intolerable crime that threatened the heart of our democracy.

22           While the brazen suddenness of this U-turn is jarring, this denial is a necessary  
23 part of their argument. After all, if there actually were indications of Ukrainian election  
24 meddling and if foreign election meddling is a dire threat, then President Trump would  
25 have a perfectly good reason for wanting to find out what happened. And since the

1 meddling was aimed against his campaign, he'd have good reason for sending his  
2 personal attorney to make inquiries about it.

3 What's strange is that some of the witnesses at these hearings and previous  
4 depositions who express alarm about these inquiries were remarkably uninformed about  
5 these indications of Ukrainian election meddling and why the President may have been  
6 concerned by them.

7 For example, I noted previously, Alexandra Chalupa, a former staffer for the  
8 Democratic National Committee, admitted to Politico that she worked with officials at the  
9 Ukrainian Embassy in Washington, D.C., to dig up dirt on the Trump campaign, which she  
10 passed on to the DNC and the Hillary Clinton campaign. Chalupa revealed that  
11 Ukrainian Embassy officials themselves were also working directly with reporters to trade  
12 information and leads about the Trump campaign.

13 Ambassador Kent, you didn't seem to be too concerned about it in the last round  
14 of questioning, so I'll just skip you because we know that wasn't a concern.

15 But, Ambassador Taylor, you testified to this committee that you only recently  
16 became aware of reports of this cooperation between Ukrainian Embassy officials and  
17 Chalupa to undermine the Trump campaign from your last deposition. Is that correct?

18 Ambassador Taylor. Mr. Nunes, it is correct that I had not known about this  
19 before.

20 Mr. Nunes. That's -- I'm just going over your last deposition, Ambassador.

21 Ambassador Taylor. Yeah.

22 Mr. Nunes. The Politico article cites three named Ukrainian officials asserting  
23 that the Ukrainian Embassy supported the Hillary Clinton campaign. It quotes Ukrainian  
24 Parliamentarian Andriy Artemenko saying, quote: It was clear they were supporting  
25 Hillary Clinton's candidacy. They did everything from organizing meetings with the

1 Clinton team to publicly supporting her, to criticizing Trump. I think that they simply  
2 didn't meet with the Trump campaign because they thought Hillary would win, unquote.

3 Ambassador Taylor, you testified you were unfamiliar with that statement. Is  
4 that correct?

5 Ambassador Taylor. That's correct.

6 Mr. Nunes. You also said you were unaware that then Ukrainian Ambassador to  
7 the U.S. Valeriy Chaly wrote an op-ed in The Hill during the 2016 Presidential campaign  
8 criticizing then candidate Trump. Is that correct?

9 Ambassador Taylor. That is correct.

10 Mr. Nunes. You said you did not know that Serhiy Leshchenko, then a Ukrainian  
11 parliamentarian, had admitted that part of his motivation in spreading information about  
12 the so-called black ledger, a disputed document purporting of reveal corruption by a  
13 former Trump campaign official, was to undermine the Trump's candidacy.

14 This was in your deposition. Is that still correct?

15 Ambassador Taylor. That is still correct, sir.

16 Mr. Nunes. Thank you, Mr. Taylor.

17 Fusion GPS contractor Nellie Ohr testified to Congress that Leshchenko was a  
18 source for Fusion GPS' operation to dirty up the Trump campaign, including the  
19 compilation of the Steele dossier on behalf of the DNC and the Clinton campaign. You  
20 testified you were unaware that Leshchenko served as a source for that project.

21 Ambassador Taylor, is this still correct?

22 Ambassador Taylor. It is, sir.

23 Mr. Nunes. You said you did not know that Ukrainian Internal Affairs Minister,  
24 Arsen Avakov, mocked and disparaged then candidate Trump on Facebook and Twitter.  
25 Is that still correct?

1           Ambassador Taylor. That is correct.

2           Mr. Nunes. Ambassador Taylor, in your testimony to this committee, you said  
3 you were never briefed on these reports and statements, that you did not do due  
4 diligence before taking your post to discover that President -- the President's and Mayor  
5 Giuliani's concerns may have been -- what they may have been and that you did not  
6 discuss them with Ambassador Yovanovitch. Is that still correct?

7           Ambassador Taylor. Yes, sir.

8           Mr. Nunes. Furthermore, you said it upset you to hear about the many  
9 indications of Ukrainian election meddling. Your precise words were -- I'm going to read  
10 them back to you: Based on this Politico article, which again surprises me, disappoints  
11 me, because I think it's a mistake for any diplomat or government official in one country  
12 to interfere in the political life of another. That's disappointing, unquote.

13           Ambassador Taylor, is that still your testimony?

14           Ambassador Taylor. Mr. Nunes, it is. Subsequent to that, I looked into the  
15 circumstances for several of the things that you just mentioned.

16           In 2016, candidate Trump had made a statement saying that it was possible that  
17 he would allow Crimea to go back to Russia. He expressed the sentiment, or the  
18 opinion, that it's possible that Crimea wanted to go back to Russia.

19           What I can tell you, Mr. Nunes, is that those -- that sentiment is amazingly  
20 inflammatory to all Ukrainians, so --

21           Mr. Nunes. So I think -- so I can understand that. Are you aware during the -- I  
22 believe it was the 2012 election, when, at the time, President Obama leaned over on a  
23 hot mike to the then Russian president and said that he'd have to wait until after the  
24 election? Was that inflammatory to the Ukrainians also?

25           Ambassador Taylor. I don't know, sir.

1           Mr. Nunes. I just want to be clear that some government officials oppose  
2   President Trump's approach to Ukraine, but many had no idea what concerned him. In  
3   this case, it was numerous indications of Ukrainian interference in the 2016 election to  
4   oppose his campaign and support Hillary Clinton.

5           Once you know that, it's easy to understand the President's desire to get to the  
6   bottom of this corruption and to discover exactly what happened in the 2016 election.

7           And with that, I'll turn to Mr. Castor.

8           Mr. Castor. Ambassador Taylor, Mr. Kent, President Trump's concerns about  
9   Ukraine's role in the 2016 election, you believe he genuinely believed they were working  
10  against him, right?

11          Ambassador Taylor?

12          Ambassador Taylor. Mr. Castor, I don't know what or President or candidate  
13  Trump was thinking about the Ukrainians.

14          Mr. Castor. I mean, didn't he, in his Oval Office meeting, on May 23rd, after the  
15  Zelensky inauguration, didn't he lament that the Ukrainians were out to get him?

16          Ambassador Taylor. I heard that his response to the suggestion that  
17  Mr. Zelensky visit Mr. Trump, President Trump, in the Oval Office, was not well received  
18  and that he had concerns about Ukrainians, yes.

19          Mr. Castor. But from the President's perspective, if the Ambassador -- Ukrainian  
20  Ambassador to the United States, one of the most influential diplomats, is penning an  
21  op-ed, certainly with the okay of President Poroshenko, the DNC consultants  
22  are conferring with Ukrainian officials at the Embassy, Former Prime Minister Yatsenyuk is  
23  saying things on social media, Interior Minister Avakov, who has spanned both the  
24  Poroshenko and Zelensky realm, is also saying some very unkind things on social media  
25  about the President, you certainly can appreciate that President Trump was very

1 concerned that some elements of the Ukrainian establishment were not in favor of him,  
2 did not support him, and were out to get him.

3 The Chairman. And I'll allow the question, but are you asking --

4 Mr. Nunes. Parliamentary inquiry. Are you seriously interrupting our time?

5 The Chairman. I will allow the question. I won't dock this from the time.

6 I just want to be clear, Ambassador, if you're able to verify the things that counsel  
7 has asked you in the prerequisite of the question, that's fine. Otherwise, in questions  
8 from the majority or the minority that may assume facts not in evidence before you, you  
9 should be cautioned about that.

10 Mr. Ratcliffe. Mr. Chairman, point of order.

11 The Chairman. The time is with Mr. -- with minority counsel.

12 Mr. Nunes. Mr. Ratcliffe.

13 Mr. Ratcliffe. Chairman, I sat here through the first 45 minutes and literally had  
14 an objection to almost the foundation of every question that Mr. Goldman asked  
15 regarding facts not in evidence, leading. But House Resolution 660 does not say that we  
16 are under the Federal Rules of Evidence. If it is your position that I should be asserting  
17 objections to questions that violate the Federal Rules of Evidence, let me know now  
18 because this hearing is going to change significantly.

19 The Chairman. As I said, Mr. Ratcliffe, I will allow the question.

20 Mr. Nunes. I think the gentleman has a different question about the rules.

21 So what are the rules that are going to govern this?

22 The Chairman. Does the ranking member seek recognition?

23 Mr. Nunes. I'm asking -- I'm yielding you to the question I just asked you.

24 The Chairman. For what purpose do you seek recognition.

25 Mr. Nunes. To answer Mr. Ratcliffe's question.

1           The Chairman. I have answered it.

2           You may resume your questioning.

3           Mr. Ratcliffe. Respectfully, Mr. Chairman, you haven't answered my question  
4 whether or not I should be asserting assumes facts not in evidence or leading objections  
5 to questions that are posed from this point forward. That's my question.

6           The Chairman. Mr. Ratcliffe, I'll say once again, I'm not objecting to the  
7 question, but I am instructing the witness that they should not presume questions from  
8 the majority or the minority that may represent facts not in evidence are correct.

9           This is -- I have answered the question. We will resume the questioning and  
10 resume the clock.

11          Mr. Castor. So you certainly can appreciate President Trump's concerns?

12          Ambassador Taylor. Mr. Castor, I don't know the exact nature of President  
13 Trump's concerns. In my deposition, I recall you handed me the Politico article, which  
14 listed at least three of the elements that you have described earlier. And you recognize  
15 and I have confirmed with the ranking minority member that I -- this is the first I had  
16 heard of those and was surprised by those. I don't know President Trump's reaction to  
17 those.

18          Mr. Castor. In the information published by Serhiy Leshchenko, a former  
19 Ukrainian investigative journalist, and then he was a member of the parliament, about  
20 the Manafort black ledgers, in August of 2016, I mean the very day that was published,  
21 Mr. Manafort resigned from the campaign, correct?

22          Ambassador Taylor. I don't know, Mr. Castor.

23          Mr. Castor. But certainly that gives rise to some concern that there are elements  
24 of the Ukrainian establishment that were out to get the President. That's a very  
25 reasonable belief of his, correct?

1           Ambassador Taylor. I don't know.

2           Mr. Castor. In the runup to the 2016 election, there were many facts that  
3 remain unresolved, agreed?

4           Ambassador Taylor. I'm sorry. What's the question?

5           Mr. Castor. There are many facts relating to the runup of the 2016 election that  
6 remain unresolved.

7           Ambassador Taylor. Any further --

8           Mr. Castor. Well, Attorney General Barr, in May of 2019, tasked the U.S.  
9 Attorney for Connecticut, John Durham, to broadly examine the government's collection  
10 of intelligence involving the President's campaign. That effort initially was an  
11 administrative review, has turned into a criminal probe. And U.S. Attorney Durham  
12 is casting a wide net and is following the facts where they may lead.

13           Are you aware of that?

14           Ambassador Taylor. I'm aware that there is an investigation. That's as much as  
15 I'm aware.

16           Mr. Castor. And so, to the extent any information resides in Ukraine, it's  
17 perfectly appropriate for the Ukrainians to try to get to the bottom of that, for the  
18 Ukrainians to cooperate with the United States through official channels to share that  
19 information, correct?

20           Ambassador Taylor. Mr. Castor, can you say that one again? I would  
21 appreciate it if you would restate the question.

22           Mr. Castor. To the extent Ukraine has facts related to the runup of the 2016  
23 election that are under the U.S. Attorney Durham's probe, Ukraine should cooperate with  
24 the United States, and to the extent there are Ukrainians doing improper things, the  
25 Ukrainians ought to investigate that themselves, correct?

1           Ambassador Taylor. Mr. Castor, the Ukrainian-American relations are very  
2 supportive. The Ukrainians will certainly be responsive to requests.

3           Mr. Castor. So, when the President on the call transcript of July 25th raises this  
4 with President Zelensky and he urges that there be a connection between the Ukrainian  
5 Government and the Justice Department officially, I mean, that's the appropriate way to  
6 raise an issue with the Ukrainian President, correct?

7           Ambassador Taylor. It's appropriate for the Justice Department and the  
8 Prosecutor General to cooperate and to exchange information, yes.

9           Mr. Castor. But to the extent that the President has concerns and to the extent  
10 the Attorney General is having the U.S. Attorney Durham look into it, isn't it entirely  
11 appropriate for the President to flag this for President Zelensky and say that you should  
12 be in touch with our official channels?

13           Ambassador Taylor. Mr. Castor, I don't know the precise appropriateness of  
14 these kinds of relations.

15           Mr. Castor. Now, were you involved -- either of you -- involved in the  
16 preparation for the 7/25 call?

17           Ambassador Taylor. I was not.

18           Mr. Kent. I was not.

19           Mr. Castor. And how do you account for that?

20           I mean, you're the -- you are two of the key officials with responsibility for  
21 Ukrainian policy. I mean, if the President of the United States is going to have a call with  
22 the leader of the Ukraine, why wouldn't you ordinarily be involved with the preparation?

23           Mr. Kent. Sir, we work for the Department of State in an embassy overseas.  
24 And in preparation for a Presidential phone call, that responsibility lies within the staff of  
25 the National Security Council. Normally, if there is enough sufficient time, national

1 security staff can solicit information, usually from the State Department, and we can draw  
2 on the Embassy, but that's only background information. And my understanding, having  
3 never worked at the National Security Council, is that national security staff write a memo  
4 to the President, and none of us see that outside of the national security staff.

5 Mr. Castor. Okay. So the charge or the U.S. Ambassador to the country  
6 wouldn't ordinarily be on a call with a foreign leader?

7 Ambassador Taylor. That's correct. Would not.

8 Mr. Castor. And did Colonel Vindman, or anyone at the National Security Council  
9 staff, reach out to you, Mr. Kent, in preparation for the call?

10 Mr. Kent. I was given notification the day before, on July 24th. And to the  
11 extent I had any role that was to reach out to the Embassy, give them the heads up, and  
12 ask them to ensure that the secure communications link in the Office of the President of  
13 Ukraine was functional so the call could be patched through from the White House  
14 situation room.

15 Mr. Castor. Did you provide any substantive advice to Colonel Vindman about  
16 the call and what ought to be the -- the official position?

17 Mr. Kent. I was not asked and I did not provide.

18 Mr. Castor. Okay. Same with you, Ambassador?

19 Ambassador Taylor. The same.

20 Mr. Castor. And the call was scheduled -- you know, you testified earlier that the  
21 call was on again/off again. And after the July 10th meeting with Ambassador Bolton,  
22 the consensus was the call was not going to happen. Is that correct?

23 Mr. Kent. I would not say that was a consensus. The State Department's  
24 position was that a call between the two Presidents would be useful. And once  
25 Zelensky's party won the first ever absolute majority in parliamentary elections on

1 July 21st, the idea of congratulatory call made imminent sense, from our perspective.

2 Mr. Castor. Okay. And the call was scheduled. And did you get a readout,  
3 Ambassador Taylor, initially from the call?

4 Ambassador Taylor. I didn't, Mr. Castor. I read the -- we all read the statement  
5 that the Ukrainians put out. I got a readout several days later from Mr. Morrison,  
6 National Security Council.

7 Mr. Castor. Okay. And how about you, Mr. Kent?

8 Mr. Kent. I likewise first saw the Ukrainian statement, and I believe the next day,  
9 July 26th, which would have been a Friday, I did get a partial readout from Lieutenant  
10 Colonel Vindman, yes.

11 Mr. Castor. Ambassador Taylor, you said that the Ukrainian readout was cryptic.  
12 Is that just because it's initially written in Ukrainian and translated to the U.S.?

13 Ambassador Taylor. No. It's -- as a general rule, both the United States and  
14 other countries, including Ukraine, will put out very short summaries that kind of hit the  
15 highlights of the discussion --

16 Mr. Castor. Okay.

17 Ambassador Taylor. -- but without going into detail.

18 Mr. Castor. Okay. And you mentioned it was cryptic. Why did you think it  
19 was cryptic?

20 Ambassador Taylor. Knowing now what -- having read the transcript and looking  
21 back at their summary --

22 Mr. Castor. Uh-huh.

23 Ambassador Taylor. -- as I recall -- I don't recall the exact words -- but they said  
24 that there were issues to be pursued in order to improve relations between the two  
25 countries, or something like that.

1 Mr. Castor. That seems pretty ordinary.

2 Ambassador Taylor. It seems pretty ordinary.

3 Mr. Castor. You were with President Zelensky the very next day?

4 Ambassador Taylor. We were. We had a meeting with him the very next day.

5 Mr. Castor. And did President Zelensky raise any concerns about his views of the  
6 call?

7 Ambassador Taylor. He said -- so, right. So I, Ambassador Volker, Ambassador  
8 Sondland were in his office, and we asked him, I think, how the call -- he said: The call  
9 was fine. I was happy with the call.

10 Mr. Castor. Okay. And did you get any additional readout subsequently about  
11 the call? Like when did you first learn that the call contained things that concerned  
12 you? Was that not until September 25th?

13 Ambassador Taylor. Mr. Morrison, as I say, briefed me several days later, before  
14 the end of July, and I think this is where I said in my testimony that he said it could have  
15 gone better, and he said it -- that the call mentioned Mr. Giuliani. He also said that the  
16 call mentioned the former Ambassador. Both of those were concerning.

17 Mr. Castor. Giuliani was first raised on the call by President Zelensky, correct?

18 Ambassador Taylor. I don't recall. It could have been. Well, I have it here, if  
19 you would like.

20 Mr. Castor. Yeah. It's on page -- page 3.

21 The first mention of Giuliani is from President Zelensky. It's on page 3. And  
22 President Zelensky says: I will personally tell you that one of my assistants spoke with  
23 Mr. Giuliani just recently, and we are hoping very much that Mr. Giuliani will be able to  
24 travel to Ukraine and we will meet once he comes to Ukraine.

25 Did that surprise you?

1           Ambassador Taylor. Again, I didn't have the transcript at the time. All I heard  
2 was that Giuliani was mentioned. Mr. Morrison said that Giuliani was mentioned in the  
3 call.

4           Mr. Castor. But the way Zelensky states it here, it sounds like he is very much  
5 looking forward to speaking with America's mayor.

6           Ambassador Taylor. That's what I found out when I read the transcript on the  
7 25th of September or so.

8           Mr. Castor. Okay. Now, Mr. Kent, corruption in Ukraine is endemic, correct?

9           Mr. Kent. That's correct.

10          Mr. Castor. And it affects the courts, the prosecutors, and there have historically  
11 been problems with all of the prosecutors in Ukraine, correct?

12          Mr. Kent. I would say up until the new set of prosecutors appointed by President'  
13 Zelensky in the last two months, correct.

14          Mr. Castor. Okay. And so the U.S. Government, the consensus hope at the  
15 State Department and the National Security Council and the White House is that  
16 Zelensky's the real deal, he is a real reformer, he is genuinely interested in rooting out  
17 corruption, prosecuting the bad guys, correct?

18          Mr. Kent. I would say we are cautiously optimistic, and we will work wherever  
19 there is the political will to do the right thing and put forward genuine reform.

20          Mr. Castor. And at the heart of the corruption is this oligarchical system, correct,  
21 where the oligarchs take control, often by a virtual theft of, you know, for example, the  
22 right to certain energy licenses, correct?

23          Mr. Kent. That is one element, yes, sir.

24          Mr. Castor. And the company Burisma, its leader, Zlochevsky, he has a little bit  
25 of a storied history of corruption, doesn't he?

1           Mr. Kent. Mr. Zlochevsky was Minister of Energy from 2010 to 2012 under the  
2 pro-Russian Government, and he used his regulatory authority to award gas exploration  
3 licenses to companies that he himself controlled. That would be considered an act of  
4 corruption in my view, yes.

5           Mr. Castor. Certainly self-dealing.

6           Mr. Kent. Certainly self-dealing and self-enriching.

7           Mr. Castor. And how did the Ukrainian Government ultimately pursue that?

8           Mr. Kent. In the spring of 2014, the Ukrainian Government, the new  
9 government, after the Revolution of Dignity, turned to partners, particularly the U.S. and  
10 the U.K., to try to recover tens of billions of dollars of stolen assets.

11           The first case that we tried to recover that money came from Mr. Zlochevsky.  
12 The Serious Crimes Office in the U.K. had already opened up an investigation. They  
13 worked with us and the Ukrainian authorities to develop more information. The  
14 \$23 million was frozen until somebody in the general prosecutor's office of Ukraine shut  
15 the case, issued a letter to his lawyer, and that money went poof.

16           Mr. Castor. So essentially paid a bribe to make the case go away?

17           Mr. Kent. That is our strong assumption, yes, sir.

18           Mr. Castor. Okay. Now, at any point in time, has anyone in the Ukrainian  
19 Government tried to reinvestigate that, or did that -- did those crimes just go unpunished  
20 and was he free to go?

21           Mr. Kent. Mr. Zlochevsky spent time, as far as I understand, in Moscow and  
22 Monaco, after he fled Ukraine. We continued to raise, as a point of order, that because  
23 U.S. taxpayer dollars had been used to try to recover frozen assets, that we have a  
24 fiduciary responsibility. And we have continued to press Ukrainian officials to answer  
25 for why alleged corrupt prosecutors had closed a case, and we have till now not gotten a

1 satisfactory answer.

2 So, to summarize, we thought that Mykola Zlochevsky had stolen money; we  
3 thought a prosecutor had taken a bribe to shut the case; and those were our main  
4 concerns.

5 Mr. Castor. And are you in favor of that matter being fully investigated and  
6 prosecuted?

7 Mr. Kent. I think, since U.S. taxpayer dollars were wasted, I would love to see  
8 the Ukrainian Prosecutor General's Office find who the corrupt prosecutor was that took  
9 the bribe and how much it was paid. And that's what I said to the deputy prosecutor  
10 general on February 3, 2015.

11 Mr. Castor. But in addition to prosecuting the person that took the bribes,  
12 shouldn't the organization or individual that sponsored the bribes be prosecuted?

13 Mr. Kent. I would agree that the Ukrainian law authority should uphold the rule  
14 of law and hold the people account for breaking Ukrainian law.

15 Mr. Castor. So this company Burisma is involved in lots of criminal activity,  
16 correct?

17 Mr. Kent. I do not know that.

18 Mr. Castor. But over the years, it's been involved in a number of questionable  
19 dealings, correct?

20 Mr. Kent. I would say that it's the largest private gas producer in the country,  
21 and its business reputation is mixed.

22 Mr. Castor. So, to the extent a new regime is coming in under President  
23 Zelensky, it certainly would be fair for the new prosecutor, a genuine prosecutor, to  
24 reexamine old crimes that hadn't sufficiently been brought to justice, right?

25 Mr. Kent. I believe that the new prosecutor general, Ruslan Ryaboshapka, made

1 a statement to that and that they would be reviewing past cases. But keep in mind, this  
2 is a country where those that commit crimes generally never get held to account, so there  
3 is a lot to review.

4 Mr. Castor. Okay. Now, the bribe was paid in what year?

5 Mr. Kent. To the best of my knowledge, the case against Zlochevsky, the former  
6 minister, was shut down December of 2014.

7 Mr. Castor. Okay. And right around that time, Burisma starts adding officials to  
8 its board. Is that correct?

9 Mr. Kent. My understanding is, yes, that Zlochevsky invited a series of new  
10 individuals to join the board in 2014.

11 Mr. Castor. And do you know what his strategy was in adding officials to his  
12 board?

13 Mr. Kent. I have never met Mr. Zlochevsky.

14 Mr. Castor. And who are some of the folks he added to the board?

15 Mr. Kent. The most prominent person he added to the board was the former  
16 president of Poland, Aleksander Kwasniewski.

17 Mr. Castor. And anyone else?

18 Mr. Kent. There were a number of others, including some Americans, and the  
19 most prominent one in this context is Hunter Biden.

20 Mr. Castor. Okay. So Hunter Biden is added to the board of Burisma. Now do  
21 you think that creates a problem that Burisma may be adding people to its board for  
22 protection purposes?

23 Mr. Kent. Sir, I work for the government. I don't work in the cooperate sector,  
24 and so I believe that companies build their boards with a variety of reasons, not only to  
25 promote their business plans.

1 Mr. Castor. Was Hunter Biden a corporate governance expert?

2 Mr. Kent. I have no idea what Hunter Biden studied at university or what his CV  
3 says.

4 Mr. Castor. Like is he the Jeffrey Sonnenfeld of the Ukraine?

5 Mr. Kent. I have no awareness or knowledge of what his background was and  
6 what he may have done on the board of Burisma.

7 Mr. Castor. So you don't know whether he has any business experience in  
8 Ukraine prior to joining Burisma's board?

9 Mr. Kent. I've heard nothing about prior experience, no.

10 Mr. Castor. Okay. Do you know if he speaks Ukrainian?

11 Mr. Kent. I do not.

12 Mr. Castor. Do you know if he possesses any other element, other than the fact  
13 that he is the son of, at the time, the sitting Vice President?

14 Mr. Kent. I do not.

15 Mr. Castor. Ambassador Taylor, do you know whether Hunter Biden offers  
16 anything other than the fact that his dad is the former Vice President?

17 Ambassador Taylor. I don't.

18 Mr. Castor. Or at the time was the Vice President?

19 Ambassador Taylor. I have no knowledge of Hunter Biden.

20 Mr. Castor. But you would agree it raises questions, right?

21 He was getting paid, I think, \$50,000 a month to sit on the board? Do you know  
22 if he relocated to Ukraine?

23 Ambassador Taylor. Counsel, say again?

24 Mr. Castor. Do you know if Hunter Biden relocated to Ukraine?

25 Ambassador Taylor. No knowledge.

1 Mr. Castor. Do you, Mr. Kent?

2 Mr. Kent. Again, no knowledge.

3 Mr. Castor. Okay. So he is getting paid \$50,000 a month, but we don't know  
4 whether he had any experience, he had any -- spoke the language, or whether he moved  
5 to Ukraine, correct?

6 Mr. Kent. Correct.

7 Mr. Castor. Now, at this time, Vice President Biden was taking a specific interest  
8 in Ukraine, wasn't he?

9 Mr. Kent. He was.

10 Mr. Castor. And could you tell us about that?

11 Mr. Kent. I believe that, while he was Vice President, he made had a total of six  
12 visits to Ukraine. One may have been during the old regime, Yanukovych, and that  
13 would make five visits after the Revolution of Dignity, which started February of 2014.

14 Mr. Castor. Okay. And you are the DCM, the deputy chief of mission, at the  
15 time, correct?

16 Mr. Kent. Starting in 2015, yes.

17 Mr. Castor. Okay. And did Vice President Biden come when you were at post?

18 Mr. Kent. He did not. I came back for Ukrainian language training, and so I  
19 missed several visits.

20 Mr. Castor. Okay. Now, you have seen Vice President Biden's -- he has sort of  
21 given a speech, and he's, you know, a little folksy about how he went into Ukraine and he  
22 told the Ukrainians that, if they don't fire the prosecutor, they're going to lose their \$1  
23 billion in loan guarantees. You have seen that, correct?

24 Mr. Kent. I have. I think it was a speech at the Council of Foreign Relations in  
25 January of 2018.

1           Mr. Castor. Right. And he also said that he has been there, you know, to  
2 Ukraine, 13 times. Do you know if that's accurate?

3           Mr. Kent. To the best of my knowledge, when he was Vice President, he made  
4 six visits.

5           Mr. Castor. And did the State Department ever express any concerns to the Vice  
6 President's Office that the Vice President's role at the time in engaging on Ukraine  
7 presented any issues?

8           Mr. Kent. No. The Vice President's role was critically important. It was top  
9 cover to help us pursue our policy agenda.

10          Mr. Castor. Okay. But given Hunter Biden's role on Burisma's board of  
11 directors, at some point, you testified in your deposition that you expressed some  
12 concern to the Vice President's office. Is that correct?

13          Mr. Kent. That is correct.

14          Mr. Castor. And what did they do about that concern that you expressed?

15          Mr. Kent. I have no idea. I reported my concern to the Office of the Vice  
16 President.

17          Mr. Castor. Okay. That was the end of it? Nobody --

18          Mr. Kent. Sir, you would have to ask people who worked in the Office of the Vice  
19 President during 2015.

20          Mr. Castor. But after you expressed a concern of a perceived conflict of interest,  
21 at the least, the Vice President's engagement in the Ukraine didn't decrease, did it?

22          Mr. Kent. Correct, because the Vice President was promoting U.S. policy  
23 objectives in Ukraine.

24          Mr. Castor. And Hunter Biden's role on the board of Burisma didn't cease, did it?

25          Mr. Kent. To the best of my knowledge, it didn't. And my concern was that

1 there was the possibility of a perception of a conflict of interest.

2 Mr. Castor. Now, Ambassador Taylor, I want to turn to the discussion of the  
3 irregular channel you described. And, in fairness, this irregular channel of diplomacy,  
4 it's not as outlandish as it could be. Is that correct?

5 Ambassador Taylor. It's not as outlandish as it could be, yeah, I agree, Mr.  
6 Castor.

7 Mr. Castor. Okay. We have Ambassador Volker, who is a former  
8 Senate-confirmed Ambassador to NATO, longtime State Department diplomat, and  
9 you've known Ambassador Volker for years, correct?

10 Ambassador Taylor. That's correct.

11 Mr. Castor. A man of unquestioned integrity, correct?

12 Ambassador Taylor. That's correct.

13 Mr. Castor. And somebody with incredible knowledge of the region?

14 Ambassador Taylor. With very good knowledge of the region, yes, sir.

15 Mr. Castor. And the best interest of the United States?

16 Ambassador Taylor. I'm sure that's right.

17 Mr. Castor. And the best interest of Ukraine?

18 Ambassador Taylor. His first priority is clearly the United States.

19 Mr. Castor. Okay.

20 Ambassador Taylor. And to the extent that Ukraine has an implication for that,  
21 yes, Ukraine as well.

22 Mr. Castor. Okay. And the second member of the irregular channel is  
23 Ambassador Sondland, who is Senate-confirmed, Ambassador to the EU. So his  
24 involvement here, while, you know, not necessarily part of his official duties as the  
25 Ambassador to the EU, it is certainly not outlandish for him to be interested and engaged

1 pursuant to the President or Secretary Pompeo's direction, correct?

2       Ambassador Taylor. It's a little unusual for the U.S. Ambassador to the EU to  
3 play a role in Ukraine policy.

4       Mr. Castor. Okay. And, you know, might be irregular, but it's certainly not  
5 outlandish?

6       And then Secretary Perry is the third member of the irregular channel, certainly a,  
7 you know, Senate-confirmed official, somebody with deep experience in energy markets,  
8 and he was pursuing some liquefied natural gas projects in Ukraine?

9       Ambassador Taylor. That's correct, Mr. Castor.

10       Mr. Castor. So his involvement, Secretary Perry's involvement, is perfectly  
11 acceptable?

12       Ambassador Taylor. It is.

13       Mr. Castor. Okay. Now, this irregular channel, as it developed, when did you  
14 determine that it became problematic? I mean, you, in your opening statement,  
15 identified yourself appropriately as the leader of the regular channel.

16       Ambassador Taylor. At least a participant. Here's another leader of the regular  
17 channel.

18       Mr. Castor. So when did you first develop concerns that the irregular channel  
19 was being problematic?

20       Ambassador Taylor. So I arrived in Kyiv in mid-September. By late September,  
21 a couple of phone calls with --

22       Mr. Castor. You arrive in Kyiv in June, right?

23       Ambassador Taylor. June, right. Sorry.

24       Mr. Castor. The 17th?

25       Ambassador Taylor. Mid-June. June 17th. Thank you.

1 And so by the end of June, I had begun to hear references to investigations --

2 Mr. Castor. Uh-huh.

3 Ambassador Taylor. -- as something that would have to happen prior to the  
4 meeting that President Trump had offered to President Zelensky. That began to raise  
5 questions for me.

6 Mr. Castor. Okay. Now, you have known Ambassador Volker and you certainly  
7 have a reason to know Ambassador Sondland.

8 What did you do at this point, or did you ever try to wrest control of the irregular  
9 channel?

10 Ambassador Taylor. I didn't try to wrest control of the irregular channel, do that.  
11 At the time, when I --

12 Mr. Castor. Why not, though, if you had these concerns?

13 Ambassador Taylor. Because, Mr. Castor, at the time, as Ambassador  
14 Kent -- no -- Deputy Assistant Secretary Kent testified, both channels, both of  
15 those -- both channels were interested in having a meeting between President Zelensky  
16 and President Trump.

17 So there's no reason to kind of wrest control if we're going in the same direction.

18 Mr. Castor. But at some point, you developed concerns. I mean, your opening  
19 statement is here. I mean, you're the impeachment witness No. 1 -- and you're No. 2,  
20 Mr. Kent -- you know, for the case, impeaching the President of the United States  
21 because of the concerns you have testified about the irregular channel, correct?

22 Ambassador Taylor. I was concerned when the irregular channel appeared to be  
23 going against the overall -- the irregular channel was going against the overall direction of  
24 and purpose of the regular channels, yes.

25 Mr. Castor. And as I understand the record, however, you -- when you arrived in

1 Ukraine, you had the support of the Secretary and the Secretary's top advisor, Counselor  
2 Ulrich Brechbuhl, correct?

3 Ambassador Taylor. That is correct.

4 Mr. Castor. And they assured you that if you had any concerns, you would be  
5 able to contact them and they would have your back?

6 Ambassador Taylor. That is correct.

7 Mr. Castor. And you knew going in that the Rudy Giuliani element presented  
8 some complexities, correct?

9 Ambassador Taylor. I was concerned about Rudy Giuliani's statements and  
10 involvement in the Ukraine policy, yes.

11 Mr. Castor. Okay. So, when it genuinely became, you know, a concern for you,  
12 what did you do to either engage Sondland and Volker and Perry -- by the way, have you  
13 ever met Rudy Giuliani during these times relevant?

14 Ambassador Taylor. Not during the times relevant. He visited -- Mr. Giuliani  
15 visited Ukraine one time when I was there, I think in 2007 or 2008.

16 Mr. Castor. Okay.

17 Ambassador Taylor. That's the only time I've met him.

18 Mr. Castor. Okay. So you've never had any communications with Rudy Giuliani  
19 as part of these irregular channel business --

20 Ambassador Taylor. That's correct. That's correct.

21 Mr. Castor. Okay. And anyway, getting back to my question, did you try to  
22 engage Brechbuhl or the Secretary, you know, during this time period? I know you said  
23 that you had, I believe, an August 21st or 22nd telephone call with Brechbuhl; you had a  
24 July 10th telephone call with Brechbuhl; and then you sent a first person cable to the  
25 Secretary on 29th.

1           Ambassador Taylor. That's correct.

2           Mr. Castor. Is that sort of the universe of initiatives you took inside the State  
3 Department to raise your concerns about the irregular channel?

4           Ambassador Taylor. I also raised my concerns with Deputy Assistant Secretary  
5 George Kent. In particular, early on, when there -- I think I have mentioned this phone  
6 call that was odd in that it did not include the normal staff -- indeed, Ambassador  
7 Sondland's staff -- and that struck me as unusual.

8           I consulted with Mr. Kent and, at his suggestion, made a note of this and also  
9 had -- I think at that point I had a conversation with Mr. Brechbuhl.

1 RPTR WARREN

2 EDTR HOFSTAD

3 [2:27 p.m.]

4 Mr. Castor. And that was a June 28th call, I believe?

5 Ambassador Taylor. That's correct.

6 Mr. Castor. And, in your opening statement, you expressed some concerns  
7 about what Ambassador Sondland had said. But then, once Zelensky got on the phone,  
8 it proceeded in a very regular-channel way, correct?

9 Ambassador Taylor. That's correct.

10 Mr. Castor. Okay. So the June 28th call, at least, in and of itself, didn't  
11 ultimately, as it played out, present any problems for you.

12 Ambassador Taylor. The call with President Zelensky did not. The preparation  
13 for that call -- the preparation included maybe 15 minutes of just the Americans that  
14 would stay on the call.

15 Mr. Castor. Right.

16 Ambassador Taylor. And that -- again, that was a little irregular in that it didn't  
17 have the staff.

18 It was also in that pre-call, in that 15 minutes before President Zelensky got on the  
19 phone, where Ambassador Volker told the rest of the participants that he was planning to  
20 have a conversation with President Zelensky in Toronto in 3 days, 4 days, where he would  
21 outline for President Zelensky the important components of the phone call that we were  
22 trying to establish.

23 Mr. Castor. Okay. And you didn't have any issue with that, did you?

24 Ambassador Taylor. The only issue I had with that, Mr. Castor, was, there was  
25 reference to "investigations" in -- I believe this is -- I'll have to check my notes on that.

1 Mr. Castor. Okay.

2 Ambassador Taylor. But there was -- it raised issues for me, that I didn't  
3 understand what Ambassador Volker had in mind that he was specifically going to raise --

4 Mr. Castor. Okay.

5 Ambassador Taylor. -- with Mr. Zelensky. That was a little bit of a concern.

6 Mr. Castor. Okay.

7 I mean, the President's expressed his, you know, interest in certain investigations,  
8 certainly relating to the 2016 election and relating to, you know, this corrupt Burisma  
9 outfit. So that wasn't inconsistent with the President's message, right?

10 Ambassador Taylor. I'm not sure, Mr. Castor. Maybe -- can I ask you to repeat  
11 the question?

12 Mr. Castor. The President's concerns about the 2016 election and that you  
13 needed to get to the bottom of it and the President's concerns as is ultimately related to  
14 the Burisma company, I mean, if Ambassador Volker is raising that with Zelensky, that's  
15 consistent with the direction of the President, correct?

16 Ambassador Taylor. The President's interest -- or, I would say, Mr. Giuliani's  
17 interests, because that's what we were -- that's what was very clear at the time --

18 Mr. Castor. Right.

19 Ambassador Taylor. -- Mr. Giuliani's interest in pursuing these investigations was  
20 of concern, but --

21 Mr. Castor. By the way, do you know how many times Volker met with Giuliani?

22 Ambassador Taylor. I don't.

23 Mr. Castor. How many would you guess? Like, was he talking to him all the  
24 time or meeting with him all the time?

25 Ambassador Taylor. Mr. Castor, I don't know.

1           Mr. Castor. Okay. From his -- you know, at his deposition, he told us just once.  
2           And, you know, he texted back and forth with the mayor and had a call or two, but it  
3           wasn't a pervasive engagement for Ambassador Volker. Were you aware of that?

4           Ambassador Taylor. I was not aware. I was aware of one breakfast, I think, but  
5           that's the only one that I was aware of.

6           Mr. Castor. And, Mr. Kent, before my time expires, I want to circle back to the  
7           company of Burisma. And you testified at your deposition that there was an instance  
8           where USAID had engaged with Burisma in possibly sponsoring a program and you took  
9           issue with that and recommended to the USAID to pull back from that. Could you tell us  
10          about that?

11          Mr. Kent. So I became aware in the summer, I believe, of 2016 that, as a part of  
12          what I recall was a clean-energy awareness campaign, that part of the USAID mission that  
13          worked on economics and governance, including energy, had sponsored some sort of  
14          contest for young Ukrainians to come up with a theme. And there was a prize; I believe  
15          it may have been a camera. And they had cosponsored, with "public-private  
16          partnership" being a buzzword, having a cosponsorship with Burisma.

17          Given the past history of our interest in recovering stolen assets from Zlochevsky,  
18          it was my view that it was inappropriate for the Embassy to be cosponsoring a contest  
19          with Burisma. I raised that with the mission director at the Embassy. She agreed.  
20          And the USAID mission kept the contest but dropped the public-private partnership  
21          sponsorship.

22          The Chairman. The time of the gentleman has expired.

23          We'll now move to 5-minute member rounds. I recognize myself for 5 minutes.

24          Mr. Kent, I want to follow up on my colleague's questions regarding Burisma.  
25          You testified about a time when an oligarch named Zlochevsky, I think it was, was

1 self-dealing, awarding himself contracts. When was that?

2 Mr. Kent. To the best of my knowledge, he was Minister of  
3 Energy -- sorry -- Minister of Ecology under President Yanukovich from 2010 to 2012.  
4 And, at the time, licenses to have substrata exploration of gas were awarded by a  
5 subdivision of the Ministry of Ecology.

6 The Chairman. So this corrupt self-dealing, then, was approximately 7 years, at  
7 least 7 years, before the events that bring us here today, the phone call on the 25th and  
8 the events around it?

9 Mr. Kent. Correct. His time as Minister was 2010 to 2012. Hunter Biden  
10 joined the board of Burisma in 2014.

11 The Chairman. And you've read the call transcript, have you not?

12 Mr. Kent. I have, and I have it in front of me, but I haven't read it for about a  
13 month.

14 The Chairman. Is there any mention in the discussion with President Trump and  
15 President Zelensky of this oligarch, Zlochevsky, who 7 years earlier had been self-dealing?

16 Mr. Kent. To the best of my knowledge, no.

17 The Chairman. Is there a discussion of awarding contracts to oneself or the  
18 corrupt acts in the 2012-to-2014 timeframe?

19 Mr. Kent. To the best of my knowledge, no.

20 The Chairman. Now, what the President brings up is CrowdStrike, the server,  
21 and the Bidens. Am I right?

22 Mr. Kent. That's -- I see that here. Yes.

23 The Chairman. There was no discussion on that call of setting up an  
24 anticorruption court or looking into corruption among oligarchs or companies in general.  
25 The President's comments were focused on two things: 2016 and the Bidens. Am I

1 right?

2 Mr. Kent. I believe so, yes.

3 The Chairman. Now, you testified in your opening statement, "I do not believe  
4 the United States should ask other countries to engage in selective, politically associated  
5 investigations or prosecutions against opponents of those in power because such  
6 selective actions undermine the rule of law regardless of the country."

7 The "selective, politically associated investigations or prosecutions against  
8 opponents of those in power," are you referring to the Bidens there?

9 Mr. Kent. I am referring as a general principle about the promotion of the rule of  
10 law.

11 The Chairman. But that would apply to the President of the United States  
12 seeking an investigation of his political opponent, would it not?

13 Mr. Kent. It could be interpreted that way, yes, sir.

14 The Chairman. And, I take it, in your discussions, Ambassador Taylor, with  
15 Ambassador Sondland or others, what was communicated to you was that the President  
16 wanted investigations into 2016 and the Bidens, not into an oligarch named Zlochevsky or  
17 self-dealing, but 2016 and the Bidens. Was that your understanding?

18 Ambassador Taylor. That was my understanding.

19 The Chairman. And, in fact, when you said your staff overheard this call between  
20 Ambassador Sondland and the President, in that call, the President brings up  
21 investigation, does he not?

22 Ambassador Taylor. He did.

23 The Chairman. And immediately after the President gets off the phone with  
24 Sondland, Sondland is asked by your staff, what does the President think about Ukraine,  
25 and his answer is, he's just interested in the Bidens. Am I right?

1           Ambassador Taylor. He said he was more interested in the Bidens.

2           The Chairman. More interested in the Bidens. No discussion of Zlochevsky or  
3 Chalupa or things that happened 7 years ago. He was interested in the Bidens.

4           Ambassador Taylor. Yes, sir.

5           The Chairman. Now, I think you also testified that Ambassador Sondland told  
6 you that President Zelensky wanted Zelensky in a public box. Is that right?

7           Ambassador Taylor. Yes, sir.

8           The Chairman. And by "public box," did that mean that private statements,  
9 private promises to do this investigation of 2016 or the Bidens were not enough? He  
10 had to go on TV, he had to go public in some way, because the President wanted him in  
11 that box. Is that your understanding?

12          Ambassador Taylor. Mr. Chairman, I don't know exactly what he had in mind,  
13 and I'm not sure what Ambassador Sondland had in mind, who was the one who  
14 mentioned that to me. That's the implication. The implication was it needed to be  
15 public as opposed to being a private assurance.

16          The Chairman. And I think you said, in that same call, you asked Ambassador  
17 Sondland to push back on President Trump's demand. Is that right?

18          Ambassador Taylor. That's correct, sir.

19          The Chairman. So you understood, from your conversation with Sondland, this  
20 was the President's demand, not Sondland's demand, the President's demand. And you  
21 wanted Sondland to push back. Am I right?

22          Ambassador Taylor. What I wanted -- so Ambassador Sondland was clearly able  
23 to have conversations with the President. And I thought that the pressure on another  
24 President, on President Zelensky, was not a good idea from either President's standpoint.

25          So I suggested in that phone call with Ambassador Sondland that he, since he

1 regularly -- or frequently had conversations with the President, could make that point.

2 The Chairman. And I think the way you expressed yourself is you wanted  
3 Sondland to push back on President Trump's demand, right?

4 Ambassador Taylor. Yes, sir.

5 The Chairman. So it was your understanding from talking to Sondland, this is  
6 what the President wanted him to do, and you wanted Sondland to push back.

7 Ambassador Taylor. I asked Ambassador Sondland to push back. That's  
8 correct.

9 The Chairman. And, in fact, even after the aid was ultimately released, even  
10 after the White House learns of the whistleblower complaint and the congressional  
11 investigation, the aid is released, even after those events, you were still worried that  
12 Zelensky was going to feel it necessary to go on CNN and announce these investigations,  
13 were you not?

14 Ambassador Taylor. Mr. Chairman, I was still worried that he might do that.  
15 So, yes, I thought that would be a bad idea. And so, when there was some indication  
16 that there might still be a plan for the CNN interview in New York, which was upcoming at  
17 the United Nations General Assembly meeting, I was worried -- I wanted to be sure that  
18 that didn't happen, so I addressed it with Zelensky's staff.

19 The Chairman. And I think you said earlier that Danylyuk, the national security  
20 advisor then for Zelensky, was concerned Zelensky didn't want to be used as some tool in  
21 American politics. Is that right?

22 Ambassador Taylor. That's correct, sir.

23 The Chairman. So Zelensky didn't want to go on TV to announce political  
24 investigations that he thought would mire him in U.S. politics, right?

25 Ambassador Taylor. He knew that -- he and his advisors knew that it's a bad idea

1 to interject, to interfere in other nations' elections, yes, sir.

2 The Chairman. But, nonetheless, it appeared, until the aid was lifted, the hold  
3 was lifted, that he felt compelled to do it.

4 Ambassador Taylor. He was making plans -- his staff was making plans to have  
5 him make some kind of announcement -- I don't know what it would have been -- on CNN  
6 in public.

7 The Chairman. Even though he didn't want to be mired in U.S. politics.

8 Ambassador Taylor. Even though he knew it was a bad idea to interfere in other  
9 people's elections.

10 The Chairman. Mr. Nunes, you are recognized for 7 minutes and 10 seconds.

11 Mr. Nunes. I thank the gentleman for that.

12 Ambassador Taylor, you said in your deposition that the first time you heard about  
13 this issue with Rudy Giuliani -- and I'm paraphrasing, but you read it in The New York  
14 Times. Is that correct?

15 Ambassador Taylor. I do remember that first -- I do remember noticing about  
16 Mr. Giuliani being involved in this in that article, yes, sir.

17 Mr. Nunes. Okay.

18 I think one of the mothers of all conspiracy theories is that somehow the  
19 President of the United States would want a country that he doesn't even like, he doesn't  
20 want to give foreign aid to, to have the Ukrainians start an investigation into Bidens.

21 With that, I yield to Mr. Jordan.

22 Mr. Jordan. I thank the gentleman for yielding.

23 Ambassador Taylor, thank you for being here.

24 Aid's held up on July 18th. Is that right?

25 Ambassador Taylor. That's what I first heard about it, Mr. Jordan.

1           Mr. Jordan. And then it's released, Ambassador Taylor, on September 11th.  
2 And we know that, from your deposition, in those 55 days that aid is delayed, you met  
3 with President Zelensky three times.

4           The first one was July 26th, the day after the famous call, now, between President  
5 Trump and President Zelensky. President Zelensky meets with you, Ambassador Volker,  
6 and Ambassador Sondland. And, again, according to your deposition, your testimony,  
7 there was no linkage of security assistance dollars to investigating Burisma or the Bidens.

8           The second meeting's August 27th. Again, in this 55-day timeframe, second  
9 meeting is August 27th. President Zelensky meets with you and Ambassador Bolton and  
10 others. And, again, there's no linkage of dollars, security assistance dollars, to an  
11 investigation of the Bidens.

12           And then, of course, the third meeting is September 5th. President Zelensky  
13 meets with you and Senators Johnson and Murphy. And, once again, there was no  
14 linkage of security assistance dollars to an investigation of Burisma or the Bidens.

15           Three meetings with the President of Ukraine, the new President, and no linkage.  
16 That's accurate?

17           Ambassador Taylor. Mr. Jordan, it's certainly accurate on the first two, first two  
18 meetings, because, to my knowledge, the Ukrainians were not aware of the hold on  
19 assistance until -- until the 29th of August.

20           Mr. Jordan. Until the Politico article.

21           Ambassador Taylor. The Politico article.

22           The third meeting that you mentioned with the Senators, Senator Murphy and  
23 Senator Johnson, there was discussion of the security assistance but --

24           Mr. Jordan. No linkage.

25           Ambassador Taylor. -- there was not discussion of linkage.

1           Mr. Jordan. Three meetings face-to-face with President Zelensky, no linkage.

2           Yet, in your deposition, you said this, and you said it again the first hour of the  
3 majority: My clear understanding was security assistance money would not come until  
4 President Zelensky committed to pursue the investigation. My clear understanding was  
5 they weren't going to get the money until President Zelensky committed to pursue the  
6 investigations.

7           Now, with all due respect, Ambassador, your clear understanding was obviously  
8 wrong, because it didn't happen. President Zelensky didn't announce he was going to  
9 investigate Burisma or the Bidens. He didn't do a press conference and say, "I'm going  
10 to investigate the Bidens. We're going to investigate Burisma." He didn't tweet about  
11 it. And you just told the ranking member he didn't do the CNN interview and announce  
12 he's going to investigate Burisma or the Bidens.

13           So three face-to-face meetings, it doesn't come up. No linkage whatsoever.  
14 President Zelensky doesn't announce it before the aid is released on the 11th. And yet  
15 you said you have a clear understanding that those two things were going to happen:  
16 The money was going to get released but not until there was an investigation. And that,  
17 in fact, didn't happen.

18           So what I'm wondering is, where did you get this clear understanding?

19           Ambassador Taylor. As I testified, Mr. Jordan, this came from Ambassador  
20 Sondland --

21           Mr. Jordan. Well, can you hold 1 second, Ambassador? I'm going to bring you  
22 a piece of paper from Ambassador Sondland's statement.

23           Ambassador Taylor. Very good.

24           Mr. Jordan. And you can take a look at this. Go ahead, though. I want to let  
25 you finish.

1 Ambassador Taylor. So, Mr. Jordan, shall I read this or --

2 Mr. Jordan. No, no.

3 Ambassador Taylor. No.

4 Mr. Jordan. I just want you to it have because I'm going read it.

5 Ambassador Taylor. Oh, very good, very good, very good.

6 Mr. Jordan. Yeah, but I wanted you to go ahead and finish. You said you got  
7 this from Ambassador Sondland.

8 Ambassador Taylor. That is correct. Ambassador Sondland also said he had  
9 talked to President Zelensky and Mr. Yermak and had told them that, although this was  
10 not a quid pro quo, if President Zelensky did not clear things up in public, we would be at  
11 a stalemate. That was the -- that was one point.

12 It was also the case --

13 Mr. Jordan. Mr. Morrison talked to you, right?

14 Ambassador Taylor. No. What I was going to say is Ambassador Sondland also  
15 told me that he recognized that it was a mistake to have told the Ukrainians that only the  
16 meeting with the President in the Oval Office was held up in order to get these  
17 investigations. No, it was not just the meeting; it was also the security assistance.  
18 That is, everything was.

19 So those two --

20 Mr. Jordan. Okay.

21 Ambassador Taylor. -- those two discussions --

22 Mr. Jordan. No, I understand.

23 Ambassador Taylor. Okay.

24 Mr. Jordan. All right. So, again, just to recap, you had three meetings with  
25 President Zelensky; no linkage in those three meetings came up. Ambassador Zelenksy

1 didn't announce that he was going to do any investigation of the Bidens or Burisma before  
2 the aid was released. He didn't --

3 Ambassador Taylor. That was President --

4 Mr. Jordan. -- do a tweet, didn't do anything on CNN, didn't do any of that.  
5 President Zelensky. Excuse me.

6 Ambassador Taylor. Yeah. Right.

7 Mr. Jordan. And then what you have in front of you is an addendum that  
8 Mr. Sondland made to his testimony that we got a couple weeks ago. It says,  
9 "Declaration of Ambassador Gordon Sondland. I, Gordon Sondland, do hereby swear  
10 and affirm as follows."

11 I want you to look at point number two, bullet point number two, second  
12 sentence.

13 "Ambassador Taylor recalls that Mr. Morrison told Ambassador Taylor that I told  
14 Mr. Morrison that I conveyed this message to Mr. Yermak on September 1st, 2019, in  
15 connection with Vice President Pence's visit to Warsaw and a meeting with President  
16 Zelensky."

17 Now, this is his clarification. Let me read it one more time.

18 "Ambassador Taylor recalls that Mr. Morrison told Ambassador Taylor that I told  
19 Mr. Morrison that I had conveyed this message to Mr. Yermak on September 1st, 2019, in  
20 connection with Vice President Pence's visit to Warsaw and a meeting with President  
21 Zelensky."

22 We've got six people having four conversations in one sentence, and you just told  
23 me this is where you got your clear understanding, which -- I mean, even though you had  
24 three opportunities with President Zelensky for him to tell you, "You know what? We're  
25 going to do these investigations to get the aid," he didn't tell you, three different times.

1 Never makes an announcement, never tweets about it, never does the CNN interview.

2 Ambassador, you weren't on the call, were you? The President -- you didn't  
3 listen in on President Trump's call and President Zelensky's call?

4 Ambassador Taylor. I did not.

5 Mr. Jordan. You never talked with Chief of Staff Mulvaney.

6 Ambassador Taylor. I never did.

7 Mr. Jordan. You never met the President.

8 Ambassador Taylor. That's correct.

9 Mr. Jordan. You had three meetings again with Zelensky and it didn't come up.

10 Ambassador Taylor. And two of those, they had never heard about it, as far as I  
11 know, so there was no reason for it to come up.

12 Mr. Jordan. And President Zelensky never made an announcement.

13 This is what I can't believe. And you're their star witness. You're their first  
14 witness.

15 Ambassador Taylor. Mr. Jordan --

16 Mr. Jordan. You're the guy. You're the guy based on this, based on -- I mean,  
17 I've seen church prayer chains that are easier to understand than this.

18 "Ambassador Taylor recalls that Mr. Morrison told" -- now, again, this is "I hereby  
19 swear and affirm" from Gordon Sondland.

20 "Ambassador Taylor recalls that Mr. Morrison told Ambassador Taylor that I told  
21 Mr. Morrison that I conveyed this message to Mr. Yermak on September 1st" -- this all  
22 happens, by the way -- this all happens, by the way, in Warsaw --

23 The Chairman. Time of the gentleman has expired.

24 Mr. Jordan. -- where Vice President Pence meets with President Zelenksy, and  
25 guess what?

1 The Chairman. Ambassador Taylor --

2 Mr. Jordan. They didn't talk about any linkage either.

3 The Chairman. The time of the gentleman has expired.

4 Ambassador Taylor, would you like to respond?

5 Ambassador Taylor. The only response -- I have two responses, Mr. Chairman.

6 Thank you.

7 And, Mr. Jordan, glad to take those questions.

8 Let me just say that I don't consider myself a star witness for anything.

9 Mr. Jordan. They do. You don't, but they do.

10 Ambassador Taylor. No, I don't. I'm just --

11 Mr. Jordan. They do.

12 Ambassador Taylor. I'm responding to your questions.

13 The Chairman. Mr. Jordan, please don't interrupt the witness.

14 Ambassador Taylor. As I think I was clear about, I'm not here to take one side or  
15 the other or to advocate any particular outcome. So let me just restate that.

16 The second thing is that my understanding is only coming from people that I  
17 talked to. And I --

18 Mr. Jordan. We got that.

19 Ambassador Taylor. We got that.

20 And I think this clarification from Ambassador Sondland was because he said he  
21 didn't remember this in his first deposition, so he wanted to kind of clarify.

22 But I think, Mr. Jordan, the way I read this, he remembers it the same way I do.

23 Mr. Jordan. Yeah. And it's real clear, right?

24 Ambassador Taylor. It's very clear to me.

25 The Chairman. Thank you, Ambassador Taylor.

1 Mr. Himes, you're recognized for 5 minutes.

2 Mr. Himes. Gentlemen, thank you for your testimony today.

3 One of the things I find startling about these proceedings is that, faced with very  
4 serious allegations of Presidential misconduct, my colleagues on the other side of the  
5 aisle don't engage or defend that conduct. Rather, they spin theories about black  
6 ledgers and Steele dossiers and the startling revelation that Ukrainians might have been  
7 upset when a Presidential candidate suggested that perhaps he would let the Russians  
8 keep Crimea. Or, of course, we get the attacks, so epitomized by Mr. Nunes's opening  
9 statement when he attacked Democrats, he attacked the media, and, most disgustingly,  
10 attacked the extraordinary men and women of the State Department and the FBI.

11 When a defense does emerge, it looks a little like this: Ukraine is a corrupt  
12 country, and the President was just acting in a long line, a long tradition of actually trying  
13 to address corruption in Ukraine.

14 Mr. Kent, you've worked on anticorruption and rule of law for much of your  
15 27-year career. Is that correct?

16 Mr. Kent. I have specialized in anticorruption and rule-of-law issues since 2012,  
17 correct.

18 Mr. Himes. So, like most of us up here, I don't have a good sense of what a real  
19 anticorruption effort that we must engage in all over the world all the time, what that  
20 looks like. So let me ask you to just take a minute and just characterize for us what a  
21 real initiative, what a real program of anticorruption might look like.

22 Mr. Kent. If we're doing a systemic, holistic program, you need institutions with  
23 integrity. That starts with investigators. It goes to prosecutors, it goes to courts, and  
24 eventually it goes the corrections system.

25 In countries like Ukraine, we generally start with law enforcement, and that's

1 what we did in 2014-'15 with the new patrol police.

2 There also is oftentimes needed a specialized anticorruption agency. In Ukraine,  
3 that was called the National Anti-Corruption Bureau, or NABU.

4 There was a different body that reviewed asset declarations for unusual wealth  
5 called the National Anti-Corruption Prevention Council.

6 And eventually we got to helping them establish a special anticorruption  
7 prosecutor and eventually a high court on anticorruption. And that was to try to create  
8 investigators, prosecutors, and courts with integrity, that couldn't be bought, and would  
9 be focused on high-level corruption.

10 Mr. Himes. So what I'm hearing there, Mr. Kent, is a very comprehensive effort.

11 So let me read you President Trump's own words to the Ukrainian President in a  
12 July 25th phone call. And I quote: "There's a lot of talk about Biden's son, that Biden  
13 stopped the prosecution, and a lot of people want to find out about that. So whatever  
14 you can do with the Attorney General would be great. Biden went around bragging that  
15 he stopped the prosecution, so if you can look into it. It sounds horrible to me."

16 Mr. Kent, when you hear those words, do you hear the President participating in  
17 or requesting a thoughtful and well-calibrated anticorruption program?

18 Mr. Kent. I do not.

19 Mr. Himes. And, Mr. Kent and Mr. Taylor, the defenders of the President's  
20 behavior have made a big deal out of the fact that Vice President Biden encouraged the  
21 Ukrainians to remove a corrupt former Ukrainian prosecutor, 2016, Mr. Shokin.

22 And, in fact, Senator Rand Paul on Sunday said, and I quote him, "They're  
23 impeaching President Trump for exactly the same thing that Joe Biden did."

24 Is that correct? Is what the President did in his phone call and what Joe Biden  
25 did in terms of Mr. Shokin, are those exactly the same things? And, if not, how are they

1 different?

2 Mr. Kent. I do not think they are the same things.

3 What former Vice President Biden requested of former President of Ukraine  
4 Poroshenko was the removal of a corrupt prosecutor general, Viktor Shokin, who had  
5 undermined a program of assistance that we had spent, again, U.S. taxpayer money to try  
6 to build an independent investigator unit to go after corrupt prosecutors.

7 And there was a case called the diamond prosecutor case in which Shokin  
8 destroyed the entire ecosystem that we were trying to help create -- the investigators,  
9 the judges who issued the warrants, the law enforcement that had warrants to do the  
10 wiretapping, everybody -- to protect his former driver, who he'd made a prosecutor.

11 That's what Joe Biden was asking. Remove the corrupt prosecutor --

12 Mr. Himes. So Joe Biden was participating in an open effort -- established,  
13 whole-of-government effort to address corruption in Ukraine.

14 Mr. Kent. That is correct.

15 Mr. Himes. Great.

16 So, Mr. Kent, as you look at this whole mess -- Rudy Giuliani, President Trump -- in  
17 your opinion, was this a comprehensive and whole-of-government effort to end  
18 corruption in Ukraine?

19 Mr. Kent. You're referring to the request in July?

20 Mr. Himes. Exactly.

21 Mr. Kent. I would not say so. No, sir.

22 Mr. Himes. Yeah, I don't. I don't think President Trump was trying to end  
23 corruption in Ukraine. I think he was trying to aim corruption in Ukraine at Vice  
24 President Biden and at the 2020 election.

25 And I yield back the balance of my time.

1           The Chairman. Mr. Conaway is recognized for 5 minutes.

2           Mr. Conaway. Thank you, Mr. Chairman.

3           I yield my time to the gentleman from Texas, Mr. Ratcliffe.

4           Mr. Ratcliffe. I thank the gentleman.

5           And I thank you both for being here. It's obvious from your testimony today that  
6 you both care a great deal about U.S.-Ukraine relations.

7           It's also very clear that you're optimistic about President Zelensky.

8           Ambassador Taylor, you related that one of his first acts in office was to remove  
9 immunity from deputies, which had long been a source of corruption.

10          I know you had a number of personal dealings with him. Has he given you any  
11 reason to question his honesty or his integrity?

12          Ambassador Taylor. No, sir.

13          Mr. Ratcliffe. In your prior deposition, I asked you -- and I'll read it directly.

14          "If nobody in the Ukrainian Government was aware of a military hold at the time  
15 of the Trump-Zelensky call, then, as a matter of law and as a matter of fact, there can be  
16 no quid pro quo based on military aid. And, to your knowledge, nobody in the Ukrainian  
17 Government was aware of the hold."

18          And your answer was, "That is correct."

19          Is that still your testimony?

20          Ambassador Taylor. Mr. Ratcliffe, at some point in September --

21          Mr. Ratcliffe. I'm talking about on July 25th.

22          Ambassador Taylor. Ah, July 25th. Sorry. Yes, that's correct. That's correct.

23          They did not know this.

24          Mr. Ratcliffe. All right.

25          And, as it turns out, President Zelensky agreed with you. On October 10th,

1 President Zelensky held a press marathon with over 300 reporters, where he said  
2 repeatedly and consistently over hours and hours that he was not aware of a military hold  
3 during the July 25th call.

4 In fact, in his official press release from the Ukrainian Government, available on  
5 his website, that I'll be introducing into the record, he said: "Our phone conversation  
6 bears no relations to arms. They blocked the provision of military assistance prior to our  
7 telephone conversation, but the issue had not been discussed during our conversation.  
8 I mean, I didn't even know."

9 [The information follows:]

10

11 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1

2           Mr. Ratcliffe. So, now, in addition to confirming that, because he had no  
3 knowledge of it, there was no quid pro quo involving military aid during that call,  
4 President Zelensky went on to confirm a number of things: that there was no pressure,  
5 that there were no conditions, that there were no threats on military aid, there were no  
6 conditions or pressure to investigate Burisma or the 2016 election, that there was no  
7 blackmail, that there was no corruption of any kind during the July 25th call.

8           Again, from his official press release: "Therefore, there was no blackmail,  
9 because it was not the subject of our conversation with the President of the United  
10 States. There were no conditions on the investigation either because of arms or the  
11 situation around Burisma company."

12           He told Reuters, "There was no blackmail." He told the L.A. Times, "There was  
13 no pressure or blackmail from the United States." He told Japan's Kyoto News, "I was  
14 never pressured, and there were no conditions being imposed." He told ABC News and  
15 the BBC, "I'm against corruption. This is not corruption. It was just a call."

16           The Ukrainian President stood in front of the world press and repeatedly,  
17 consistently, over and over again, interview after interview, said he had no knowledge of  
18 military aid being withheld, meaning no quid pro quo, no pressure, no demands, no  
19 threats, no blackmail, nothing corrupt.

20           And unlike the first 45 minutes that we heard from the Democrats today, that's  
21 not secondhand information. It's not hearsay. It's not what someone overheard  
22 Ambassador Sondland say. That was his direct testimony.

23           Ambassador Taylor, do you have any evidence to assert that President Zelensky  
24 was lying to the world press when he said those things? Yes or no?

25           Ambassador Taylor. Mr. Ratcliffe, if I can respond --

1 Mr. Ratcliffe. My time is short. Yes or no?

2 Ambassador Taylor. I have no reason to doubt what the President said in his  
3 press --

4 Mr. Ratcliffe. Okay. Very good.

5 So, in this impeachment hearing today, where we impeach Presidents for treason  
6 or bribery or other high crimes, where is the impeachable offense in that call? Are  
7 either of you here today to assert there was an impeachable offense in that call? Shout  
8 it out. Anyone?

9 Ambassador Taylor. Mr. Ratcliffe, if I can just respond, let me just reiterate that  
10 I --

11 Mr. Ratcliffe. I've got 1 minute left.

12 Ambassador Taylor. I know you do.

13 Mr. Ratcliffe. Let me --

14 Ambassador Taylor. I know you've only got a minute left.

15 Mr. Ratcliffe. Let me just make this point.

16 Ambassador Taylor. I've just got 30 --

17 Mr. Ratcliffe. I --

18 The Chairman. Please allow the witness -- you asked the witness a question.

19 Mr. Ratcliffe. I'll withdraw the question. Let me just make this point.

20 Ambassador Taylor. And I'm not here to take one side or the other. This is  
21 your decision.

22 Mr. Ratcliffe. Ambassador, let me answer this -- let me ask you this question.

23 The Chairman. The gentleman will suspend.

24 Mr. Ratcliffe. Suspend the time, please.

25 The Chairman. Ambassador Taylor --

1 Mr. Ratcliffe. Suspend the time, please.

2 The Chairman. -- would you like to answer the question?

3 Mr. Ratcliffe. Suspend the time, please. I withdrew the question.

4 The Chairman. The gentleman will suspend. We will suspend the clock.

5 Mr. Ratcliffe. Suspend the clock --

6 The Chairman. Suspend the clock.

7 Mr. Ratcliffe. -- at 1 minute, please.

8 The Chairman. Ambassador Taylor, would you like to respond to the question?

9 Ambassador Taylor. Mr. Ratcliffe, I would just like to say that I am not here to do  
10 anything having to do with -- to decide about impeachment. That is not what either of  
11 us are here to do. This is your job.

12 Mr. Ratcliffe. Will you restore --

13 Ambassador Taylor. Thank you, Mr. Chairman.

14 Mr. Ratcliffe. -- time to the clock to 1 minute?

15 The Chairman. No, but you may continue. You have 22 seconds.

16 Mr. Ratcliffe. Fine.

17 Mr. Ambassador, I think everyone knows that House Democrats have made up  
18 their mind to impeach one President. The question that we've just learned is whether  
19 or not they're prepared to impeach two. Because, to be clear, if House Democrats  
20 impeach President Trump for a quid pro quo involving military aid, they have to call  
21 President Zelensky a liar. If they impeach him for abusing his power or pressuring or  
22 making threats or demands, they have to call President Zelensky a liar to do it. If they  
23 impeach President Trump for blackmail or extortion or making threats or demands, they  
24 have to call President Trump a liar to do it.

25 I yield back.

1           The Chairman. The chair recognizes Representative Sewell.

2           Ms. Sewell. I yield a few minutes to my esteemed chairman.

3           The Chairman. Thank you.

4           Ambassador Taylor, I don't know if you've had a chance to read some of the  
5 transcripts that have been released. Are you aware that other witnesses have testified  
6 that Ukraine, in fact, found out the aid was being withheld before it became public  
7 knowledge?

8           Ambassador Taylor. Mr. Chairman, I have read that. I think there's still some  
9 question about when they may have heard.

10          The Chairman. And, ultimately, they did find out when the Politico story came  
11 out, to your knowledge -- but others have said even sooner -- but they did find out, right,  
12 Ambassador?

13          Ambassador Taylor. They did, Mr. Chairman.

14          The Chairman. And at the time they found out, they knew what President Trump  
15 wanted from them, that he wanted these investigations, correct?

16          Ambassador Taylor. Ambassador Sondland informed President Zelensky's  
17 staff -- that is, Mr. Yermak -- of what was required, yes.

18          The Chairman. So Ukraine finds out about the hold. You're not able to give  
19 them a reason for the hold; no one is able to give them a reason for the hold. They  
20 know the President wants these investigations. And then they're told in Warsaw by  
21 Ambassador Sondland, essentially, you're not getting the aid unless you do these  
22 investigations, correct?

23          Ambassador Taylor. That's correct.

24          The Chairman. So, you know, you've been asked how could there be  
25 conditioning if the Ukrainians didn't know, but the Ukrainians were told by Ambassador

1 Sondland, were they not?

2 Ambassador Taylor. They were. They were.

3 They didn't know, as near as I can tell, the Ukrainians did not know about the hold  
4 on the phone call on July 25th. That's true. But they were told, as you said,  
5 Mr. Chairman, on the 1st of September.

6 The Chairman. And, in fact, while they may not have known during the time of  
7 the call, they would find out. And when they did find out, they would know what the  
8 President wanted, correct?

9 Ambassador Taylor. That's correct.

10 The Chairman. Representative Sewell.

11 Ms. Sewell. So, Mr. Kent, I'd like to refer you to the discussion of the May 23rd  
12 meeting in the Oval Office when the President met with those who had gone to the  
13 Ukraine for the inauguration.

14 You briefly testified that you helped propose names for individuals to go to that  
15 inauguration. Was Ambassador Sondland, who was the Ambassador to the European  
16 Union, one of the names that you submitted?

17 Mr. Kent. No, it was not.

18 Ms. Sewell. But he ultimately attended that inauguration; is that not right?

19 Mr. Kent. That is correct.

20 Ms. Sewell. And do you know how he ended up as a part of that official  
21 delegation?

22 Mr. Kent. I do not know for sure, but my understanding is, once the list left the  
23 NSC staff, it went through a review through the part of the White House that determines  
24 Presidential delegations.

25 Ms. Sewell. You also testify that, upon returning, Ambassador Sondland used

1 his, quote, "connections with Mulvaney," end quote, in order to secure this meeting in  
2 the Oval Office. Is that correct?

3 Mr. Kent. That is my understanding, yes.

4 Ms. Sewell. It seems that this Oval Office meeting was a pivotal turning point in  
5 the Ukraine policy. Coming out of that meeting, who was given responsibility -- to your  
6 recollection, who was given responsibility for the Ukraine policy?

7 Mr. Kent. I never saw any document that changed the nature of policy  
8 determination. In the U.S. Government, under the Trump administration, there's the  
9 national security Presidential memorandum --

10 Ms. Sewell. But didn't you also say -- I'm --

11 Mr. Kent. Please.

12 Ms. Sewell. I have little time.

13 You did say in your testimony that you felt that -- you testified that Secretary  
14 Perry, Ambassador Sondland, and Ambassador Volker, quote, "felt that they had a  
15 mandate to take the lead," end quote, on Ukraine policy, did you not?

16 Mr. Kent. That was an accurate statement. Their feeling doesn't mean that  
17 they actually got delegated responsibility.

18 Ms. Sewell. Have you ever heard the term "three amigos"?

19 Mr. Kent. I referenced that after watching Gordon Sondland say that on  
20 Ukrainian TV on July 26th.

21 Ms. Sewell. And what do you come to mean by "three amigos"?

22 Mr. Kent. My understanding of Ambassador Sondland's use of that term is that  
23 the three people that were in charge of Ukraine policy during the summer were he,  
24 Gordon Sondland, Ambassador Volker, and Secretary Perry.

25 Ms. Sewell. When did you come to learn about Mr. Giuliani's role? And what

1 do you consider his role to have been?

2 Mr. Kent. I first heard about former Mayor Giuliani's interest in Ukraine in  
3 January of this year. That was a different phase than what happened during the  
4 summertime.

5 Ms. Sewell. Was it normal to have a person who is a private citizen take an  
6 active role in foreign diplomacy?

7 Mr. Kent. I did not find his particular engagement normal, no.

8 Ms. Sewell. Now, Ambassador Taylor, you testified that there are two channels,  
9 regular and irregular. What did you see as Rudy Giuliani's role in Ukraine policy?

10 Ambassador Taylor. Congresswoman, I came to see that Mr. Giuliani had a large  
11 influence on the irregular channel.

12 Ms. Sewell. And was that normal? Is that normal, to have a private citizen of  
13 the United States take an active role in diplomacy?

14 Ambassador Taylor. It is not normal. It is not unusual to ask for people outside  
15 the government to give opinions to help form the policies of the U.S. Government. It is  
16 unusual to have a person put input into the channel that goes contrary to U.S. policy.

17 Ms. Sewell. Thank you.

18 I yield back.

19 The Chairman. Mr. Turner, you are recognized for 5 minutes.

20 Mr. Turner. Thank you.

21 Mr. Kent, Ambassador Taylor, thank you for your service. I have a great deal of  
22 appreciation for your profession. You have very little direct contact with  
23 decision-makers, a tremendous amount of responsibility, and not a lot of authority to  
24 affect U.S. policy, bilateral engagements or multilateral engagements. You're trying to  
25 shepherd through issues with our allies.

1           One example of that, Ambassador Taylor, is that you testified in your prior  
2 testimony that you have not had any contact with the President of the United States. Is  
3 that correct?

4           Ambassador Taylor. That's correct, sir.

5           Mr. Turner. Mr. Kent, have you had any contact with the President of the United  
6 States?

7           Mr. Kent. I have not.

8           Mr. Turner. So not only no conversations with the President of the United States  
9 about Ukraine, you've not had any contact with the President of the United States,  
10 correct?

11          Ambassador Taylor. That's correct.

12          Mr. Turner. Okay.

13                So you both know that this impeachment inquiry is about the President of the  
14 United States, don't you? I mean, the man that neither one of you have had any contact  
15 with -- you're the first-up witnesses. I just find that a little amazing, that the first up  
16 would be two people who've never had any contact with the President himself.

17                Now, Kurt Volker did have contact with the President and contact with the  
18 President on Ukraine.

19                Ambassador Taylor, you said that he is a man of highest integrity. Well, I know  
20 Kurt Volker, and I know -- you know, he served as the NATO Ambassador. He served as  
21 the director of the McCain Institute. He has the highest professional ethics. He's one  
22 of the most knowledgeable people about Europe. He's absolutely a truthful man.

23                Mr. Kent, would you agree with Ambassador Taylor that he is of the highest  
24 integrity?

25                Mr. Kent. I believe Kurt Volker has served the U.S. as a public servant very well.

1           Mr. Turner. Do either of you have any evidence that Mr. Volker committed  
2 perjury or lied to this committee in his testimony to this committee? Do either of you  
3 have any evidence that Kurt Volker perjured himself or lied to this committee in his  
4 testimony?

5           Ambassador Taylor, any evidence?

6           Ambassador Taylor. Mr. Turner, I have no evidence.

7           Mr. Turner. Mr. Kent?

8           Mr. Kent. I believe Ambassador Volker's deposition was over 400 pages, and I  
9 don't have it in front of me, so I can't make a judgment --

10          Mr. Turner. But you have no evidence that he lied or perjured himself, right, Mr.  
11 Kent?

12          Mr. Kent. I have no basis to make that judgment, no, sir.

13          Mr. Turner. Great.

14          Well, we're not in a court, gentlemen. And if we were, the Sixth Amendment  
15 would apply, and so would rules on hearsay and opinion, and most of your two  
16 testimonies would not be admissible whatsoever.

17          But I understand in your profession you deal in words of understanding, words of  
18 beliefs and feelings, because in your profession that's what you work with to try to pull  
19 together policy and to go in and out of meetings to try to formulate opinions that affect  
20 other people's decision-making.

21          Ambassador Taylor, have you ever prepared for a meeting with a President or a  
22 Prime Minister of a country where you were told one thing before you went into the  
23 meeting as to what it was to be about and the meeting would be about another thing or  
24 you get in there and the beliefs or opinions of the President or the Prime Minister were  
25 other than you believed?

1           Ambassador Taylor. Mr. Turner, you're asking if I ever learned something new in  
2 a meeting?

3           Mr. Turner. Have you ever walked in with a belief that you thought about the  
4 country that you were serving in and find out that they were wrong?

5           Ambassador Taylor. I learn something in every meeting, Mr. Turner, but I, you  
6 know --

7           Mr. Turner. Ambassador Taylor, the reason why the Sixth Amendment doesn't  
8 allow hearsay is it's unreliable. It's unreliable because, frequently, it's untruthful. It is  
9 not factual. It might be beliefs or understandings.

10           Ambassador, you testified about a number of things that you heard. Isn't it  
11 possible that the things that you heard were not true; that some of the beliefs and  
12 understandings that you had are not accurate; that, in fact, you're mistaken about some  
13 of the things that you testified today on a factual basis versus a professional assessment?

14           Ambassador Taylor. Mr. Turner, I am here to tell you what I know. I'm not  
15 going to tell you anything I don't know. I'm going to tell you everything that I do know.  
16 And that's --

17           Mr. Turner. But since you learned it from others, you could be --

18           Ambassador Taylor. That's exactly --

19           Mr. Turner. -- you could be right -- you could be wrong --

20           Ambassador Taylor. That's exactly --

21           Mr. Turner. -- right, Mr. Taylor?

22           Ambassador Taylor. That's exactly why I am here.

23           Mr. Turner. But since you learned it from others, could you be wrong, correct?

24           Ambassador Taylor. I am telling you what I heard them tell me, Mr. Turner.

25           Mr. Turner. And they could be wrong, or they could be mistaken, or they

1 could've heard it incorrectly, right, Ambassador Taylor?

2 Ambassador Taylor. People make mistakes.

3 Mr. Turner. Right. So you could be wrong.

4 I yield the rest of my time to Mr. Jordan.

5 Mr. Jordan. Thank you. I thank the gentleman for yielding.

6 Ambassador Taylor, the gentleman asked if you could be wrong. Were you  
7 wrong when you said you had a clear understanding that President Zelensky had to  
8 commit to an investigation of Bidens before the aid got released, and the aid got released  
9 and he didn't commit to an investigation?

10 Ambassador Taylor. Mr. Jordan, I was not wrong about what I told you, which is  
11 what I heard. That's all I've said. I've told you what I heard.

12 Mr. Jordan. And that's the point. What you heard did not happen. It didn't  
13 happen. You had three meetings with the guy; he could've told you. He didn't  
14 announce he was going to do an investigation before the aid happened.

15 It's not just, could it have been wrong? The fact is, it was wrong, because it  
16 didn't happen.

17 The whole point was, you had a clear understanding that aid will not get released  
18 unless there's a commitment. Not maybe, not I think the aid might happen, it's my  
19 hunch it's going to get released. You used clear language, clear understanding and  
20 commitment. And those two things didn't happen. So you had to be wrong.

21 Ambassador Taylor. Mr. Jordan, the other thing that went on when that  
22 assistance was on hold is we shook the confidence of a close partner in our reliability.  
23 And that --

24 Mr. Jordan. That's not what this proceeding's about, Ambassador Taylor --

25 The Chairman. The time of the gentleman has expired.

1 Ambassador Taylor --

2 Mr. Jordan. That is not what this whole thing started on.

3 The Chairman. The time of the gentleman has expired.

4 Ambassador Taylor, did you want to finish your answer?

5 Ambassador Taylor. No, that's good, Mr. Chairman.

6 The Chairman. I now recognize Mr. Carson for 5 minutes.

7 Mr. Carson. Thank you, Chairman. I yield to the chairman.

8 The Chairman. I thank the gentleman for yielding.

9 I just wanted to follow up on some of the earlier questions  
10 about Ambassador -- sorry -- about President Zelensky's statements after this scandal  
11 came to light, when he was asked, you know, were you pressured, how did the phone call  
12 go, et cetera.

13 The Ukrainians, Mr. Kent, are pretty sophisticated about U.S. politics, are they  
14 not?

15 Mr. Kent. Perhaps.

16 The Chairman. You would agree that if President Zelensky contradicted  
17 President Trump and said, "Of course I felt pressured, they were holding up 400 million in  
18 military assistance, we have people dying every day," if he were to contradict President  
19 Trump directly, they would be sophisticated enough to know they may pay a very heavy  
20 price with this President, were they not?

21 Mr. Kent. That's a fair assessment.

22 The Chairman. And President Zelensky not only had to worry about retribution  
23 from Donald Trump should he contradict Donald Trump publicly, he also has to worry  
24 about how he's perceived domestically, doesn't he, Ambassador Taylor?

25 Ambassador Taylor. President Zelensky is very sensitive to the views of the

1 Ukrainian people, who, indeed, are very attentive to Ukrainian-U.S. politics, yes.

2 The Chairman. And so, if President Zelensky were to say, "I had to capitulate and  
3 agree to these investigations, I was ready to go on CNN until the aid got restored," that  
4 would obviously be hurtful to him back home, would it not?

5 Ambassador Taylor. He cannot afford to be seen to be deferring to any foreign  
6 leader. He is very confident in his own abilities, and he knows that the Ukrainian people  
7 expect him to be clear and defend Ukrainian interests.

8 The Chairman. Mr. Carson.

9 Mr. Carson. Thank you, Chairman.

10 My colleague touched briefly on the campaign to remove career diplomat  
11 Ambassador Yovanovitch.

12 Mr. Kent, you stated in previous testimony that you were aware of the, quote,  
13 "campaign of slander" against the Ambassador in real-time which basically unfolded in  
14 the media. Where do you understand this misinformation campaign was coming from,  
15 and who was essentially perpetuating it?

16 Mr. Kent. To my understanding, the then-Prosecutor General of Ukraine, now  
17 ex-, Yuriy Lutsenko, met Rudy Giuliani in New York on a private visit in January. They  
18 had a second meeting in February. And through the good auspices of the former mayor  
19 of New York, Yuriy Lutsenko gave an interview to John Solomon, then of The Hill, in early  
20 March, and the campaign was launched on March 20th.

21 Mr. Carson. A corrupt Ukrainian prosecutor gave an interview to a reporter in  
22 the United States and made claims that the Ambassador provided officials with a, quote,  
23 "do not prosecute" list.

24 Sir, do you have any reason to believe this is true?

25 Mr. Kent. I have every reason to believe it is not true.

1           Mr. Carson. What was the reputation of the man who made these allegations,  
2 sir?

3           Mr. Kent. Yuriy Lutsenko was a politician of long standing. He had been  
4 Minister of Interior after the Orange Revolution. The U.S. Embassy had good relations  
5 with him for years. He was imprisoned by President Yanukovich, came out, was elected  
6 majority leader of Poroshenko, the then-President's, party, and then became Prosecutor  
7 General in the spring of 2016.

8           Mr. Carson. What was your experience with Ambassador Yovanovitch? Was  
9 she working hard to combat corruption in Ukraine, sir?

10          Mr. Kent. She was dedicated, as is every U.S. Government official in Ukraine, to  
11 help Ukrainians overcome the legacy of corruption, which -- they actually have made a  
12 number of important steps since 2014.

13          Mr. Carson. So, in fact, before all of this happened, you and your superiors at  
14 the State Department asked the Ambassador to extend her time in the Ukraine, correct,  
15 sir?

16          Mr. Kent. That is correct.

17          Mr. Carson. Did you support her extension?

18          Mr. Kent. I asked her to extend until the end of this year to get through the  
19 election cycle in Ukraine. And then Under Secretary Hale, in March, asked her to stay  
20 until 2020.

21          Mr. Carson. Now, some in Ukraine probably disliked her efforts to help Ukraine  
22 root out corruption. Is that correct?

23          Mr. Kent. As I mentioned in my testimony, you can't promote principled  
24 anticorruption action without pissing off corrupt people.

25          Mr. Carson. Fair enough. Now, some of those people helped Giuliani smear

1 her, did they not?

2 Mr. Kent. They did.

3 Mr. Carson. So, ultimately, that smear campaign pushed President Trump to  
4 remove her, correct, sir?

5 Mr. Kent. I cannot judge that. What I can say is that Rudy Giuliani's smear  
6 campaign was ubiquitous in the spring of 2019 on FOX News and on the internet and  
7 Twittersphere.

8 Mr. Carson. So, Ambassador Taylor and Mr. Kent, in all of your combined  
9 decades at the State Department, have you ever before seen an instance where an  
10 ambassador was forced out by the President following a smear campaign of  
11 misinformation orchestrated by the President's allies?

12 Mr. Kent. I have not.

13 Ambassador Taylor. Nor I.

14 Mr. Carson. Mr. Chairman, I yield back.

15 The Chairman. Dr. Wenstrup.

16 Dr. Wenstrup. Thank you, Mr. Chairman.

17 Mr. Taylor, this should be easy because I'm going to use a lot of your words from  
18 the previous deposition as we go forward.

19 In your deposition, you spoke of support for Ukraine and its relationship to the  
20 United States and how much you support that. In 2014, you -- and I'm quoting  
21 this -- urged the Obama administration to provide lethal defensive weapons in order to  
22 deter further Russian aggression.

23 Did the Obama administration provide lethal weapons?

24 Ambassador Taylor. No, sir.

25 Dr. Wenstrup. They provided MREs and blankets and things like that.

1           In your deposition, you also said President Obama's objection was because it  
2 might provoke the Russians. And, in fact, you testified in your deposition that the  
3 Obama administration didn't have a good argument since Russia had already provoked  
4 and they have invaded Ukraine. Is that correct?

5           Ambassador Taylor. That's correct, sir.

6           Dr. Wenstrup. It's a shame he didn't take the advice of a combat veteran like  
7 you, sir, someone who understands what deterrence provides, because a lot of Ukrainian  
8 lives could've been saved if he had taken your advice.

9           In your deposition, you said, and I quote, "happy," you were "happy" with the  
10 Trump administration's assistance. And it provided both lethal and financial aid, did it  
11 not?

12          Ambassador Taylor. It did, sir.

13          Dr. Wenstrup. And you also stated that it was a substantial improvement. Is  
14 that correct?

15          Ambassador Taylor. That's correct, sir.

16          Dr. Wenstrup. So now we're providing Javelins, which kill Russian tanks. MREs  
17 and blankets do not do that.

18          Today, you said, "I was beginning to fear that the longstanding U.S. policy of  
19 strong support for Ukraine was shifting." I have a little trouble with "longstanding"  
20 based on what we just talked about, because it wasn't really longstanding strong support.  
21 It seems to me the strong support came with this administration.

22          Would you agree with that, sir? Unless you consider MREs and blankets strong  
23 support, I wouldn't call it longstanding.

24          Ambassador Taylor. The "longstanding" that I'm referring to there,  
25 Dr. Wenstrup, is the longstanding political support, economic support, and increasing

1 military support.

2 Dr. Wenstrup. Well, certainly, that strong support came from Congress, but it  
3 didn't --

4 Ambassador Taylor. It did.

5 Dr. Wenstrup. -- come from the previous administration as compared to what  
6 this administration has decided to do. The strong support came with this  
7 administration, not the Obama administration.

8 And maybe now we understand what President Obama meant when he told  
9 Russian President Medvedev that he'd have more flexibility after his election. Maybe  
10 that flexibility was to deny lethal aid to the Ukraine, allowing Russia to march right in and  
11 kill Ukrainians.

12 Again, at your deposition, you urged the Obama administration officials to provide  
13 lethal defensive weapons to Ukraine in order to deter further Russian aggression. And  
14 now they have that under this administration, don't they, Mr. Ambassador?

15 Ambassador Taylor. They have the Javelins, yes, sir.

16 Dr. Wenstrup. Thank you.

17 And I would like to yield the remainder of my time to Mr. Ratcliffe.

18 Mr. Ratcliffe. I thank the gentleman for yielding.

19 So no pressure, no demands, no conditions, nothing corrupt, no -- nothing,  
20 nothing on the call. That's what we heard President Zelensky say.

21 And because House Democrats' charges against President Trump have been  
22 publicly, repeatedly, consistently been denied by President Zelensky, you heard the  
23 defense now from Chairman Schiff: He's lying because he has to. He has to lie  
24 because the threats, the demands, the blackmail, the extortion that House Democrats are  
25 alleging, if he didn't do that -- he couldn't possibly risk military aid. He would have to do

1 anything he had to secure it.

2 The problem with that, the hole in that argument is, you have to ask yourself,  
3 what did President Zelensky actually do to get the aid? The answer is, nothing. He did  
4 nothing. He didn't open any investigations. He didn't call Attorney General Bill Barr.  
5 He didn't do any of the things that House Democrats say that he was being forced and  
6 coerced and threatened to do. He didn't do anything, because he didn't have to.

7 I yield back.

8 The Chairman. Ms. Speier, you're recognized for 5 minutes.

9 Mr. Speier. Thank you, Mr. Chairman.

10 Thank you both for your true heroic efforts, both today and also throughout your  
11 careers.

12 I'd like to start with you, Mr. Kent. In your testimony, you said that you had -- "In  
13 mid-August, it became clear to me that Giuliani's efforts to gin up politically motivated  
14 investigations were now infecting U.S. engagement with Ukraine, leveraging President  
15 Zelensky's desire for a White House meeting."

16 Mr. Kent, did you actually write a memo documenting your concerns that there  
17 was an effort underway to pressure Ukraine to open an investigation to benefit President  
18 Trump?

19 Mr. Kent. Yes, ma'am. I wrote a memo to the file on August 16th.

20 Ms. Speier. But we don't have access to that memo, do we?

21 Mr. Kent. I submitted it to the State Department, subject to the September 27th  
22 subpoena.

23 Ms. Speier. And we have not received one piece of paper from the State  
24 Department relative to this investigation.

25 Both of you have made compelling cases of the importance of Ukraine to Europe,

1 to the 70 years of peace, the benefit that it has to the United States' national security,  
2 and our goal to continue to support sovereignty of nations.

3 Meanwhile, Russia is violently attacking people in Ukraine in the Donbas area.  
4 So withholding military aid, does that weaken Ukraine?

5 Mr. Kent. Well, I think it sends the wrong signal, and it did for a short period of  
6 time. Again the assistance from the FY '19 was released and is in the process of heading  
7 towards Ukraine.

8 Ms. Speier. Does it embolden Russia, when there was no aid being sent to  
9 Ukraine?

10 Mr. Kent. I think the signal that there is controversy and question about the U.S.  
11 support of Ukraine sends the signal to Vladimir Putin that he can leverage that as he  
12 seeks to negotiate with not only Ukraine but other countries.

13 Ms. Speier. Thank you.

14 Ambassador Taylor, I think you mentioned that a White House meeting for  
15 Zelensky would boost his ability to negotiate for a peaceful settlement with Vladimir  
16 Putin and Russia in general. Is that true?

1 RPTR PANGBURN

2 EDTR HOFSTAD

3 [2:18 p.m.]

4 Ambassador Taylor. Ms. Speier, it is certainly true that U.S. support for Mr.  
5 Zelensky, President Zelensky, in his negotiations with the Russians is very important and  
6 will enable him to get a better agreement with that support from the United States, both  
7 from the military assistance but also just from the political assistance that we can  
8 provide.

9 Ms. Speier. But he has not yet had that White House meeting, has he?

10 Ambassador Taylor. He has not.

11 Ms. Speier. I think it's ironic that Soviet-born Lev Parnas, who has now been  
12 indicted, had a meeting with the President in the White House after participating in a  
13 number of campaign events for the President and contributing \$325,000 to the  
14 President's PAC. So maybe it's actually the requirement that you give money to the  
15 President's PAC in order to get that meeting at the White House.

16 Ambassador Taylor, is it true that the Prosecutor General now has opened an  
17 investigation in Ukraine?

18 Ambassador Taylor. Ms. Speier, the new Prosecutor General that President  
19 Zelensky has appointed is indeed investigating crimes in general. Is that your question?

20 Ms. Speier. Yes. But is he --

21 Ambassador Taylor. Yes, he is in office and is investigating criminal activity.

22 Ms. Speier. Has he specified what investigations he's undertaken?

23 Ambassador Taylor. No.

24 Ms. Speier. He has not. All right.

25 I yield the rest of my time to Chairman Schiff.

1           The Chairman. Just a quick question. A couple of my colleagues referenced a  
2 conversation, the hot mike conversation between President Obama and President  
3 Medvedev. That was in 2012. There was a suggestion that he was saying he was going  
4 to go easy on Russia over the invasion of Ukraine, but that invasion took place 2 years  
5 after that conversation.

6           You don't have any reason to believe that President Obama was referring to going  
7 easy on Russia for an invasion that hadn't happened yet, do you?

8           Ambassador Taylor. Mr. Chairman, I have no knowledge of what was in --

9           The Chairman. It was more or less a rhetorical question.

10          I will yield now to Mr. Stewart -- or, I'm sorry -- Mr. Stewart.

11          Mr. Stewart. Thank you.

12          To the witnesses, thank you. Time is precious, so I'm going to go very, very  
13 quickly.

14          Welcome, I think, to year 4 of the ongoing impeachment of President Trump.  
15 I'm sorry that you have been dragged into this. I think this sign behind me says it very  
16 well, by the whistleblower's attorney. "The coup has started, and impeachment will  
17 follow."

18          But after listening for what is going on, now, 4 hours and 21 minutes, after all of  
19 the secret hearings, after all of the leaks, after hearing witnesses such as yourselves give  
20 your opinions, it really comes down to this. One thing -- one thing it comes down to.  
21 This is the transcript that the President has released of this phone call. There is one  
22 sentence, one phone call. That is what this entire impeachment proceeding is based  
23 upon.

24          And I've got to tell you, if your impeachment case is so weak that you have to lie  
25 and exaggerate about it to convince the American people that they need to remove this

1 President, then you've got a problem. And the American people have been lied to again  
2 and again on this.

3 We first heard a lot about quid pro quo. And then many people realized that  
4 was meaningless, so they said, let's go for the fences then, let's talk about extortion, let's  
5 talk about bribery, let's talk about cover-up and obstruction -- for which there is zero  
6 evidence of any of that.

7 We heard a characterization of the President's phone call that was so  
8 outrageously inaccurate it had to be described as a parody.

9 And none of those things matter. None of it matters. It comes down to this:  
10 We appreciate your insight, we appreciate your opinion, but all you can do is give your  
11 opinion of this, this one phone call.

12 Let me ask you, gentlemen. Both of you have said here today, you have testified  
13 corruption in the Ukraine is endemic. Would we agree on that? Simple question.  
14 The problem is, isn't it?

15 Mr. Kent. It's a problem, and they're taking steps to address it.

16 Mr. Stewart. Okay. Earlier in the hearing, both of you used the word  
17 "endemic" or agreed to it. It's in the courts, it's oligarchs, it's prosecutors, it's  
18 everywhere.

19 And I think we can also agree that that's not the only place in the world where we  
20 experience and see corruption. There's dozens and dozens of nations around the world  
21 that are steeped in corruption. Would you agree with that?

22 Ambassador Taylor. I would say that there's corruption in every country,  
23 including ours.

24 Mr. Stewart. Okay. Thank you. And some we're clearly more concerned  
25 about than others.

1           So, in these corrupt nations, of which there are probably hundreds of corrupt  
2 individuals, hundreds of corrupt government officials, can you give me an example, any  
3 time where the Vice President of the United States shows up and demands that a specific  
4 prosecutor be fired and gives them a 6-hour time limit to do that? Are you aware of  
5 that ever happening any other place?

6           I guess the answer is no.

7           And I just think it's interesting that, out of hundreds of corrupt individuals, dozens  
8 of corrupt nations, that happened one time, and it happened with the individual whose  
9 son was being paid by the organization that was under investigation.

10          One other thing very quickly. If someone was a candidate for a political office,  
11 even for President of the United States, should they be immune from investigation?

12          Mr. Kent. No one is above the law, sir.

13          Mr. Stewart. Thank you. I agree with that. I think we all would agree with  
14 that. And yet I think some presume that because some of the individuals we're talking  
15 about here were candidates that they are immune from any questions or any  
16 investigation. I think it's absurd. For heaven's sakes, if those of us in public office,  
17 those of us who find ourselves up for reelection, or all the time, as a candidate, I think we  
18 have a higher standard, not immunity from asking these types of questions.

19          And last thing, and then I'm going to yield my time. Availability of funds -- I'm  
20 quoting from the NDAA in 2019. The language is specific: Availability of funds, under  
21 assistance to the Ukraine, it has to be certified. And what has to be certified? Quote,  
22 "for the purposes of decreasing corruption."

23          Are you surprised that there would be questions about corruption in Ukraine and  
24 that it would be discussed, withholding some of this aid, that's actually required by law  
25 that it be withheld if they can't certify that corruption has been eliminated or is being

1 addressed?

2 Mr. Kent. The certification in that case is done by the Secretary of Defense upon  
3 advice of his staff in consultation with the interagency community. We were fully  
4 supportive of that conditionality, and the Secretary of Defense had already certified that  
5 that conditionality had been met.

6 Mr. Stewart. And so we agree that we should withhold funds if there's questions  
7 about corruption that have not been addressed.

8 I'm going to yield the rest of my time to Mr. Jordan.

9 Eighteen seconds, are you going to let that go?

10 In that case, I will yield back. Thank you.

11 The Chairman. Mr. Quigley.

12 Mr. Quigley. So that certification, that took place in May. Is that correct, Mr.  
13 Kent?

14 Mr. Kent. I do not believe it was certified by May. I would defer to my  
15 colleague Laura Cooper, who's testified --

16 Mr. Quigley. But it was an earlier time?

17 Mr. Kent. It had not been done by May, because when I was visiting in May, I  
18 was asked by Laura to raise a specific issue that would meet the conditionality.

19 Mr. Quigley. But DOD did meet -- say that they met the certification?

20 Mr. Kent. Yes, sir. I think it may have been in the July timeframe.

21 Mr. Quigley. Thank you.

22 So it's interesting and curious that we're talking about hearsay evidence. It is  
23 extraordinary to me that the committees have been able to get as much information as  
24 they have, direct or hearsay, given the obstruction.

25 You gentlemen were both asked by the State Department not to appear for your

1 depositions. Is that correct?

2 Mr. Kent. We both received, I believe -- I received, initially, a letter directing me  
3 not to appear. And once the committees issued a subpoena, I was under legal  
4 obligation to appear, and I am here today under subpoena.

5 Mr. Quigley. Ambassador, were you also asked not to be part of the deposition?

6 Ambassador Taylor. Mr. Quigley, I was told by the State Department: Don't  
7 appear under these circumstances. That was in the letter to me. And when I got the  
8 subpoena, exactly as Mr. Kent said, that was different circumstances and obeyed a legal  
9 subpoena. So, yes, sir, I'm here for that reason.

10 Mr. Quigley. Absolutely. But we are not able to hear testimony by Chief of  
11 Staff Mulvaney, John Eisenberg, Michael Ellis, John Bolton, more than a dozen witnesses.

12 So I suspect, if you have a problem with hearsay, you'd have a lot more direct  
13 testimony and direct evidence if you weren't blocking that ability. You'd have a lot more  
14 documents, documents that you referred to with my colleagues' questions that have not  
15 yet been turned over by State or any other agency.

16 Is that correct, to your knowledge, gentlemen?

17 Mr. Kent. We're both here under subpoena. I don't think either of us is going  
18 to comment on why others have not shown up.

19 Mr. Quigley. But has any of the documents that you turned over, to your  
20 knowledge, been turned over to the committee?

21 Ambassador Taylor. No.

22 Mr. Quigley. Mr. Kent, following the July 25th call and through the first 2 weeks  
23 of August, were you involved in any efforts to arrange for President Zelensky to make a  
24 statement announcing the two investigations that the President, President Trump, had  
25 talked about in the July 25th call?

1           Mr. Kent. I was not. And I would never have participated in an arrangement to  
2 have them announce investigations.

3           Mr. Quigley. Ambassador Taylor, were you involved in any such efforts?

4           Ambassador Taylor. No, sir.

5           Mr. Quigley. I want to show you a text of the exchange. This one's between  
6 Ambassador Volker and Andriy Yermak, the same aide to Zelensky that Volker texted  
7 before the July 25th call. You weren't involved with it, so I'll read it.

8           The first text is from August 10th. Ambassador Volker texts: I agree with your  
9 approach. Let's iron out the statement and use that to get date and Pres. can go  
10 forward with it.

11           Then at 5:42, Mr. Yermak responds: Once we have a date, we'll call for a press  
12 briefing announcing upcoming visit and outline a vision for a reboot of U.S.-Ukraine  
13 relationship, including, among other things, Burisma and election-meddling  
14 investigations.

15           Andriy Yermak says that, once we have a date, they will announce the  
16 investigations in Burisma and election meddling.

17           Mr. Kent, are these the same two investigations President Trump asked the  
18 Ukrainian President to initiate in the July 25th meeting -- 25th call?

19           Mr. Kent. Those appear to be the same issues that were mentioned in the call,  
20 as well as the media campaign that started in March led by Rudy Giuliani.

21           Mr. Quigley. Mr. Kent, as the day-to-day State Department point person in  
22 Washington on Ukraine policy, were you aware of this effort to persuade President  
23 Zelensky to issue a statement in order to get a White House meeting while they were  
24 happening?

25           Mr. Kent. When this exchange happened on August 10th, I was not.

1           Mr. Quigley. When did you learn about them?

2           Mr. Kent. As Ambassador Taylor referenced earlier in his testimony in oral  
3 answering, he heard on August 16th. He then called me, and we had a conversation.  
4 And, at that point, I memorialized my concerns in a note to the file.

5           Mr. Quigley. Ambassador Taylor, as the point person on the ground in Ukraine,  
6 were you aware of this effort to get Ukraine to issue this written statement in early  
7 August?

8           Ambassador Taylor. Not the written statement, no, sir.

9           Mr. Quigley. So the entire discussion about a public statement about the two  
10 investigations President Trump wanted was done in what you have described as an  
11 irregular channel involving Ambassadors Sondland and Volker, and they were tasked to  
12 take on Ukraine policy by the President.

13           Isn't that correct, Mr. Kent?

14           Mr. Kent. That would be my understanding.

15           Mr. Quigley. Ambassador?

16           Ambassador Taylor. The same.

17           Mr. Quigley. And I guess to close the primer on hearsay, I think the American  
18 public needs to be reminded that countless people have been convicted on hearsay,  
19 because the courts have routinely allowed and created needed exceptions to hearsay.  
20 Hearsay can be much better evidence than direct, as we have learned in painful instances,  
21 and it's certainly valid in this instance.

22           Mr. Turner. Will the gentleman yield? Because none of those exceptions  
23 would apply to this testimony.

24           The Chairman. This is not the time for a colloquy.

25           Mr. -- sorry -- Representative Stefanik, you're recognized.

1 Ms. Stefanik. Thank you.

2 For the millions of Americans viewing today, the two most important facts are the  
3 following: Number one, Ukraine received the aid; number two, there was, in fact, no  
4 investigation into Biden.

5 Mr. Kent and Ambassador Taylor, you both spoke eloquently and passionately  
6 about the need to support Ukraine to counter Russian aggression, particularly during this  
7 very critical time. I agree with you in that assessment.

8 And isn't it the case that the Trump administration has indeed provided  
9 substantial aid to Ukraine in the form of defensive lethal aid, correct?

10 Ambassador Taylor. That is correct.

11 Ms. Stefanik. And that is more so than the Obama administration, correct?

12 Ambassador Taylor. The Trump administration --

13 Ms. Stefanik. Defensive lethal aid.

14 Ambassador Taylor. Yes.

15 Ms. Stefanik. And in the transcript of the President's July 25th call with President  
16 Zelensky, President Zelensky tells Trump they are ready to buy more Javelins. This is,  
17 indeed, the most effective weapon for fighting insurgent armored Russian tanks. Is that  
18 correct?

19 Ambassador Taylor. That is correct.

20 Ms. Stefanik. And those Javelins were not made available to Ukraine under the  
21 Obama administration? The Javelins were not made available --

22 Ambassador Taylor. They were not.

23 Ms. Stefanik. Correct.

24 Shifting gears to corruption, one of the themes here today is that of rooting out  
25 corruption, which is an important tool for the President as we provide taxpayer-funded

1 aid to foreign countries.

2 Mr. Kent, you would characterize Ukraine as having longstanding corruption  
3 issues, correct?

4 Mr. Kent. I did.

5 Ms. Stefanik. And, in fact, you testified, quote, "I would say that corruption is  
6 part of the reason why Ukrainians came out to the streets in both 2004 when somebody  
7 tried to steal the election and again in 2014 because of a corrupt, kleptocratic,  
8 pro-Russian government which eventually collapsed. The Ukrainians decided enough  
9 was enough."

10 Is that your testimony?

11 Mr. Kent. It remains so.

12 Ms. Stefanik. And you testified that you first came to learn about Burisma in  
13 2015 when you were the senior anticorruption coordinator, correct?

14 Mr. Kent. Correct, detailed to the Embassy in Kyiv as the Acting Deputy Chief of  
15 Mission.

16 Ms. Stefanik. And you testified that the issue of corruption in Burisma was in the  
17 U.S.'s interest because, quote -- and this is from your deposition -- "we had made a  
18 commitment to the Ukrainian Government in 2014 to try to recover an estimated tens of  
19 billions of dollars of stolen assets out of the country." Is that correct?

20 Mr. Kent. That is a -- of stolen assets that were in the name of the owner of  
21 Burisma, Mykola Zlochevsky. He was the one who we believed had stolen the money.

22 Ms. Stefanik. Sure.

23 So the first case -- this was the first case -- that the U.S., the U.K., and Ukraine  
24 investigators worked on was against the owner of Burisma.

25 Mr. Kent. That is correct.

1 Ms. Stefanik. And this was during the Obama administration.

2 Mr. Kent. That's correct.

3 Ms. Stefanik. So, for the millions of Americans viewing, the first investigation  
4 against the owner of Burisma was under President Obama's administration.

5 Mr. Kent. That's correct.

6 Ms. Stefanik. You testified also, quote, "We spent roughly half a million dollars  
7 of State Department money in support of the FBI and this investigation to build capacity  
8 and track down stolen assets," end quote. Is that correct?

9 Mr. Kent. That's correct. It was launched in May 2014 by the Attorney General  
10 of the U.S. and U.K. in conjunction with the World Bank.

11 Ms. Stefanik. And, in fact, by 2016, you were so concerned about corruption  
12 questions related to Burisma that, when there was an effort by Burisma to sponsor an  
13 essay contest with USAID, you asked USAID to stop it.

14 Mr. Kent. That's correct.

15 Ms. Stefanik. And you testified that it was because, quote, "Burisma had a poor  
16 reputation in the business" and that you didn't think it was appropriate for the  
17 U.S. Government to be cosponsoring something with a company that had a bad  
18 reputation, correct?

19 Mr. Kent. Correct.

20 Ms. Stefanik. You are also aware and you testified today that Hunter Biden  
21 served on the board of Burisma.

22 Mr. Kent. Correct.

23 Ms. Stefanik. And you also testified that you were indeed concerned about the  
24 appearance of conflict of interest.

25 Mr. Kent. That's correct.

1           Ms. Stefanik. And, broadly -- this is very important -- you testify in your  
2 deposition that when the State Department evaluates foreign assistance it is appropriate  
3 for them to look at levels of corruption in countries.

4           Mr. Kent. That's correct.

5           Ms. Stefanik. And, lastly, you also testified that -- and this is your  
6 quote -- "issues of corruption have been part of high-level dialogue between U.S. leaders  
7 and Ukrainian leaders regardless of who is the U.S. leader and who is the Ukrainian  
8 leader, and that is a normal issue of diplomatic discussion at the highest level," end  
9 quote.

10           Is that correct?

11           Mr. Kent. That's correct.

12           Ms. Stefanik. I will yield 30 seconds -- you know what? I will yield back after  
13 that. Thank you.

14           The Chairman. Mr. Swalwell?

15           Mr. Swalwell. Both of you have testified that you are not direct witnesses who  
16 have spoken with President Trump; however, you are witnesses to a shakedown scheme  
17 that others participated in who spoke with President Trump.

18           However, Ambassador Bolton and Mick Mulvaney both spoke directly to President  
19 Trump, and, unlike you, they have refused to honor our requests for them to be a part of  
20 these proceedings.

21           Nonetheless, we do know how Acting Chief of Staff Mick Mulvaney feels about aid  
22 because, on October 17, at a press conference, he discussed the hold on security  
23 assistance for Ukraine.

24           Ambassador Taylor, I'd like you to listen to what he said. I'll read it for you. It's  
25 in response to a question.

1 "But, to be clear, what you just described is a quid pro quo. It is, funding will not  
2 flow unless the investigation into the Democratic server happens as well."

3 In response to that question, Mr. Mulvaney said, Mr. Taylor, "We do that all the  
4 time with foreign policy."

5 My question, Ambassador Taylor: The President conditioning security assistance  
6 on an investigation into his political opponent, prior to this administration, is this  
7 something we would do all the time?

8 Ambassador Taylor. No, sir.

9 Mr. Swalwell. Why not?

10 Ambassador Taylor. We condition assistance on issues that will improve our  
11 foreign policy, serve our foreign policy, ensure that taxpayers' money is well-spent.

12 Those are the -- and those conditions are either coming from the Congress or from  
13 policy decisions stemming from authority Congress has given us to make sure that the  
14 taxpayers' money is well-spent or that the receiving company -- country takes the actions  
15 in our national interest.

16 Mr. Swalwell. And you described in your text-message exchanges that engaging  
17 in a scheme like this is, quote, "crazy." Can we also agree that it's just wrong?

18 Ambassador Taylor. Yes.

19 Mr. Swalwell. Why is it wrong?

20 Ambassador Taylor. Again, our holding up of security assistance that would go  
21 to a country that is fighting aggression from Russia, for no good policy reason, no good  
22 substantive reason, no good national security reason, is wrong.

23 Mr. Swalwell. Mr. Mulvaney in the same news conference said, quote, "If you  
24 read the news reports and you believe them, what McKinley said yesterday -- well,  
25 McKinley said yesterday that he was really upset with the political influence in foreign

1 policy. That was one of the reasons he was so upset about this. And I have news for  
2 everybody: Get over it. There's going to be political influence in foreign policy."

3 Ambassador Taylor, should we get over it?

4 Ambassador Taylor. If we're talking about "political influence" meaning  
5 attempts to get information that is solely useful for political campaigns, if that's what he's  
6 talking about, we should not get used to that.

7 Mr. Swalwell. Finally, Mr. Mulvaney said, "Again, I was involved with the process  
8 by which the money was held up temporarily, okay? Three issues for that: the  
9 corruption of the country, whether or not the countries were participating in the support  
10 of Ukraine, and whether or not they were cooperating in an ongoing investigation with  
11 our Department of Justice. That's completely legitimate."

12 Mr. Kent, were you aware of any formal Department of Justice cooperation  
13 request made to the Ukrainians?

14 Mr. Kent. I am not aware that there was any formal Department of Justice  
15 request in this matter, no.

16 Mr. Swalwell. Was Mr. Mulvaney's statement false?

17 Mr. Kent. I think you'd refer that question, again, to the Department of Justice  
18 since I don't have full knowledge of whatever they may have been working on.

19 Mr. Swalwell. Just about an hour before the two of you sat down to testify  
20 today, the President tweeted multiple times about this hearing, and he put in all caps,  
21 "NEVER TRUMPERS."

22 Mr. Kent, are you a Never Trumper?

23 Mr. Kent. I am a career nonprofessional who serves whatever President is duly  
24 elected and carries out the foreign policies of that President and the United States. And  
25 I've done that for 27 years for three Republican Presidents and two Democrat Presidents.

1 Mr. Swalwell. Ambassador Taylor, are you a Never Trumper?

2 Ambassador Taylor. No, sir.

3 Mr. Swalwell. Ambassador Taylor, finally, you said in your statement, on page  
4 19, "Mr. Chairman, there are two Ukrainian stories today. The first is the one we are  
5 discussing this morning and that you have been hearing about for the past 2 weeks. It's  
6 a rancorous story about whistleblowers, Mr. Giuliani, side channels, quid pro quos,  
7 corruption, and interference in elections. In this story, Ukraine is merely an object."

8 Is it also true that in this story it's about the President of the United States?

9 Ambassador Taylor. Mr. Swalwell, I am here to tell you what I know and I'm here  
10 to tell you what I heard and what I said. And, in that regard, I can't answer that  
11 question.

12 Mr. Swalwell. But you're -- what you've testified to also involves the President of  
13 the United States. Is that correct?

14 Ambassador Taylor. The President of the United States was on the telephone  
15 call on the 25th of July, yes, sir.

16 Mr. Swalwell. Thank you.

17 I yield back.

18 The Chairman. Mr. Hurd?

19 Mr. Hurd. Thank you, Chairman.

20 Gentlemen, I appreciate you all's decades of service. As the fabled Foreign  
21 Service officer Ambassador Ryan Crocker says, because we have pumps and wingtips on  
22 the ground, meaning diplomats, that prevents us from having the need to have boots on  
23 the ground -- military. You all are an important role in our national security, and thank  
24 you and your colleagues.

25 Mr. Taylor, my first questions are to you. And these are questions that are on

1 years prior to your time in the Ukraine, but I'm pretty sure you can answer them.

2 Did the Ukrainians get military -- get aid in FY '17?

3 Ambassador Taylor. Did they get any aid in FY '17?

4 Mr. Hurd. Any aid.

5 Ambassador Taylor. Yes, sir, they did get assistance.

6 Mr. Hurd. And they got security assistance as well?

7 Ambassador Taylor. They did.

8 Mr. Hurd. And if I said that number was circa, you know, in military assistance,  
9 around 270 million, would that probably be accurate?

10 Ambassador Taylor. Close.

11 Mr. Hurd. About right?

12 Ambassador Taylor. Yeah.

13 Mr. Hurd. Did they get aid in FY '18?

14 Ambassador Taylor. Yes, sir.

15 Mr. Hurd. Including security assistance?

16 Ambassador Taylor. Including security assistance.

17 Mr. Hurd. We've already talked about the Javelins, the antitank missiles that  
18 they were not able to purchase in previous administrations.

19 Have they gotten security assistance in FY '19?

20 Ambassador Taylor. Yes, sir.

21 Mr. Hurd. Prior to the 400 million or so that we're discussing or have been  
22 discussing a lot here today?

23 Ambassador Taylor. They got some previous-year -- some probably FY '18  
24 assistance.

25 But, George, you may know --

1           Mr. Kent. It takes a while, once money is obligated, to actually reach the  
2 country. There were two Island-class ships that just arrived in the Port of Odessa --

3           Mr. Hurd. Sure.

4           Mr. Kent. -- and that was with prior-year money. So there's about a lag of a  
5 year.

6           Mr. Hurd. My point is that we have been supporting the Ukrainians under this  
7 administration in order to help them kick out the Russians who invaded their country.

8           Ambassador Taylor. Yes, sir.

9           Mr. Kent. 100 percent.

10          Mr. Hurd. Ambassador Taylor, earlier you were testifying that Ukrainian officials  
11 did not become aware of potential U.S. assistance being withheld until August 29th. Is  
12 that accurate?

13          Ambassador Taylor. That's my understanding, Mr. Hurd.

14          Mr. Hurd. Would you find it surprising if a Ukrainian official knew about that  
15 sooner and did not contact you?

16          Ambassador Taylor. I can answer that it was only after August 29th, when the  
17 Politico article came out, that I got calls from several of the Ukrainian officials.

18          Mr. Hurd. Good copy.

19          Mr. Kent, had you had any Ukrainian official contacting you, concerned  
20 about -- when was the first time a Ukrainian official contacted you, concerned about  
21 potential withholding of USAID?

22          Mr. Kent. It was after the article in Politico came out, in that first intense week  
23 of September.

24          Mr. Hurd. Gotcha. So after that August 29th conversation.

25          There's a lot of talk about Rudy Giuliani and who he was and wasn't meeting. Do

1 we know or have an idea of the Ukrainian officials that he was meeting with over the last  
2 couple of years?

3 Ambassador Taylor. I don't, sir.

4 Mr. Hurd. Have you had any Ukrainian officials call you after a meeting with  
5 Rudy Giuliani, concerned about the nature or the context of that conversation?

6 Ambassador Taylor. Yes. Mr. Yermak has expressed concern about his  
7 interactions with Mr. Giuliani.

8 Mr. Hurd. And I believe that meeting was somewhere in late August. Is that  
9 correct?

10 Ambassador Taylor. It was -- there were meetings, and there were, I think, also  
11 phone calls.

12 Mr. Hurd. And y'all have talked many times that y'all are still concerned about  
13 corruption in the Ukraine. Is that correct?

14 Ambassador Taylor. Yes, sir.

15 Mr. Hurd. Have we seen whatever this anticorruption statement we wanted the  
16 Ukrainians to make?

17 Mr. Kent. Are you referring to the statement that was being negotiated between  
18 Kurt Volker, Gordon Sondland, and Andriy Yermak?

19 Mr. Hurd. Yes.

20 Mr. Kent. That was not an anticorruption statement, sir.

21 Mr. Hurd. What was the statement?

22 Mr. Kent. I think, if you go back to the back-and-forth of WhatsApps that were  
23 shared by Kurt Volker, they shared a draft with Rudy Giuliani, and Rudy Giuliani said it  
24 would not be acceptable if it didn't mention Biden, Burisma, and 2016.

25 Mr. Hurd. But that statement was never agreed to or was never issued by the

1 Ukrainian officials? Is that correct?

2 Mr. Kent. No statement of that sort was issued, correct.

3 Mr. Hurd. And have U.S. businesses ever contacted y'all, concerned about  
4 corruption within the Ukraine?

5 Ambassador Taylor. Yes, sir.

6 Mr. Hurd. As, you know -- as of this year, even?

7 Ambassador Taylor. Yes, sir.

8 Mr. Hurd. Because the concern is not just how Ukrainian businesses run by  
9 oligarchs are being operated; it's also concerns about how the Ukrainian Government is  
10 dealing with American businesses trying to operate in the Ukraine. Is that accurate?

11 Ambassador Taylor. American businesses are very concerned about the judicial  
12 system in particular, yes, sir.

13 Mr. Hurd. I yield back the time I do not have, Mr. Chairman.

14 The Chairman. I thank the gentleman.

15 Mr. Castro.

16 Mr. Castro. Thank you, Chairman.

17 Thank you, gentlemen, for your testimony today and for your service to our  
18 country.

19 Listening to all the evidence, everything I've heard and read in this investigation, it  
20 seems to me that the President of the United States either committed extortion and  
21 bribery of a foreign official or attempted extortion and bribery of a foreign official.

22 When President Trump got President Zelensky on the phone on July 25th, he was  
23 talking to a desperate man, wasn't he? President Zelensky was desperate to protect his  
24 country and make sure that he had foreign assistance from the United States. Is that  
25 right?

1           Ambassador Taylor. President Zelensky is very interested in U.S. support, both  
2 assistance and political support.

3           Mr. Castro. What would have happened if the aid had gotten cut off,  
4 Ambassador? What would have happened to President Zelensky's career, and what  
5 would have happened to the Ukraine?

6           Ambassador Taylor. The assistance -- if the assistance had been cut off, he  
7 would've been much weaker in his negotiations with the Russians, he would've been  
8 much weaker on the battlefield --

9           Mr. Castro. The Russians may have taken it as an invitation to actually take  
10 military action against Ukraine. Is that right?

11          Ambassador Taylor. The Russians always look for vulnerabilities. And they  
12 know that the United States has supported Ukraine. If the Russians determined or  
13 suspect that that support is lessened or not there, they will likely take advantage of it.

14          Mr. Castro. They could've pounced.

15          Ambassador Taylor. They could've taken advantage.

16          Mr. Castro. So he had a desperate man on the phone, and he asked a desperate  
17 man for a favor. And based on your testimony, it sounds like, begrudgingly, President  
18 Zelensky may have actually agreed to do that favor and investigate the Bidens and  
19 Burisma. Is that right?

20          Ambassador Taylor. President Zelensky does say, in the transcript, that he will  
21 pursue the investigations.

22          Mr. Castro. So we know that President Trump asked for a favor to help his  
23 political career, and it appears as though the President of the Ukraine agreed to that  
24 favor.

25          Do we know why it didn't actually happen? Do we know why there was no

1 announcement in front of CNN -- or to CNN about an investigation?

2 Ambassador Taylor. Mr. Castro, as we've determined, as we've discussed here,  
3 on September 11th, just before any CNN discussion or interview, the hold was released,  
4 the hold on the security assistance was released.

5 Mr. Castro. But we don't -- so the hold was released. Is it possible that the  
6 White House released that hold because they knew that a whistleblower had basically  
7 turned this in?

8 Ambassador Taylor. I don't know, sir.

9 Mr. Castro. Do you think that's possible?

10 Ambassador Taylor. I'm not in a position to judge.

11 Mr. Castro. So we have a President who -- the other side has claimed or has  
12 defended the President, saying that the aid went through, that there was never any  
13 investigation. But the President attempted to get those things done. And it looks like  
14 there was an initial agreement by the President of Ukraine to actually do those things.

15 So, Ambassadors, is attempted murder a crime? Is attempted murder a crime?

16 Ambassador Taylor. Attempted murder is a crime.

17 Mr. Castro. Is attempted robbery a crime?

18 Ambassador Taylor. Neither of us is a lawyer, but --

19 Mr. Castro. I think anybody in this room could answer that question.

20 Ambassador Taylor. I think that's right, and I'll go out on a limb and say, yes, it is.

21 Mr. Castro. Is attempted extortion and bribery a crime?

22 Ambassador Taylor. I don't know, sir.

23 Mr. Castro. In the minute that I have left, I want you to speak to the Nation  
24 about what's at stake, Ambassador Kent. You said in your opening statement, you  
25 warned about selective prosecutions and a President of the United States going after

1 specific Americans abroad.

2 If this Congress clears President Trump, does it mean that he can go ask another  
3 foreign country to investigate another Presidential candidate, a Member of Congress, a  
4 Governor, a Senator, or any private American citizen doing business overseas?

5 If there's no consequence for a President who does that, then it means there's a  
6 green light, doesn't it, for any President to ask any country to go prosecute or investigate  
7 an American citizen for political and personal gain of that President, doesn't it?

8 Mr. Kent. Thank you for the question. First of all, I'm not an ambassador.

9 Mr. Castro. I'm sorry. Deputy Secretary.

10 Mr. Kent. I will repeat, I think, on principle, regardless of the country, whether  
11 it's Ukraine, the U.S., or any country, the facts of law, criminal nexus, should drive  
12 investigations by law enforcement officials, and it is not the role of politicians to be  
13 involved in directing the judicial systems of their own country or other countries.

14 Mr. Castro. I yield back, Chairman.

15 The Chairman. Mr. Ratcliffe.

16 Mr. Ratcliffe. I thank the chair.

17 Mr. Kent, in your prior deposition, on page 159, you were asked about the  
18 President's authority to release an ambassador for any reason. And your response was,  
19 quote, "All ambassadors serve at the pleasure of the President. And that is without  
20 question. Everybody understands that," end quote.

21 Do you remember saying that?

22 Mr. Kent. I do, and it's true.

23 Mr. Ratcliffe. The President very clearly has that constitutional authority,  
24 correct?

25 Mr. Kent. He does.

1           Mr. Ratcliffe. Okay. Well, most everybody, apparently, understands that, but  
2 that doesn't include House Democrats.

3           In the context of this impeachment inquiry, specifically addressing Ambassador  
4 Yovanovitch, who I know is a friend of yours, in alleging an abuse of power, in a nationally  
5 televised interview, a member of this committee said, quote, "It's an abuse of power to  
6 remove an ambassador for political reasons because you don't like what they're doing,  
7 period," end quote.

8           That's not true, is it?

9           Mr. Kent. Again, I go back to what I said. The President has the right to have  
10 ambassadors serve at his pleasure.

11          Mr. Ratcliffe. Okay. So you agree with me that we shouldn't impeach a  
12 President for exercising his constitutional authority?

13          Mr. Kent. I am here as a fact witness to answer your questions. Your  
14 constitutional obligation is to consider the evidence before you.

15          Mr. Ratcliffe. So when did Ambassador Yovanovitch get recalled from Ukraine?

16          Mr. Kent. I believe a message was sent on or about April 24th.

17          Mr. Ratcliffe. Okay. Certainly well before the July 25th call that's in question  
18 here, correct?

19          Mr. Kent. Without a doubt.

20          Mr. Ratcliffe. Okay. And she had no remaining responsibilities with respect to  
21 Ukraine policy for that 3 or 4 months in between, I take it?

22          Mr. Kent. She is now a -- she was transferred to a teaching slot at Georgetown,  
23 where her responsibilities, among others, were to teach a class on Ukraine.

24          Mr. Ratcliffe. Okay.

25          So if President Trump had the constitutional authority to remove her, as he did

1 months before the call, and she wasn't in the Ukraine or have any responsibilities on  
2 July 25th, do you have an explanation for why Democrats are calling her as a witness on  
3 Friday?

4 Mr. Kent. I'm here as a fact witness under subpoena, and that's a question you  
5 could perhaps direct towards your Democratic colleagues.

6 Mr. Ratcliffe. Ambassador Taylor, we've established that on July 25th both  
7 participants in the call, both Presidents, expressly have stated there was no pressure, no  
8 demand, no conditions, no blackmail, no corruption.

9 And I asked you again specifically about quid pro quo even being possible, and I  
10 think we've agreed that it wasn't possible, a quid pro quo involving military aid, on  
11 July 25th, given President Zelensky's lack of knowledge, correct?

12 Ambassador Taylor. President Zelensky, to my knowledge, did not have any idea  
13 that the security assistance was on hold.

14 Mr. Ratcliffe. Okay. So do you have an explanation for why, within days of that  
15 phone call, when no quid pro quo was even possible, a person who later became a  
16 whistleblower walked into Chairman Schiff's staff to discuss what Chairman Schiff's  
17 spokesman, Patrick Boland, said were the, quote, "outlines" of the whistleblower's  
18 accusations?

19 Ambassador Taylor. I'm sorry. What's the question, sir?

20 Mr. Ratcliffe. The question is, do you know or have an explanation for why that  
21 person would walk in a few days later --

22 Ambassador Taylor. I do not.

23 Mr. Ratcliffe. -- to Chairman Schiff's office?

24 Ambassador Taylor. I do not.

25 Mr. Ratcliffe. Okay.

1 Earlier, Chairman Schiff made reference to a colloquy. And, for the public, a  
2 colloquy is a way for legislators to clarify an important issue to the public.

3 And so, without jeopardizing the whistleblower in any way, in an effort to find out,  
4 Chairman, what you knew and when you knew it about the whistleblower, I'd like you to  
5 engage in a colloquy with me.

6 The Chairman. My colleague will address his questions to the witnesses.

7 Mr. Ratcliffe. I'll take that as a no, you're not interested in a colloquy?

8 The Chairman. Mr. Ratcliffe, you can take it any way you like it, but,  
9 appropriately, your questions should be directed to witnesses.

10 Mr. Ratcliffe. Well, I guess my question to the witnesses, then, is, when are  
11 House Republicans going to find out what House Democrats already know? When are  
12 we going to find out the details of the contact between Chairman Schiff and the  
13 whistleblower, what they met about, when they met, the number of times they met, the  
14 discussions that were had --

15 Mr. Swalwell. Mr. Chairman, point of order.

16 The Chairman. The gentleman will state his point of order.

17 Mr. Swalwell. Mr. Chairman, the gentleman is questioning the chair, which is not  
18 permitted under the resolution applicable to the hearing or the rules of the House or the  
19 committee. The efforts to undermine lawful whistleblowing is, moreover, contrary to  
20 the law and practice of this committee. And I would like to also quote, Mr. Chairman,  
21 last Congress --

22 Mr. Ratcliffe. I'm not trying to find out the identity. I just want to find out the  
23 date that this happened.

24 The Chairman. If both gentlemen could suspend.

25 Mr. Ratcliffe has resumed questioning of the witness, so I would just recommend

1 we move on.

2 Mr. Ratcliffe. Chairman, pretty simple question. Are we ever going to be able  
3 to find out the details --

4 The Chairman. I guess, Mr. Swalwell --

5 Mr. Ratcliffe. -- not anything classified --

6 Mr. Swalwell. I'll reserve my point of order.

7 The Chairman. I guess he hasn't resumed his questioning of the witness.

8 Mr. Ratcliffe, your time is dwindling. I suggest you use it.

9 Mr. Ratcliffe. I'll yield back.

10 The Chairman. Mr. Heck.

11 Mr. Heck. Thank you, Mr. Chairman.

12 Mr. Kent, some people have suggested that the real reason that President Trump's  
13 pressure campaign on the Ukraine was to root out corruption in Ukraine.

14 I've gone back and read the memorandum of call two or three times, actually, and  
15 I don't recall a single instance where the President ever used the word "corruption" nor  
16 the word "corrupt."

17 I know in answer to the chairman's opening questions you'd indicated you had  
18 gone back and read it about a month ago. Do you recall the President in that July 25th  
19 phone call with President Zelensky ever uttering the word "corrupt" or "corruption"?

20 Mr. Kent. I don't recall, but it would be a matter of record now that it's been  
21 released.

22 Mr. Heck. And, as a matter of record, he didn't. But he did manage to find  
23 time to mention his potential political rival in 2020.

24 You also answered in response to the question from Mr. Himes that you've been  
25 working on the issue of corruption literally for decades. I thank you for that on behalf of

1 the American people.

2 And, indeed, on October 15th, you testified about longstanding U.S. policy meant  
3 to combat corruption in the Ukraine championed by people such as former Ambassador  
4 Maria Yovanovitch.

5 But, Mr. Kent, is it not true that, rather than fighting corruption in general in  
6 Ukraine, that what President Trump actually did was unceremoniously recall and remove  
7 Ambassador Yovanovitch from her post in Ukraine?

8 Mr. Kent. I would say, first of all, as I repeated before, the President has the  
9 right to recall ambassadors.

10 It remains a matter of policy of the United States towards Ukraine to help them  
11 overcome a legacy of corruption in creating new institutions. And much of what we've  
12 been discussing today, which involved an irregular channel, was a request that went  
13 against U.S. policy that would've undermined the rule of law and our longstanding policy  
14 goals in Ukraine, as in other countries, in the post-Soviet space.

15 Mr. Heck. Those policies which were indeed championed by Ambassador  
16 Yovanovitch.

17 You also testified on October 15th, in the deposition, about fundamental reforms  
18 necessary for Ukraine to fight corruption and to transform the country. And you cited  
19 the importance of reforming certain institutions, notably the security service in the  
20 Prosecutor General's Office.

21 Was investigating President Trump's political opponents a part of those necessary  
22 reforms? Was it on that list of yours, sir? Or, indeed, was it on any list?

23 Mr. Kent. No, they weren't.

24 Mr. Heck. In fact, historically, is it not true that a major problem in the Ukraine  
25 has been its misuse of prosecutors precisely to conduct the investigation of political

1 opponents? That's a legacy, I dare suggest, from the Soviet era, when, as you stated in  
2 your testimony, prosecutors like the KGB were -- and I quote you now -- "instruments of  
3 oppression." Is that correct?

4 Mr. Kent. I said that, and I believe it's true.

5 Mr. Heck. So, finally, Mr. Kent, for as long as I can remember, U.S. foreign policy  
6 has been predicated on advancing principled interest in democratic values -- notably,  
7 freedom of speech, press, assembly, religion; free, fair, and open elections; and the rule  
8 of law.

9 Mr. Kent, when American leaders ask foreign governments to investigate their  
10 potential rivals, doesn't that make it harder for us to advocate on behalf of those  
11 democratic values?

12 Mr. Kent. I believe it makes it more difficult for our diplomatic representatives  
13 overseas to carry out those policy goals, yes.

14 Mr. Heck. How is that, sir?

15 Mr. Kent. Well, there's an issue of credibility. They hear diplomats on the  
16 ground saying one thing, and they hear other U.S. leaders saying something else.

17 Mr. Heck. Ambassador Taylor, would you agree with that, sir?

18 Ambassador Taylor. I would.

19 Mr. Heck. Is there anything you'd like to add about how it might make it more  
20 difficult for you to do your job, sir?

21 Ambassador Taylor. Our credibility is based on a respect for the United States.  
22 And if we damage that respect, then it hurts our credibility and makes it more difficult for  
23 us to do our jobs.

24 Mr. Heck. Anyone looking at the facts can see what happened was an abuse of  
25 power. Anyone looking at the facts can see that what happened was unethical.

1 Anyone looking at the facts can see -- anyone looking at the facts can see that what went  
2 on was just plain wrong.

3 I yield back, Mr. Chairman.

4 The Chairman. Mr. Jordan?

5 Mr. Jordan. Thank you, Mr. Chairman.

6 Fifty-five days, 55 days between July 18th and September 11th, that there was a  
7 delay on sending hard-earned tax dollars of the American people to Ukraine. We're not  
8 talking any country; we're talking Ukraine. Ernst & Young said one of the three most  
9 corrupt countries on the planet. Our witness on Friday, she testified in her deposition,  
10 "Corruption is not just prevalent in Ukraine; it's the system."

11 So our President said, time out. Time out. Let's check out this new guy. Let's  
12 see if Zelensky's the real deal. This new guy who got elected in April, whose party took  
13 power in July, let's see if he's legitimate.

14 Now, keep in mind, as has already been discussed, in 2018 President Trump had  
15 already done more for Ukraine than Obama did. That's right. President Trump, who  
16 doesn't like foreign aid, who wanted European countries to do more, who knew how  
17 corrupt Ukraine was, did more than Obama, because he gave them Javelins, tank-busting  
18 Javelins, to fight the Russians. Our witnesses have said this. Others have said this.  
19 Obama gave them blankets; Trump gave them missiles.

20 But when it came time to check out this new guy, President Trump said, let's just  
21 see -- let's just see if he's legit. So for 55 days we checked him out.

22 President Zelensky had five interactions with senior U.S. officials in that  
23 timeframe. One was, of course, the phone call, the July 25th phone call between  
24 President Trump and President Zelensky. And there were four other face-to-face  
25 meetings with other senior U.S. officials.

1           And guess what? Not one of those interactions, not one, were security  
2 assistance dollars linked to investigating Burisma or Biden.

3           But guess what did happen in those 55 days? U.S. Senators, Ambassador Bolton,  
4 Vice President Pence all became convinced that Zelensky was, in fact, worth the risk. He  
5 was, in fact, legit and the real deal and a real change. And guess what? They told the  
6 President, he's a reformer, release the money. And that's exactly what President Trump  
7 did.

8           Now, over the next few weeks, we're going to have more witnesses like we've had  
9 today that the Democrats will parade in here, and they're all going to say this:  
10 So-and-so said such-and-such to so-and-so, and therefore we've got to impeach the  
11 President.

12           Actually, we can get more specific. We covered this a little bit ago. They'll say  
13 something like Ambassador Sondland said in his deposition, where he said Ambassador  
14 Taylor recalls that Mr. Morrison told Ambassador Taylor that I told Mr. Morrison that I  
15 conveyed this message to Mr. Yermak on September 1st, 2019, in connection with Vice  
16 President Pence's visit to Warsaw in a meeting with President Zelensky.

17           And if you can follow that, that's the Democrats' plan and why they want to  
18 impeach the President. That's what we're going to hear over the next couple weeks.  
19 That's what we're going to hear.

20           But no matter what they do, no matter how many witnesses they bring in here,  
21 four facts will not change, have not changed, will never change: The call shows no  
22 linkage between dollars and the investigation into Burisma or the Bidens. President  
23 Trump and President Zelensky have both said on the call there was no linkage, there was  
24 no pressure, there was no pushing. Ukrainians didn't even know the aid was withheld at  
25 the time of the phone call. And, most importantly, as has been pointed out, the

1 Ukrainians didn't take any specific action relative to investigations to get the money  
2 released.

3 Now, there is one witness -- one witness that they won't bring in front of us, they  
4 won't bring in front of the American people, and that's the guy who started it all, the  
5 whistleblower. Nope. Four-hundred-and-thirty-five Members of Congress; only one  
6 gets to know who that person is. Only one Member of Congress has the staff that gets  
7 to talk to that person. The rest of us don't.

8 Only Chairman Schiff knows who the whistleblower is. We don't. We will  
9 never get the chance -- we will never get the chance to see the whistleblower raise his  
10 right hand, swear to tell the truth and nothing but the truth. We'll never get that  
11 chance. More importantly, the American people won't get that chance.

12 This anonymous so-called whistleblower with no firsthand knowledge, who's  
13 biased against the President, who worked with Joe Biden, who is the reason we're all  
14 sitting here today, we'll never get a chance to question that individual.

15 Democrats are trying to impeach the President based on all that? All that?  
16 Eleven and a half months before an election?

17 We'll not get to check out his credibility, his motivations, his bias.

18 I said this last week, but this is a sad day. This is a sad day for this country.

19 You think about what the Democrats have put our Nation through for the last  
20 3 years. Start in July of 2016, when they spied on two American citizens associated with  
21 the Presidential campaign, and all that unfolded with the Mueller investigation after that.  
22 And when that didn't work, here we are. Based on this. Based on -- this is a -- the  
23 American people see through all this. They understand the facts support the President.  
24 They understand this process is unfair. And they see through the whole darn sham.

25 With that, I yield back.

1           The Chairman. Mr. Welch.

2           Mr. Welch. Thank you.

3           I'd say to my colleague, I'd be glad to have the person who started it all come in  
4 and testify. President Trump is welcome to take a seat right there.

5           You know, the question here is not a dispute about the enormous power that a  
6 President has; the question is whether, in this case, there was an abuse of that power.

7           The President can fire an ambassador for any reason whatsoever. A President  
8 can change his policy, as he did when he opened the door for Turkey to go in and invade  
9 Kurdistan despite opposition from many of his senior advisors. A President could  
10 change his position and our position on Ukraine.

11           But is there a limit? There is. Because our Constitution says no one is above  
12 the law. And that limit is that one cannot, even as President, use the public trust of high  
13 office for personal gain. The law prohibits any one of us here on the dais from seeking  
14 foreign assistance in our campaigns. The question for us is whether the use of power by  
15 the President was for the benefit of advancing his political interests in the 2020  
16 campaign.

17           And, by the way, to my colleagues, if the President wants to attack Joe Biden and  
18 his son, he's free to do it. All fair and square in campaigns. He's just not free to  
19 change our foreign policy unless he gets his way to assist him in that campaign. That's a  
20 line he can't cross.

21           Now, you all have been very clear about what our continuous foreign policy was.

22           And, Ambassador Taylor, just very quickly, describe why us withholding aid  
23 interfered with achieving our national security goals.

24           Ambassador Taylor. Mr. Welch, one of our national security goals is to resolve  
25 conflicts in Europe. There is one major conflict in Europe. It's a fighting war. Our

1 national security goals, in support of Ukraine, in support of a broader strategic approach  
2 to Europe, is to facilitate that negotiation, is to try to support Ukraine when it negotiates  
3 with the Russians.

4 Mr. Welch. Right.

5 And I want to go back, because in the historical context, Mr. Kent, that you and  
6 Ambassador Taylor provided, we had 70 years of peace after the war in which we lost  
7 over 400,000 American lives. And that took care. And that was in jeopardy, as you  
8 described it, Ambassador Taylor. And that threatened each and every one of us up here  
9 and the constituents we represent. Is that a fair statement?

10 Ambassador Taylor. That's a fair statement.

11 Mr. Welch. I want to do three dates, too. I only have a little time, but July 24,  
12 July 25, and July 26.

13 July 24th, Director Mueller testified about his investigation, and he established,  
14 beyond doubt, that it was the Russians who interfered in our election, and he expressed a  
15 fear that that would be the new normal.

16 On July 25th, according to the readout of the President's campaign, he asked the  
17 Ukrainians to investigate Ukrainians' interference in our election that had been  
18 repudiated.

19 And then, on July 26th, as I understand it, this person who reported to you heard  
20 the President saying he wanted investigations again in Ukraine.

21 So this is the question. The new normal that Director Mueller feared -- is there a  
22 new normal that you fear, that a President, any President, can use congressionally  
23 approved foreign aid as a lever to get personal advantage in something that is in his  
24 interest but not the public interest?

25 Ambassador Taylor. That should not be the case, Mr. Welch.

1 Mr. Welch. I yield back.

2 Ms. Stefanik. Mr. Chairman, I ask unanimous consent to enter into the record  
3 the transcript from the July 25th call between President Trump and President Zelensky.

4 You yourself, Mr. Chairman, have mischaracterized the call. In fact, in the first  
5 open hearing --

6 The Chairman. The gentlewoman will suspend.

7 Ms. Stefanik. -- you had a parody --

8 The Chairman. The gentlewoman will suspend.

9 By unanimous consent, we'll be happy to enter the call record into the record.

10 [The information follows:]

11

12 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1

2 Ms. Stefanik. Thank you.3 The Chairman. Mr. Maloney, you're recognized for 5 minutes.4 Mr. Maloney. Thank you, gentlemen. Thank you for being here today.

5 Ambassador Taylor, what year did you graduate from West Point?

6 Ambassador Taylor. 1969, sir.7 Mr. Maloney. It was the height of the Vietnam War, wasn't it, sir?8 Ambassador Taylor. The height was about that time.9 Mr. Maloney. What was your class rank at West Point?10 Ambassador Taylor. I was number five.11 Mr. Maloney. How many people were in your class?12 Ambassador Taylor. Eight hundred.13 Mr. Maloney. Eight hundred cadets. You were number five.14 Ambassador Taylor. Yes, sir.15 Mr. Maloney. So when you're top 1 percent of your class at West Point, you  
16 probably get your pick of assignments, but you picked the infantry --17 Ambassador Taylor. I did, sir.18 Mr. Maloney. -- didn't you?19 Ambassador Taylor. Yes, sir.20 Mr. Maloney. You were a rifle company commander?21 Ambassador Taylor. Yes, sir.22 Mr. Maloney. Where did you serve?23 Ambassador Taylor. In Vietnam.24 Mr. Maloney. Did you see combat in Vietnam, sir?25 Ambassador Taylor. I did.

1 Mr. Maloney. Did you earn any commendations for that service?

2 Ambassador Taylor. I was awarded the Combat Infantryman Badge, which is my  
3 highest -- I'm proudest of. There was a Bronze Star. There was an Air Medal with  
4 "V" --

5 Mr. Maloney. That's for "valor," isn't it, sir?

6 Ambassador Taylor. It is.

7 Mr. Maloney. Let's talk about July 26th, a lot of years later. You go to the  
8 front, you go to Donbas with Ambassador Volker, I believe. And you're on the bridge,  
9 and you're looking over on the front line at the Russian soldiers. Is that what you  
10 recalled?

11 Ambassador Taylor. Yes, sir.

12 Mr. Maloney. And you said the commander there, the Ukrainian commander,  
13 thanked you for the American military assistance that you knew was being withheld at  
14 that moment.

15 Ambassador Taylor. That's correct.

16 Mr. Maloney. How'd that make you feel, sir?

17 Ambassador Taylor. Badly.

18 Mr. Maloney. Why?

19 Ambassador Taylor. Because it was clear that that commander counted on us.  
20 It was clear that that commander had confidence in us. It was clear that that  
21 commander had what -- was appreciative of the capabilities that he was given by that  
22 assistance but also the reassurance that we were supporting him.

23 Mr. Maloney. You don't strike me as a quitter, Ambassador, but you threatened  
24 to resign, or you mentioned it in your statement.

25 Before I ask you about that, let's just talk about a couple days later, on

1 July -- excuse me -- 1 month later, on August 28th. You find yourself in Ukraine with the  
2 National Security Advisor, Mr. Bolton, right?

3 Ambassador Taylor. Yes, sir.

4 Mr. Maloney. And you convey to him your concerns -- you've testified to this  
5 previously -- about the withholding of military assistance. What does he say to you?

6 Ambassador Taylor. He says that he shares my concern, and he advises me to  
7 express that in a very special way to the Secretary of State.

8 Mr. Maloney. Now, he's the National Security Advisor, works directly with the  
9 President. But he tells you that you should bring it up with the Secretary of State.

10 Ambassador Taylor. Yes, sir.

11 Mr. Maloney. Have you ever sent a cable like that? How many times in your  
12 career of 40, 50 years have you sent a cable directly to the Secretary of State?

13 Ambassador Taylor. Once.

14 Mr. Maloney. This time?

15 Ambassador Taylor. Yes, sir.

16 Mr. Maloney. In 50 years.

17 Ambassador Taylor. Rifle company commanders don't send cables, but yes, sir.

18 Mr. Maloney. So the National Security Advisor, who could tell it to the President  
19 himself and who shares your concern, says you, the Ambassador serving in Ukraine,  
20 should cable the Secretary of State directly. And you do so, don't you?

21 Ambassador Taylor. Yes, sir.

22 Mr. Maloney. What did the cable say, sir?

23 Ambassador Taylor. It's a classified cable.

24 Mr. Maloney. Without going into classified information.

25 Ambassador Taylor. Without going into classified, it says: Security

1 assistance -- it's what we've been talking about today. Security assistance to Ukraine, at  
2 this particular time, as in previous times, is very important.

3 Ukraine -- I also make the point that we've also talked about here today.  
4 Ukraine is important for our national security, and we should support it. Not to provide  
5 that would be folly.

6 Mr. Maloney. Did you get an answer to your cable?

7 Ambassador Taylor. Not directly, no, sir.

8 Mr. Maloney. Do you know what happened to it?

9 Ambassador Taylor. Secretary Kent --

10 Mr. Maloney. Secretary Kent, do you know what happened to it?

11 Ambassador Taylor. -- tells me that --

12 Mr. Kent. Yeah, I was on vacation when his cable came in, but my understanding  
13 is it made it to its recipient, intended recipient, Secretary Pompeo.

14 Mr. Maloney. And we know Secretary Pompeo was on the call a month earlier,  
15 on July 25th. It's not like he's in the dark about any of this. What did he do with it?

16 Mr. Kent. I honestly can't say for sure what happened with the cable once the  
17 message was brought in at the highest level.

18 Mr. Maloney. One other question, gentlemen. On September 1st, you recall a  
19 meeting between the Vice President and the President of Ukraine, Mr. Zelensky, in which  
20 right off the bat the President of Ukraine raises security assistance, and the Vice  
21 President, according to your telling, says, "I'll talk to the President tonight about that.  
22 I'll make a call."

23 Do you know if the Vice President made that call?

24 Ambassador Taylor. I don't know, sir.

25 Mr. Maloney. Do you know what, if anything, the Vice President had to do with

1 any of this? What more can you tell us about the Vice President's role in this? Do you  
2 know if he ever raised this issue with anyone in the administration, whether he ever  
3 pushed for the release of that security assistance?

4 Ambassador Taylor. I can't, sir.

5 Mr. Kent. I believe, to the best of my understanding, the Vice President was an  
6 advocate for the release of the assistance.

7 Mr. Maloney. Thank you.

8 I yield back, Mr. Chairman.

9 Dr. Wenstrup. Mr. Chairman?

10 The Chairman. Mrs. Demings, you're recognized.

11 Dr. Wenstrup. Mr. Chairman, I have a unanimous consent request.

12 The Chairman. The gentleman will state his request.

13 Dr. Wenstrup. I ask unanimous consent to submit for the record the Politico  
14 article on Ukraine boosting the Clinton campaign, authored by Ken Vogel, now with The  
15 New York Times.

16 The Chairman. Without objection, that will be entered into the record.

17 [The information follows:]

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Dr. Wenstrup. Thank you.

The Chairman. Representative Demings?

Mrs. Demings. Thank you so much, Mr. Chairman.

And thank you to both of you for being with us today.

Mr. Kent, you said that a President has the right to remove an ambassador because the ambassadors serve at the pleasure of the President. Is that correct?

Mr. Kent. That is correct, ma'am.

Mrs. Demings. Does that removal usually come with a smear campaign of that ambassador by the President?

Mr. Kent. I think the right of the President to make a decision about the President's personal representative, as confirmed by the Senate, is separate from whatever happens outside the confines of U.S. Government processes.

Mrs. Demings. Do you have any idea why it was important to discredit Ambassador Yovanovitch, what she was not willing to do or to do, why that was important?

Mr. Kent. Well, I guess it probably depends on the motivation of other people, and I am not one of them.

Mrs. Demings. The committee's investigation has uncovered a web of shadow diplomacy engaged in and executed by several State Department officials and the President's personal attorney, Rudy Giuliani, and ultimately directed by President Trump. We have heard several ways of describing this shady shadow operation: shadow diplomacy, rogue back channel.

Ambassador Taylor, you have described what you encountered as the top diplomat on the ground in Ukraine as a -- and I quote -- "highly irregular, informal channel

1 of U.S. policymaking."

2           You testified that the channel included Ambassador Volker, Sondland, Secretary  
3 Perry, and, as you later learned, the President's personal attorney, Rudy Giuliani. Is that  
4 correct?

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2 RPTR JOHNSON3 EDTR SECKMAN

4 [3:19 p.m.]

5 Ambassador Taylor. Yes, ma'am.6 Mrs. Demings. Both of you have explained that you grew seriously concerned  
7 when you realized that the interests of this irregular channel diverged from official U.S.  
8 policy and interests.9 Was Mr. Giuliani promoting U.S. national interests or policy in Ukraine,  
10 Ambassador?11 Ambassador Taylor. I don't think so, ma'am.12 Mrs. Demings. Mr. Kent?13 Mr. Kent. No, he was not.14 Mrs. Demings. What interest do you believe he was promoting, Mr. Kent?15 Mr. Kent. I believe he was looking to dig up political dirt against a potential rival  
16 in the next election cycle.17 Mrs. Demings. Ambassador Taylor, what interest do you believe he was  
18 promoting?19 Ambassador Taylor. I agree with Mr. Kent.20 Mrs. Demings. The State Department's role is to promote U.S. policies overseas,  
21 not to help the current President win reelection. Is that correct, Mr. Kent?22 Mr. Kent. All Federal Government employees are subject to the Hatch Act.  
23 Interactions are supposed to be promoting policy and not involved in partisan politics.24 Mrs. Demings. Ambassador Taylor?25 Ambassador Taylor. I agree.

1           Mrs. Demings. What is the risk of running a separate channel of diplomacy that  
2 is completely outside of normal channels and does not further U.S. policy goals,  
3 Ambassador Taylor?

4           Ambassador Taylor. Mrs. Demings, it's possible to do one but not the other.  
5 That is, if it's completely against U.S. policy goals, then that's a mistake, then it's not  
6 helpful. What -- you can go -- you can get advice and even have conversations outside  
7 of the -- of the normal channels, but then they need to be part of U.S. foreign policy and  
8 approaching those goals.

9           Mrs. Demings. Mr. Kent?

10          Mr. Kent. Agree.

11          Mrs. Demings. Ambassador Taylor, you have described in your previous  
12 testimony one instance shortly after you arrived in Ukraine in which Ambassador  
13 Sondland asked State Department officials not to listen to a July 28th call he had planned  
14 to hold with President Zelensky.

15          Did you find that unusual?

16          Ambassador Taylor. I did.

17          Mrs. Demings. What was the impact of Ambassador Sondland making that  
18 request?

19          You found it unusual. What do you believe the impact was?

20          Ambassador Taylor. Mrs. Demings, I'm not sure there was an immediate impact.

21          Mrs. Demings. Was there a recording or a transcription?

22          Ambassador Taylor. There was not. That was the impact. It was not  
23 recorded.

24          Mrs. Demings. Do you think that's why the request was made, so there would  
25 not be normal State Department employees from the operations center would have been

1 there transcribing and taking notes?

2 Ambassador Taylor. That is the norm, but it is also -- it is not unusual to not have  
3 it recorded.

4 Mrs. Demings. So you know that the State Department is holding your notes and  
5 refuses to provide them to Congress, despite a duly authorized subpoena. And we know  
6 that, in some instances, your notes may be the only documentary record of what  
7 happened. You are aware of that, correct?

8 Ambassador Taylor. Yes, ma'am.

9 Mrs. Demings. And, Mr. Kent, you are aware that your notes have not been  
10 turned over to Congress?

11 Mr. Kent. I have turned all records that I had in my possession to the State  
12 Department because whatever we do is considered a Federal record, not a personal  
13 record.

14 Mrs. Demings. Thank you so much.

15 Mr. Chairman, I yield back.

16 Mr. Turner. Mr. Chairman, I have a consent request.

17 The Chairman. The gentleman will state his request.

18 Mr. Turner. I have a New York Times op-ed stating why President Obama should  
19 have done more on investing in Ukraine by a trio of Ambassadors, which includes William  
20 Taylor.

21 The Chairman. Without objection, that will be admitted into the record.

22 [The information follows:]

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The Chairman. Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good afternoon, gentlemen. I'd like to walk you through a couple of points raised by my colleagues on the other side.

One is they claim that the July 25th call summary shows no evidence of pressure on the Ukrainian Government. In fact, they argue that the Ukrainians did not feel any pressure at any time to comply with any of President Trump's requests for investigations.

In fact, Ambassador Taylor, at your deposition in October, you stated that due to the hold that President Trump placed on aid to the Ukraine, the Ukrainians became, quote/unquote, desperate. Isn't that right?

Ambassador Taylor. In August, they did not know, as far as I'm aware. But at the end of August, the article came out. In September, the Minister of Defense, for example, came to me -- I would use the word "desperate" -- to figure out why the assistance was being held. He thought that perhaps if he went to Washington to talk to you or to talk to the Secretary of Defense, to talk to the President, he would be able to find out and reassure, provide whatever answer was necessary to have that assistance released.

Mr. Krishnamoorthi. In fact, my colleagues on the other side suggest that President Zelensky personally did not feel any pressure at any time. And yet, later on, in September, he finally relented in a conversation with Gordon Sondland, according to your deposition, in which he agreed to make a statement on CNN. Isn't that right?

Ambassador Taylor. He had planned to make a statement on CNN, yes, sir.

Mr. Krishnamoorthi. My colleagues also say that the hold on U.S. security assistance was lifted on September 11th without any investigations happening on the part of the Ukrainians and, therefore, everything ended up fine in the end.

1           However, Mr. Kent, as you know, the House Intelligence, Foreign Affairs, and  
2 Oversight Committees began this current investigation leading to the proceedings today  
3 on September 9th. In fact, it was only 2 days after this particular set of committees  
4 began their investigations that the Trump administration eventually released the military  
5 aid, correct?

6           Mr. Kent. That is the timeline, yes.

7           Mr. Krishnamoorthi. Ambassador Taylor, between the time of your October  
8 deposition and now, did anyone from the Trump administration contact you about your  
9 appearance before the committee today?

10          Ambassador Taylor. No, sir.

11          Mr. Krishnamoorthi. How about you, Mr. Kent?

12          Mr. Kent. No, sir.

13          Mr. Krishnamoorthi. Ambassador Taylor, I would like to turn to a word that, by  
14 my count, you used 13 times in your opening statement, and that word is "concern."

15            You were concerned that aid was being conditioned on political investigations.  
16 Isn't that right?

17          Ambassador Taylor. Yes, sir.

18          Mr. Krishnamoorthi. You were concerned that irregular channels of diplomacy  
19 were being used in our foreign policy in the Ukraine, right?

20          Ambassador Taylor. Yes, sir.

21          Mr. Krishnamoorthi. Ambassador Taylor, can you rule out the possibility that  
22 these irregular channels of diplomacy are being used in other countries where we  
23 conduct foreign policy?

24          Ambassador Taylor. I can't -- I've not heard of any other separate channel that  
25 has this kind of influence, that is, the Giuliani kind of guidance.

1 Mr. Krishnamoorthi. But you can't rule it out, right?

2 Ambassador Taylor. No, sir.

3 Mr. Krishnamoorthi. And how about you, Mr. Kent, you can't rule it out either,  
4 right?

5 Mr. Kent. I have no basis to make a determination.

6 Mr. Krishnamoorthi. You don't believe the July 25th call was perfect, do you?

7 Mr. Kent. I think some of the language in the call gave cause for concern.

8 Mr. Krishnamoorthi. Ambassador Taylor?

9 Ambassador Taylor. I agree.

10 Mr. Krishnamoorthi. And what was the cause for concern for you?

11 Ambassador Taylor. There was -- part of the -- the discussion of the previous  
12 Ambassador was a cause for concern.

13 Mr. Krishnamoorthi. Ambassador Taylor, I want to draw on your experience,  
14 finally, as a West Point cadet and as an infantry commander in Vietnam.

15 In a battlefield situation, is a commanding officer allowed to hold up action placing  
16 his troops at risk until someone provides him a personal benefit?

17 Ambassador Taylor. No, sir.

18 Mr. Krishnamoorthi. Is that because if commanding officers did that, they would  
19 be betraying their responsibility to the Nation and the men and women under their  
20 command?

21 Ambassador Taylor. Yes, sir.

22 Mr. Krishnamoorthi. If that were happened and found out, could that person be  
23 subject to discipline?

24 Ambassador Taylor. Yes, sir.

25 Mr. Krishnamoorthi. Could that type of conduct trigger a court martial?

1 Ambassador Taylor. Yes, sir.

2 Mr. Krishnamoorthi. Thank you. I yield back.

3 Mr. Jordan. Mr. Chairman.

4 The Chairman. I thank the gentleman.

5 Mr. Jordan. Mr. Chairman, I have a unanimous --

6 The Chairman. For what purpose does the --

7 Mr. Jordan. I thank the chairman. I ask unanimous consent to enter into the  
8 record Mr. Mulvaney's statement where he said there's absolutely no quid pro quo from  
9 October 17, 2019.

10 The Chairman. Without objection.

11 [The information follows:]

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The Chairman. Mr. Nunes, you are recognized for any closing comments you'd like to make.

Mr. Conaway. Mr. Chairman. Mr. Chairman.

The Chairman. I recognize Mr. Nunes for his comments.

Mr. Conaway, we will get to your motion.

After Mr. Nunes' brief closing remarks and my brief closing remarks, it's my intention to excuse the witnesses. We'll have a very brief recess. Members should not go far. We will resume and take up Mr. Conaway's motion.

Mr. Nunes.

Mr. Nunes. Thank you, Mr. Chair. I'll just be brief.

And I want to reiterate what I said earlier, and that is that we really should stop holding these hearings until we get the answer to three important topics, the first being the full extent of the Democrats' prior coordination with the whistleblower and who did the whistleblower coordinate with; second, the full extent of Ukraine's election meddling against the Trump campaign; and, third, why did Burisma hire Hunter Biden, and what did he do for them, and did his position affect any government actions, U.S. Government actions under the Obama administration?

You are not allowing those witnesses to appear before the committee, which I think is a problem. So we'll expect hopefully you will allow us to bring in the whistleblower, the folks that he spoke to, and also numerous Democratic operatives who worked with Ukraine to meddle in the election.

With that, I'll yield back.

The Chairman. I thank the gentleman.

I want to thank the witnesses for their testimony today, for your decades of

1 service to the country. I think you exemplify so many courageous men and women who  
2 serve in the diplomatic corps, who served in our military, who represent the United States  
3 so well around the world.

4 I appreciate how you endeavor to stay out of the fray, to relate what you heard,  
5 what you saw, without additional commentary. That is as it should be.

6 You were both compelled to appear, and we are grateful that you answered the  
7 lawful subpoenas that you received.

8 The story that you have shared with us today and your experiences, I think, is a  
9 very deeply troubling one. It is the story of a dedicated ambassador, someone who  
10 served with great distinction, Ambassador Yovanovitch, who is the subject of a vicious  
11 smear campaign at the beginning of the year. It is the story of, once this Ambassador  
12 was pushed out of the way, the creation of an irregular channel, which, Ambassador  
13 Taylor, you described went all the way from the President through Mick Mulvaney  
14 through Ambassador Sondland through Ambassador Volker to Rudy Giuliani, that over  
15 time became apparent was not serving the U.S. interests but running deeply contrary to  
16 the U.S. interests, was, in fact, conditioning a White House meeting that the President of  
17 Ukraine desperately sought to establish himself as the new President of Ukraine and to  
18 demonstrate to friend and foe alike that he had a relationship with his most powerful  
19 patron, the United States of America, and conditioned \$400 million of bipartisan,  
20 taxpayer-funded military support for a nation at war, on the front lines of Russian  
21 expansionism, a suspension of which was not in the U.S. interest, not in Ukraine's  
22 interest, not in our national security interest in no way, shape, or form.

23 You have described a situation in which those in the service of the President made  
24 it clear to the Ukrainians they need to publicly announce these investigations or they  
25 weren't going to get that meeting, and they sure weren't going to get that military

1 assistance.

2 Now, I would point out -- and this may not have come to your attention, but it  
3 certainly came to our attention -- on September 9th, the inspector general informed our  
4 committee that the Director of National Intelligence was withholding a whistleblower  
5 complaint in violation of the statute. By that point, on September 9th, that complaint  
6 had made its way to the White House. On September 9th, when the inspector general  
7 informed Congress that that complaint had been withheld, the White House also learned  
8 that Congress now inevitably would learn about the complaint. It was less than  
9 48 hours later that the military aid would be released.

10 Over the weeks to come -- or over the days to come, rather, we will hear from  
11 other dedicated public servants about other aspects of this effort to invite foreign  
12 interference in our election, to condition a White House meeting and military aid for the  
13 performance of political favors for the President's reelection campaign. We will hear  
14 from other witnesses.

15 I appreciate members on both sides of the aisle who I think participated today in a  
16 serious way and in a civil way. This is as it should be. There is no shortage of strong  
17 feelings about what this means to the country.

18 At the end of the day, we're going to have to decide, based on the evidence that  
19 you and others provide, whether we're prepared to accept in the presence of the United  
20 States a situation where the President, for their own personal and political benefit, can  
21 condition military aid, diplomatic meetings, or any other performance of an official act in  
22 order to get help in their reelection, whether we will need to accept in this President or  
23 any future President the idea that the President of the United States could invite a foreign  
24 country to intervene in our affairs. These are the decisions we will have to make when  
25 we have to decide whether this President should be impeached.

1           But I want to thank you again and just conclude by saying, because I can't let it go  
2           unanswered, several of my colleagues made the statement repeatedly that I've met with  
3           the whistleblower, that I know who the whistleblower is. It was the false the first time  
4           they said it, it was false the second through 40th time they said it, and it will be false the  
5           last time they say it.

6           With that, it this concludes this portion of the hearing. I want to thank you  
7           gentleman.

8           I ask everyone to remain in their seats. The witnesses are excused. Please  
9           allow them to leave the committee room.

10          We will, once they leave the committee room, take a brief recess, and then we  
11          will resume to take up Mr. Conaway's motion.

12          And, once again, I thank you gentlemen.

13          The committee is in a brief recess, subject to the call of the chair. When we  
14          resume shortly, we'll take up Mr. Conaway's motion.

15          [Recess.]

16          The Chairman. The committee will come to order.

17          It is now in order to take up Mr. Conaway's motion to subpoena the  
18          whistleblower.

19          Mr. Swalwell. Mr. Chairman?

20          The Chairman. Mr. Swalwell.

21          Mr. Swalwell. I move to table the motion.

22          The Chairman. All of those in favor of tabling the motion by the gentleman, say  
23          aye.

24          All of those opposed, say no.

25          In the opinion of the chair, the ayes have it, and the motion is tabled.

1 Mr. Conaway. Mr. Chairman.

2 The Chairman. The gentleman requests --

3 Mr. Conaway. A classic move. I --

4 The Chairman. -- a recorded vote.

5 Mr. Conaway. This could have been handled earlier. We could stop wasting  
6 this 20 minutes of hanging around. I assume that the wait was to allow us to have the  
7 debate, but apparently that was not the case. I know you're afraid of hearing from the  
8 whistleblower.

9 The Chairman. Mr. Conaway, a motion to table is not debatable.

10 Mr. Conaway. Wasn't debating.

11 The Chairman. The clerk will call the roll.

12 Mr. Conaway. Just arguing.

13 The Clerk. Chairman Schiff?

14 The Chairman. Aye.

15 The Clerk. Mr. Himes?

16 Mr. Himes. Aye.

17 The Clerk. Ms. Sewell?

18 Ms. Sewell. Aye.

19 The Clerk. Mr. Carson?

20 Mr. Carson. Aye.

21 The Clerk. Ms. Speier?

22 Ms. Speier. Aye.

23 The Clerk. Mr. Quigley?

24 Mr. Quigley. Aye.

25 The Clerk. Mr. Swalwell?

- 1 Mr. Swalwell. Aye.
- 2 The Clerk. Mr. Castro?
- 3 Mr. Castro. Aye.
- 4 The Clerk. Mr. Heck?
- 5 Mr. Heck. Aye.
- 6 The Clerk. Mr. Welch?
- 7 Mr. Welch. Aye.
- 8 The Clerk. Mr. Maloney?
- 9 Mr. Maloney. Aye.
- 10 The Clerk. Mrs. Demings?
- 11 Mrs. Demings. Aye.
- 12 The Clerk. Mr. Krishnamoorthi?
- 13 Mr. Krishnamoorthi. Aye.
- 14 The Clerk. Ranking Member Nunes?
- 15 Mr. Nunes. No.
- 16 The Clerk. Mr. Conaway?
- 17 Mr. Conaway. No.
- 18 The Clerk. Mr. Turner?
- 19 Mr. Turner. No.
- 20 The Clerk. Dr. Wenstrup?
- 21 Dr. Wenstrup. No.
- 22 The Clerk. Mr. Stewart?
- 23 Mr. Stewart. No.
- 24 The Clerk. Ms. Stefanik?
- 25 Ms. Stefanik. No.

1           The Clerk.   Mr. Hurd?

2           Mr. Hurd.   No.

3           The Clerk.   Mr. Ratcliffe?

4           Mr. Ratcliffe.   No.

5           The Clerk.   Mr. Jordan?

6           Mr. Jordan.   No.

7           The Chairman.   Is there any member wishing to vote or wishing to change his or  
8 her vote?

9           The clerk shall report the vote.

10          The Clerk.   Mr. Chairman, there are 13 ayes and 9 noes.

11          The Chairman.   On this vote, there were 13 ayes and 9 noes.   The motion to  
12 table is carried.

13          We are adjourned.

14          [Whereupon, at 3:50 p.m., the committee was adjourned.]

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**Opening Statement of Ambassador William B. Taylor****Before the House Permanent Select Committee on Intelligence****November 13, 2019**

Mr. Chairman, I am appearing today at the Committee's request to provide my perspective on the events that are the subject of the Committee's inquiry. I want to emphasize at the outset that, while I am aware that the Committee has requested my testimony as part of impeachment proceedings, I am not here to take one side or the other, or to advocate for any particular outcome of these proceedings. My sole purpose is to provide facts as I know them about the incidents in question as well as my views about the strategic importance of Ukraine to the United States.

By way of background, it has been a privilege for me to serve our country and the American people for more than fifty years, starting as a cadet at West Point, then as an infantry officer for six years, including with the 101st Airborne Division in Vietnam; then at the Department of Energy; then as a member of a Senate staff; then at NATO; then with the State Department here and abroad—in Afghanistan, Iraq, Jerusalem, and Ukraine. I retired from the State Department in 2009 to join the U.S. Institute of Peace.

I am neither a career member of the Foreign Service nor of the civil service. I am non-partisan and have been appointed to my positions by every president from President Reagan to President Trump.

Let me summarize my main points.

First, Ukraine is a strategic partner of the United States, important for the security of our country as well as Europe. Ukraine is on the front line in the conflict with a newly aggressive Russia.

Second, even as we sit here today, the Russians are attacking Ukrainian soldiers in their own country and have been for the last four years. I saw this on the front line last week; the day I was there a Ukrainian soldier was killed and four were wounded.

Third, the security assistance we provide is crucial to Ukraine's defense and to the protection of the soldiers I met last week. It demonstrates to Ukrainians—and Russians—that we are Ukraine's reliable strategic partner. It is clearly in our national interest to deter further Russian aggression.

And finally, as the Committee is aware, I wrote that withholding security assistance in exchange for help with a domestic political campaign in the United States would be "crazy." I believed that then, and I believe it now.

Let me tell you why.

On May 28 of this year, I met with Secretary of State Mike Pompeo who asked me to rejoin the State Department and return to Kyiv to lead our embassy in Ukraine. It was—and is—a critical time in U.S.-Ukraine relations.

I had served as Ambassador to Ukraine from 2006 to 2009, having been nominated by George W. Bush, and, in the intervening 10 years, had stayed engaged with Ukraine. Across the responsibilities I have had in public service, Ukraine is the highlight, and so Secretary Pompeo's offer to return as Chief of Mission was compelling.

Since I left Ukraine in 2009, the country had continued to turn toward the West. But in 2013, Vladimir Putin was so threatened by the prospect of Ukraine joining the European Union that he tried to bribe the Ukrainian president. This triggered mass protests in the winter of 2013 that drove that president to flee to Russia in February 2014, but not before his forces killed a hundred Ukrainian protesters in central Kyiv.

Days later Mr. Putin invaded Crimea, holding a sham referendum at the point of Russian army rifles. The Russians absurdly claimed that 97% voted to join Russia. In early April, Putin sent his army and security forces into southeastern Ukraine to generate illegal armed formations and puppet governments in what we know as Donbas. 14,000 Ukrainians have died in the war in Donbas. More die each week.

In July 2014, these Russian-led forces in Donbas shot down a civilian airliner en route from Amsterdam to Malaysia, killing all 298 people on board.

We, the Europeans, and most of the West imposed economic sanctions and kicked the Russians out of the G-8. Beginning in 2014, we and NATO began to provide military assistance to Ukraine's armed forces in the form of training, advice, military equipment, and weapons.

It is this security assistance that is at the heart of the controversy that we are discussing today. The pro-Russian president who was run out of Kyiv in 2014 had let the Ukrainian armed forces deteriorate to the point of ruin. In response to the Russian invasion, the new Ukrainian authorities—with an amazing outpouring of support from regular Ukrainian people—rebuilt the army, nearly from scratch, spending more than 5% of Ukrainian GDP on defense since the war started. The whole Ukrainian nation fiercely responded to the Russian attack. The nation united like never before. A rag-tag army developed into a strong fighting force. And the United States played a vital role.

Since 2014, you in Congress have provided over \$1.6 billion in military assistance to Ukraine. The security assistance provides small unit training at an army base near Lviv in the west of the country. It provides ambulances, night vision devices, communications equipment, counter-battery radar, navy ships—and finally, weapons. This security assistance demonstrates our commitment to resist aggression and defend freedom.

During the 2014 to 2016 period, I was serving outside of government and joined two other former ambassadors to Ukraine in urging Obama administration officials at the State Department, Defense Department, and other agencies to provide lethal defensive weapons to Ukraine in order to deter further Russian aggression. I also supported much stronger sanctions on Russia. I was pleased when the Trump administration provided Javelin anti-tank missiles and enacted stronger sanctions.

All to say, I cared about Ukraine's future and the important U.S. interests there. So, when Secretary Pompeo asked me to go back to Kyiv, I wanted to say "yes."

But it was not an easy decision. The former Ambassador, Masha Yovanovitch, had been treated poorly, caught in a web of political machinations both in Kyiv and in Washington. I feared that those problems were still present. I consulted both my wife and a respected former senior Republican official who has been a mentor. I will tell you that my wife, in no uncertain terms, strongly opposed the idea. The mentor counseled: if your country asks you to do something, you do it—if you can be effective.

I could be effective only if the U.S. policy of strong support for Ukraine—strong diplomatic support along with robust security, economic, and technical assistance—were to continue, and if I had the backing of the Secretary of State to implement that policy. And I worried about what I had heard concerning the role of Rudy Giuliani, who had made several controversial statements about Ukraine and U.S. policy toward the country.

So during my meeting with Secretary Pompeo on May 28, I made clear to him and the others present that if U.S. policy toward Ukraine changed, he would not want me posted there and I could not stay. He assured me that the policy of strong support for Ukraine would continue and that he would support me in defending that policy.

With that understanding, I agreed to go back to Kyiv. Because I was appointed by the Secretary but not reconfirmed by the Senate, my official position was *Chargé d’Affaires ad interim*. In effect, I was the acting ambassador to Ukraine.

\* \* \* \* \*

I returned to Kyiv on June 17, carrying the original copy of a letter President Trump signed the day after I met with the Secretary. In that letter, President Trump congratulated President Zelenskyy on his election victory and invited him to a meeting in the Oval Office.

But once I arrived in Kyiv, I discovered a weird combination of encouraging, confusing, and ultimately alarming circumstances.

First, the encouraging: President Zelenskyy was reforming Ukraine in a hurry. He appointed reformist ministers and supported long-stalled anti-corruption legislation. He took quick executive action, including opening Ukraine’s High Anti-Corruption Court. With a new parliamentary majority stemming from snap elections, President Zelenskyy changed the Ukrainian constitution to remove absolute immunity from Rada deputies, the source of raw corruption for two decades. The excitement in Kyiv was palpable. This time could be different—a new Ukraine finally breaking from its corrupt, post-Soviet past.

And yet, I found a confusing and unusual arrangement for making U.S. policy toward Ukraine. There appeared to be two channels of U.S. policy-making and implementation, one regular and one highly irregular. As the acting ambassador, I had authority over the regular, formal diplomatic processes, including the bulk of the U.S. effort to support Ukraine against the Russian invasion and to help it defeat corruption. My colleague, Deputy Assistant Secretary of State George Kent, and our colleagues at the National Security Council (NSC) were my main points of contact in Washington in this regular channel. This channel is

formally responsible for formulating and overseeing the implementation of U.S. foreign policy with respect to Ukraine, a policy that has consistently enjoyed strong, bipartisan support, both in Congress and in all administrations since Ukraine's independence from Russia in 1991.

At the same time, however, I encountered an irregular, informal channel of U.S. policy-making with respect to Ukraine, unaccountable to Congress, a channel that included then-Special Envoy Kurt Volker, U.S. Ambassador to the European Union Gordon Sondland, Secretary of Energy Rick Perry, White House Chief of Staff Mick Mulvaney, and, as I subsequently learned, Mr. Giuliani. I was clearly in the regular channel, but I was also in the irregular one to the extent that Ambassadors Volker and Sondland included me in certain conversations. Although this irregular channel was well-connected in Washington, it operated mostly outside of official State Department channels.

The irregular channel began when Ambassador Volker, Ambassador Sondland, Secretary Perry, and Senator Ron Johnson briefed President Trump on May 23 upon their return from President Zelenskyy's inauguration. The delegation was as enthusiastic as I would soon become about the new Ukrainian president and urged President Trump to meet with him early on to cement the U.S.-Ukraine relationship. But from what I understood from the participants, President Trump did not share their enthusiasm for a meeting with President Zelenskyy.

When I arrived in Kyiv, the actions of both the regular and the irregular channels of foreign policy appeared to serve the same goal—a strong U.S.-Ukraine partnership. But it became clear to me by August that the channels had diverged in their objectives. As this occurred, I became increasingly concerned.

In late June, both channels were trying to facilitate a visit by President Zelenskyy to the White House for a meeting with President Trump,

which President Trump had promised in his congratulatory letter of May 29. The Ukrainians were clearly eager for the meeting to happen.

But during my subsequent communications with Ambassadors Volker and Sondland, they relayed to me that the President “wanted to hear from Zelenskyy” before scheduling the meeting in the Oval Office. It was not clear to me what this meant.

On June 27, Ambassador Sondland told me during a phone conversation that President Zelenskyy needed to make clear to President Trump that he, President Zelenskyy, was not standing in the way of “investigations.”

I sensed something odd when Ambassador Sondland told me on June 28 that he did not wish to include most of the regular interagency participants in a call planned with President Zelenskyy later that day. Ambassador Sondland, Ambassador Volker, Secretary Perry, and I were on this call, dialing in from different locations. However, Ambassador Sondland said that he wanted to make sure no one was transcribing or monitoring as they added President Zelenskyy to the call. Also, before President Zelenskyy joined the call, Ambassador Volker separately told the U.S. participants that he, Ambassador Volker, planned to be explicit with President Zelenskyy in a one-on-one meeting in Toronto on July 2. In that meeting, Ambassador Volker planned to make clear what President Zelenskyy should do to get the White House meeting. I did not understand what this meant, but Ambassador Volker said he would relay that President Trump wanted to see rule of law, transparency, but also, specifically, cooperation on investigations to “get to the bottom of things.”

Once President Zelenskyy joined the call, the conversation was focused on energy policy and the war in Donbas. President Zelenskyy also said he looked forward to the White House visit President Trump had offered in his May 29 letter.

By mid-July it was becoming clear to me that the meeting President Zelenskyy wanted was conditioned on the investigations of Burisma and alleged Ukrainian interference in the 2016 U.S. elections. It was also clear that this condition was driven by the irregular policy channel I had come to understand was guided by Mr. Giuliani.

In a regular NSC secure video-conference call on July 18, I heard a staff person from the Office of Management and Budget (OMB) say that there was a hold on security assistance to Ukraine but could not say why. Toward the end of an otherwise normal meeting, a voice on the call—the person was off-screen—said that she was from OMB and that her boss had instructed her not to approve any additional spending on security assistance for Ukraine until further notice. I and others sat in astonishment—the Ukrainians were fighting the Russians and counted on not only the training and weapons, but also the assurance of U.S. support. All that the OMB staff person said was that the directive had come from the President to the Chief of Staff to OMB. In an instant, I realized that one of the key pillars of our strong support for Ukraine was threatened. The irregular policy channel was running contrary to the goals of longstanding U.S. policy.

There followed a series of NSC-led interagency meetings, starting at the staff level and quickly reaching the level of Cabinet secretaries. At every meeting, the unanimous conclusion was that the security assistance should be resumed, the hold lifted. At one point, the Defense Department was asked to perform an analysis of the effectiveness of the assistance. Within a day, the Defense Department came back with the determination that the assistance was effective and should be resumed. My understanding was that the Secretaries of Defense and State, the CIA Director, and the National Security Advisor sought a joint meeting with the President to convince him to release the hold, but such a meeting was hard to schedule and the hold lasted well into September.

On July 19 in a phone call with then-Senior Director for European and Russian

Affairs Fiona Hill and Director of European Affairs LTC Alex Vindman, they tried to reassure me that they were not aware of any official change in U.S. policy toward Ukraine, OMB's announcement notwithstanding. They did confirm that the hold on security assistance for Ukraine came from Chief of Staff Mick Mulvaney, who maintained a skeptical view of Ukraine.

In the same July 19 phone call, they gave me an account of a July 10 meeting with Ukrainian and American officials at the White House. They told me that part way through the meeting, Ambassador Sondland had connected "investigations" with an Oval Office meeting for President Zelenskyy, which so irritated then-National Security Advisor John Bolton that he abruptly ended the meeting, telling Dr. Hill and LTC Vindman that they should have nothing to do with domestic politics. He also directed Dr. Hill to "brief the lawyers." Dr. Hill said that Ambassador Bolton referred to this as a "drug deal" after the July 10 meeting. Ambassador Bolton opposed a call between President Zelenskyy and President Trump out of concern that it "would be a disaster."

Needless to say, the Ukrainians in the meetings were confused. Ambassador Bolton, in the regular Ukraine policy decision-making channel, wanted to talk about security, energy, and reform; Ambassador Sondland, a participant in the irregular channel, wanted to talk about the connection between a White House meeting and Ukrainian investigations.

Also during our July 19 call, Dr. Hill informed me that Ambassador Volker had met with Mr. Giuliani to discuss Ukraine. This caught me by surprise. The next day I asked Ambassador Volker about that meeting, but received no response. I began to sense that the two decision making channels—the regular and irregular—were separate and at odds.

Later that day, I received text messages on a three-way WhatsApp text conversation with Ambassadors Volker and Sondland, a record of which

was provided by Ambassador Volker. Ambassador Sondland said that a call between President Trump and President Zelenskyy would take place soon. Ambassador Volker said that what was “[m]ost imp[or]tant is for Zelenskyy to say that he will help investigation—and address any specific personnel issues—if there are any.”

On the next day, July 20, I had a phone conversation with Ambassador Sondland while he was on a train from Paris to London. Ambassador Sondland told me that he had recommended to President Zelenskyy that he use the phrase, “I will leave no stone unturned” with regard to “investigations” when President Zelenskyy spoke with President Trump.

Also on July 20, I had a phone conversation with Alexander Danyliuk, President Zelenskyy’s national security advisor, who emphasized that President Zelenskyy did not want to be used as an instrument in a U.S. re-election campaign. The next day I texted both Ambassadors Volker and Sondland about President Zelenskyy’s concern.

On July 25, President Trump and President Zelenskyy had the long-awaited phone conversation. Even though I was acting Ambassador and was scheduled to meet with President Zelenskyy along with Ambassador Volker the following day, I received no readout of the call from the White House. The Ukrainian government issued a short, cryptic summary.

During a previously planned July 26 meeting, President Zelenskyy told Ambassador Volker and me that he was happy with the call but did not elaborate. President Zelenskyy then asked about the face-to-face meeting in the Oval Office as promised in the May 29 letter from President Trump. We could give him no firm answer.

After our meeting with President Zelenskyy, Ambassador Volker and I traveled to the front line in northern Donbas to receive a briefing from the commander of the forces on the line of contact. Arriving for the briefing in the military headquarters, the commander thanked us for

security assistance, but I was aware that this assistance was on hold, which made me uncomfortable.

Ambassador Volker and I could see the armed and hostile Russian-led forces on the other side of the damaged bridge across the line of contact. Russian-led forces continue to kill Ukrainians in the war, one or two a week. More Ukrainians would undoubtedly die without the U.S. assistance.

Although I spent the morning of July 26 with President Zelenskyy and other Ukrainian officials, the first summary of the July 25 Trump-Zelenskyy call that I heard from anybody inside the U.S. government was during a phone call I had with Tim Morrison, Dr. Hill's recent replacement at the NSC, on July 28. Mr. Morrison told me that the call "could have been better" and that President Trump had suggested that President Zelenskyy or his staff meet with Mr. Giuliani and Attorney General William Barr. I did not see any official readout of the call until it was publicly released on September 25.

By August, I was becoming more concerned.

On August 16, I exchanged text messages with Ambassador Volker in which I learned that Andriy Yermak, a senior advisor to President Zelenskyy, had asked that the United States submit an official request for an investigation into Burisma's alleged violations of Ukrainian law, if that is what the United States desired. A formal U.S. request to the Ukrainians to conduct an investigation based on violations of their own law struck me as improper, and I recommended to Ambassador Volker that we "stay clear." To find out the legal aspects of the question, however, I gave him the name of a Deputy Assistant Attorney General whom I thought would be the proper point of contact for seeking a U.S. request for a foreign investigation.

By mid-August, because the security assistance had been held for over a month for no reason that I could discern, I was beginning to fear that the

longstanding U.S. policy of strong support for Ukraine was shifting. I called State Department Counselor Ulrich Brechbuhl to discuss this on August 21. He said that he was not aware of a change of U.S. policy but would check on the status of the security assistance.

My concerns deepened the next day, on August 22, during a phone conversation with Mr. Morrison. I asked him if there had been a change in policy of strong support for Ukraine, to which he responded, “it remains to be seen.” He also told me during this call that the “President doesn’t want to provide any assistance at all.” That was extremely troubling to me. As I had told Secretary Pompeo in May, if the policy of strong support for Ukraine were to change, I would have to resign. Based on my call with Mr. Morrison, I was preparing to do so.

Just days later, on August 27, Ambassador Bolton arrived in Kyiv and met with President Zelenskyy. During their meeting, security assistance was not discussed—as far as I knew, the Ukrainians were not aware of the hold until August 29. I, on the other hand, was all too aware of and still troubled by the hold.

Near the end of Ambassador Bolton’s visit, I asked to meet him privately, during which I expressed to him my serious concern about the withholding of military assistance to Ukraine while the Ukrainians were defending their country from Russian aggression. Ambassador Bolton recommended that I send a first-person cable to Secretary Pompeo directly, relaying my concerns.

I wrote and transmitted such a cable on August 29, describing the “folly” I saw in withholding military aid to Ukraine at a time when hostilities were still active in the east and when Russia was watching closely to gauge the level of American support for the Ukrainian government. The Russians, as I said at my deposition, would love to see the humiliation of President Zelenskyy at the hands of the Americans. I told the Secretary that I could not and would not defend such a policy. Although I received no specific response, I heard that soon thereafter, the Secretary carried

the cable with him to a meeting at the White House focused on security assistance for Ukraine.

The same day that I sent my cable to the Secretary, Mr. Yermak contacted me very concerned, asking about the withheld security assistance. The hold that the White House had placed on the assistance had just been made public that day in a *Politico* story. At that point, I was embarrassed that I could give him no explanation for why it was withheld.

It had still not occurred to me that the hold on security assistance could be related to the “investigations.” That, however, would change.

On September 1, just three days after my cable to Secretary Pompeo, President Zelenskyy met Vice President Pence at a bilateral meeting in Warsaw. President Trump had planned to travel to Warsaw but at the last minute had cancelled because of Hurricane Dorian. Just hours before the Pence-Zelenskyy meeting, I contacted Mr. Danyliuk to let him know that the delay of U.S. security assistance was an “all or nothing” proposition, in the sense that if the White House did not lift the hold prior to the end of the fiscal year (September 30), the funds would expire and Ukraine would receive nothing. I was hopeful that at the bilateral meeting or shortly thereafter, the White House would lift the hold, but this was not to be.

On the evening of September 1, I received a readout of the Pence-Zelenskyy meeting over the phone from Mr. Morrison, during which he told me President Zelenskyy had opened the meeting by immediately asking the Vice President about security cooperation. The Vice President did not respond substantively, but said that he would talk to President Trump that night. The Vice President did say that President Trump wanted the Europeans to do more to support Ukraine and that he wanted the Ukrainians to do more to fight corruption.

During this same phone call with Mr. Morrison, he described a conversation Ambassador Sondland had with Mr. Yermak in Warsaw. Ambassador Sondland told Mr. Yermak that the security assistance money would not come until President Zelenskyy committed to pursue the Burisma investigation. I was alarmed by what Mr. Morrison told me about the Sondland-Yermak conversation. I understand that Mr. Morrison testified at his deposition that Ambassador Sondland proposed that it might be sufficient for the Ukrainian Prosecutor General to commit to pursue the investigation, as opposed to President Zelenskyy. But this was the first time I had heard that the security assistance—not just the White House meeting—was conditioned on the investigations.

Very concerned, on that same day—September 1—I sent Ambassador Sondland a text message asking if “we [are] now saying that security assistance and [a] WH meeting are conditioned on investigations?” Ambassador Sondland responded asking me to call him, which I did. During that phone call, Ambassador Sondland told me that President Trump had told him that he wants President Zelenskyy to state publicly that Ukraine will investigate Burisma and alleged Ukrainian interference in the 2016 U.S. election.

Ambassador Sondland also told me that he now recognized that he had made a mistake by earlier telling Ukrainian officials that only a White House meeting with President Zelenskyy was dependent on a public announcement of investigations—in fact, Ambassador Sondland said, “everything” was dependent on such an announcement, including security assistance. He said that President Trump wanted President Zelenskyy “in a public box” by making a public statement about ordering such investigations.

In the same September 1 call, I told Ambassador Sondland that President Trump should have more respect for another head of state and that what he described was not in the interest of either President Trump or President Zelenskyy. At that point I asked Ambassador Sondland to push back on President Trump’s demand. Ambassador Sondland pledged to

try. I suggested the possibility that the Ukrainian Prosecutor General, rather than President Zelenskyy, would make a statement about investigations, potentially in coordination with Attorney General Barr's probe into the investigation of interference in the 2016 elections.

The next day, September 2, Mr. Morrison called to inform me that Mr. Danyliuk had asked him to come to his hotel in Warsaw. Mr. Danyliuk expressed President Zelenskyy's concern about the possible loss of U.S. support for Ukraine. In particular, Mr. Morrison relayed to me that the inability of any U.S. officials to respond to the Ukrainians' explicit questions about security assistance was troubling them. I was experiencing the same tension in my dealings with the Ukrainians, including during a meeting I had had with the Ukrainian Defense Minister that day.

On September 5, I accompanied Senators Johnson and Murphy during their visit to Kyiv. When we met with President Zelenskyy, his first question to the senators was about the withheld security assistance. My recollection of the meeting is that both senators stressed that bipartisan support for Ukraine in Washington was Ukraine's most important strategic asset and that President Zelenskyy should not jeopardize that bipartisan support by getting drawn into U.S. domestic politics.

I had been making (and continue to make) this point to all of my official Ukrainian contacts. But the odd push to make President Zelenskyy publicly commit to investigations of Burisma and alleged interference in the 2016 election showed how the official foreign policy of the United States was undercut by the irregular efforts led by Mr. Giuliani.

Two days later, on September 7, I had a conversation with Mr. Morrison in which he described a phone conversation earlier that day between Ambassador Sondland and President Trump. Mr. Morrison said that he had a "sinking feeling" after learning about this conversation from Ambassador Sondland. According to Mr. Morrison, President Trump told Ambassador Sondland that he was not asking for a "quid pro quo."

But President Trump did insist that President Zelenskyy go to a microphone and say he is opening investigations of “Biden and 2016 election interference,” and that President Zelenskyy should want to do this himself. Mr. Morrison said that he told Ambassador Bolton and the NSC lawyers of this phone call between President Trump and Ambassador Sondland.

The following day, on September 8, Ambassador Sondland and I spoke on the phone. He confirmed that he had talked to President Trump as I had suggested a week earlier, but that President Trump was adamant that President Zelenskyy, himself, had to “clear things up and do it in public.” President Trump said it was not a “quid pro quo.” I believe this was the same conversation between Ambassador Sondland and President Trump that Mr. Morrison had described to me on September 7.

Ambassador Sondland also said that he had talked to President Zelenskyy and Mr. Yermak and had told them that, although this was not a quid pro quo, if President Zelenskyy did not “clear things up” in public, we would be at a “stalemate.” I understood a “stalemate” to mean that Ukraine would not receive the much-needed military assistance. Ambassador Sondland said that this conversation concluded with President Zelenskyy agreeing to make a public statement in an interview on CNN.

Shortly after that call with Ambassador Sondland, I expressed my strong reservations in a text message to Ambassador Sondland, stating that my “nightmare is they [the Ukrainians] give the interview and don’t get the security assistance. The Russians love it. (And I quit.)” I was serious.

The next day, September 9, I said to Ambassadors Sondland and Volker that “[t]he message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us.” I also said, “I think it’s crazy to withhold security assistance for help with a political campaign.”

Ambassador Sondland responded about five hours later that I was “incorrect about President Trump’s intentions. The President has been crystal clear no quid pro quo’s of any kind.”

During our call on September 8, Ambassador Sondland tried to explain to me that President Trump is a businessman. When a businessman is about to sign a check to someone who owes him something, the businessman asks that person to pay up before signing the check. Ambassador Volker used the same language several days later while we were together at the Yalta European Strategy Conference. I argued to both that the explanation made no sense: the Ukrainians did not “owe” President Trump anything, and holding up security assistance for domestic political gain was “crazy,” as I had said in my text message to Ambassadors Sondland and Volker on September 9.

Finally, on September 11, I learned that the hold had been lifted and that the security assistance would be provided. I was not told the reason why the hold had been lifted.

The next day, I personally conveyed the news to President Zelenskyy and the Ukrainian Foreign Minister. And I again reminded Mr. Yermak of the high strategic value of bipartisan support for Ukraine and the importance of not getting involved in other countries’ elections. My fear at the time was that since Ambassador Sondland had told me President Zelenskyy already agreed to do a CNN interview, President Zelenskyy would make a statement regarding “investigations” that would have played into domestic U.S. politics.

I sought to confirm through Mr. Danyliuk that President Zelenskyy was not planning to give such an interview to the media. While Mr. Danyliuk initially confirmed that on September 12, I noticed during a meeting on the morning of September 13 at President Zelenskyy’s office that Mr. Yermak looked uncomfortable in response to the question. Again, I asked Mr. Danyliuk to confirm that there would be no CNN interview, which he did.

On September 25 at the UN General Assembly session in New York City, President Trump met President Zelenskyy face-to-face. He also released the transcript of the July 25 call. (The United States gave the Ukrainians virtually no notice of the release, and they were livid.) Although this was the first time I had seen the details of President Trump's July 25 call with President Zelenskyy, in which he mentioned Vice President Biden, I had come to understand well before then that "investigations" was a term that Ambassadors Volker and Sondland used to mean matters related to the 2016 elections, and to investigations of Burisma and the Bidens.

Last Friday, a member of my staff told me of events that occurred on July 26. While Ambassador Volker and I visited the front, this member of my staff accompanied Ambassador Sondland. Ambassador Sondland met with Mr. Yermak.

Following that meeting, in the presence of my staff at a restaurant, Ambassador Sondland called President Trump and told him of his meetings in Kyiv. The member of my staff could hear President Trump on the phone, asking Ambassador Sondland about "the investigations." Ambassador Sondland told President Trump that the Ukrainians were ready to move forward.

Following the call with President Trump, the member of my staff asked Ambassador Sondland what President Trump thought about Ukraine. Ambassador Sondland responded that President Trump cares more about the investigations of Biden, which Giuliani was pressing for. At the time I gave my deposition on October 22, I was not aware of this information. I am including it here for completeness. As the Committee knows, I reported this information through counsel to the State Department's Legal Adviser, as well as to counsel for both the Majority and the Minority on the Committee. It is my understanding that the Committee is following up on this matter.

\* \* \* \* \*

I recognize that this is a rather lengthy recitation of the events of the past few months told from my vantage point in Kyiv. But I also recognize the importance of the matters your committee is investigating, and I hope that this chronology will provide some framework for your questions. As I mentioned in my October 22 deposition, the information and quotes in my testimony are based on my best recollection as well as a review of my personal notes.

Let me return to the points I made at the outset. Ukraine is important to the security of the United States. The largest country in Europe by land mass, Ukraine is a young democracy, struggling to join Europe and ally itself with the United States. It has been violently attacked by Russia, which continues its armed aggression against Ukraine to this day. If we believe in the principle of the sovereignty of nations on which our security and the security of our friends and allies depends, if we believe that nations get to decide on their own economic, political, and security alliances, we must support Ukraine in its fight against its bullying neighbor. Russian aggression cannot stand.

Republican and Democratic administrations over three decades have been generous with assistance funding, both civilian and military, and political support. With overwhelming bipartisan majorities, Congress has imposed harsh sanctions on Russia for invading and occupying Ukraine.

Mr. Chairman, there are two Ukraine stories today. The first is the one we are discussing this morning and that you have been hearing for the past two weeks. It is a rancorous story about whistleblowers, Mr. Giuliani, side channels, quid pro quos, corruption, and interference in elections. In this story Ukraine is merely an object.

But there is another Ukraine story—a positive, bipartisan one. In this second story, Ukraine is the subject. This one is about young people in a

young nation, struggling to break free of its past, hopeful that their new government will finally usher in a new Ukraine, proud of its independence from Russia, eager to join Western institutions and enjoy a more secure and prosperous life. This story describes a nation developing an inclusive, democratic nationalism, not unlike what we in America, in our best moments, feel about our diverse country—less concerned about what language we speak, what religion if any we practice, where our parents and grandparents came from; more concerned about building a new country.

And I am now glad to answer your questions.

**Opening Statement Before the House Permanent Select Committee on Intelligence**

George P. Kent  
Deputy Assistant Secretary, Bureau of European and Eurasian Affairs  
U.S. Department of State

November 13, 2019

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.

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Declassified by order of the President

September 24, 2019

~~EYES ONLY~~~~DO NOT COPY~~

## MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: ~~(C)~~ Telephone Conversation with President  
Zelenskyy of Ukraine

PARTICIPANTS: President Zelenskyy of Ukraine

Notetakers: The White House Situation Room

DATE, TIME July 25, 2019, 9:03 - 9:33 a.m. EDT

AND PLACE: Residence

~~(S//NF)~~ The President: Congratulations on a great victory. We all watched from the United States and you did a terrific job. The way you came from behind, somebody who wasn't given much of a chance, and you ended up winning easily. It's a fantastic achievement. Congratulations.

~~(S//NF)~~ President Zelenskyy: You are absolutely right Mr. President. We did win big and we worked hard for this. We worked a lot but I would like to confess to you that I had an opportunity to learn from you. We used quite a few of your skills and knowledge and were able to use it as an example for our elections and yes it is true that these were unique elections. We were in a unique situation that we were able to

CAUTION: A Memorandum of a Telephone Conversation (TELCOM) is not a verbatim transcript of a discussion. The text in this document records the notes and recollections of Situation Room Duty Officers and NSC policy staff assigned to listen and memorialize the conversation in written form as the conversation takes place. A number of factors can affect the accuracy of the record, including poor telecommunications connections and variations in accent and/or interpretation. The word "inaudible" is used to indicate portions of a conversation that the notetaker was unable to hear.

Classified By: 2354726  
Derived From: NSC SCG  
Declassify On: 20441231

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~~(S//NF)~~ The President: I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike... I guess you have one of your wealthy people... The server, they say Ukraine has it. There are a lot of things that went on, the whole situation. I think you're surrounding yourself with some of the same people. I would like to have the Attorney General call you or your people and I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you can do, it's very important that you do it if that's possible.

~~(S//NF)~~ President Zelenskyy: Yes it is very important for me and everything that you just mentioned earlier. For me as a President, it is very important and we are open for any future cooperation. We are ready to open a new page on cooperation in relations between the United States and Ukraine. For that purpose, I just recalled our ambassador from United States and he will be replaced by a very competent and very experienced ambassador who will work hard on making sure that our two nations are getting closer. I would also like and hope to see him having your trust and your confidence and have personal relations with you so we can cooperate even more so. I will personally tell you that one of my assistants spoke with Mr. Giuliani just recently and we are hoping very much that Mr. Giuliani will be able to travel to Ukraine and we will meet once he comes to Ukraine. I just wanted to assure you once again that you have nobody but friends around us. I will make sure that I surround myself with the best and most experienced people. I also wanted to tell you that we are friends. We are great friends and you Mr. President have friends in our country so we can continue our strategic partnership. I also plan to surround myself with great people and in addition to that investigation, I guarantee as the President of Ukraine that all the investigations will be done openly and candidly. That I can assure you.

~~(S//NF)~~ The President: Good because I heard you had a prosecutor who was very good and he was shut down and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved. Mr. Giuliani is a highly respected man. He was the mayor of New York City, a great mayor, and I would like him to

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Tower. I will talk to them and I hope to see them again in the future. I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. On the other hand, I also want to ensure you that we will be very serious about the case and will work on the investigation. As to the economy, there is much potential for our two countries and one of the issues that is very important for Ukraine is energy independence. I believe we can be very successful and cooperating on energy independence with United States. We are already working on cooperation. We are buying American oil but I am very hopeful for a future meeting. We will have more time and more opportunities to discuss these opportunities and get to know each other better. I would like to thank you very much for your support

~~(S//NF)~~ The President: Good. Well, thank you very much and I appreciate that. I will tell Rudy and Attorney General Barr to call. Thank you. Whenever you would like to come to the White House, feel free to call. Give us a date and we'll work that out. I look forward to seeing you.

~~(S//NF)~~ President Zelenskyy: Thank you very much. I would be very happy to come and would be happy to meet with you personally and get to know you better. I am looking forward to our meeting and I also would like to invite you to visit Ukraine and come to the city of Kyiv which is a beautiful city. We have a beautiful country which would welcome you. On the other hand, I believe that on September 1 we will be in Poland and we can meet in Poland hopefully. After that, it might be a very good idea for you to travel to Ukraine. We can either take my plane and go to Ukraine or we can take your plane, which is probably much better than mine.

~~(S//NF)~~ The President: Okay, we can work that out. I look forward to seeing you in Washington and maybe in Poland because I think we are going to be there at that time.

~~(S//NF)~~ President Zelenskyy: Thank you very much Mr. President.

~~(S//NF)~~ The President: Congratulations on a fantastic job you've done. The whole world was watching. I'm not sure it was so much of an upset but congratulations.

~~(S//NF)~~ President Zelenskyy: Thank you Mr. President bye-bye.

-- End of Conversation --

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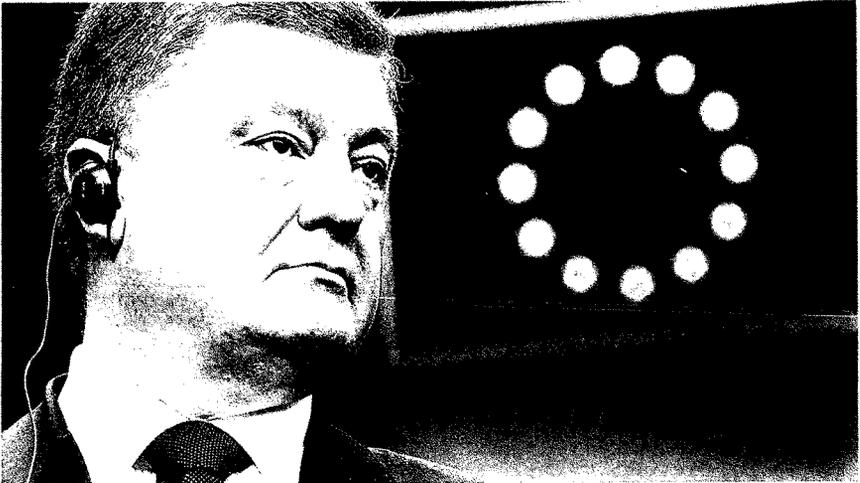


PRESIDENTIAL TRANSITION

## Ukrainian efforts to sabotage Trump backfire

Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton.

By KENNETH P. VOGEL and DAVID STERN | 01/11/2017 05:05 AM EST



President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the American presidential race. | Getty

Donald Trump wasn't the only presidential candidate whose campaign was boosted by officials of a former Soviet bloc country.

Ukrainian government officials tried to help Hillary Clinton and undermine Trump by publicly questioning his fitness for office. They also disseminated documents implicating a

Russia's meddling has sparked outrage from the American body politic. The U.S. intelligence community undertook the rare move of publicizing its findings on the matter, and President Barack Obama took several steps to officially retaliate, while members of Congress continue pushing for more investigations into the hacking and a harder line against Russia, which was already viewed in Washington as America's leading foreign adversary.

Ukraine, on the other hand, has traditionally enjoyed strong relations with U.S. administrations. Its officials worry that could change under Trump, whose team has privately expressed sentiments ranging from ambivalence to deep skepticism about Poroshenko's regime, while sounding unusually friendly notes about Putin's regime.

Poroshenko is scrambling to alter that dynamic, recently signing a \$50,000-a-month contract with a well-connected GOP-linked Washington lobbying firm to set up meetings with U.S. government officials "to strengthen U.S.-Ukrainian relations."

Revelations about Ukraine's anti-Trump efforts could further set back those efforts.

"Things seem to be going from bad to worse for Ukraine," said David A. Merkel, a senior fellow at the Atlantic Council who helped oversee U.S. relations with Russia and Ukraine while working in George W. Bush's State Department and National Security Council.

Merkel, who has served as an election observer in Ukrainian presidential elections dating back to 1993, noted there's some irony in Ukraine and Russia taking opposite sides in the 2016 presidential race, given that past Ukrainian elections were widely viewed in Washington's foreign policy community as proxy wars between the U.S. and Russia.

"Now, it seems that a U.S. election may have been seen as a surrogate battle by those in Kiev and Moscow," Merkel said.

...

The Ukrainian antipathy for Trump's team — and alignment with Clinton's — can be traced back to late 2013. That's when the country's president, Viktor Yanukovich, whom Manafort had been advising, abruptly backed out of a European Union pact linked to anti-corruption reforms. Instead, Yanukovich entered into a multibillion-dollar bailout agreement with Russia, sparking protests across Ukraine and prompting Yanukovich to flee the country to Russia under Putin's protection.

Embassy. According to someone briefed on the meeting, Chaly said that Manafort was very much on his radar, but that he wasn't particularly concerned about the operative's ties to Trump since he didn't believe Trump stood much of a chance of winning the GOP nomination, let alone the presidency.

That was not an uncommon view at the time, and, perhaps as a result, Trump's ties to Russia — let alone Manafort's — were not the subject of much attention. That all started to change just four days after Chalupa's meeting at the embassy, when it was reported that Trump had in fact hired Manafort, suggesting that Chalupa may have been on to something. She quickly found herself in high demand. The day after Manafort's hiring was revealed, she briefed the DNC's communications staff on Manafort, Trump and their ties to Russia, according to an operative familiar with the situation.

A former DNC staffer described the exchange as an "informal conversation," saying "briefing' makes it sound way too formal," and adding, "We were not directing or driving her work on this." Yet, the former DNC staffer and the operative familiar with the situation agreed that with the DNC's encouragement, Chalupa asked embassy staff to try to arrange an interview in which Poroshenko might discuss Manafort's ties to Yanukovich.

While the embassy declined that request, officials there became "helpful" in Chalupa's efforts, she said, explaining that she traded information and leads with them. "If I asked a question, they would provide guidance, or if there was someone I needed to follow up with." But she stressed, "There were no documents given, nothing like that."

Chalupa said the embassy also worked directly with reporters researching Trump, Manafort and Russia to point them in the right directions. She added, though, "they were being very protective and not speaking to the press as much as they should have. I think they were being careful because their situation was that they had to be very, very careful because they could not pick sides. It's a political issue, and they didn't want to get involved politically because they couldn't."

Shulyar vehemently denied working with reporters or with Chalupa on anything related to Trump or Manafort, explaining "we were stormed by many reporters to comment on this subject, but our clear and adamant position was not to give any comment [and] not to interfere into the campaign affairs."

Both Shulyar and Chalupa said the purpose of their initial meeting was to organize a June reception at the embassy to promote Ukraine. According to the embassy's website, the event highlighted female Ukrainian leaders, featuring speeches by Ukrainian

Almost as quickly as Chalupa's efforts attracted the attention of the Ukrainian Embassy and Democrats, she also found herself the subject of some unwanted attention from overseas.

Within a few weeks of her initial meeting at the embassy with Shulyar and Chaly, Chalupa on April 20 received the first of what became a series of messages from the administrators of her private Yahoo email account, warning her that "state-sponsored actors" were trying to hack into her emails.

She kept up her crusade, appearing on a panel a week after the initial hacking message to discuss her research on Manafort with a group of Ukrainian investigative journalists gathered at the Library of Congress for a program sponsored by a U.S. congressional agency called the Open World Leadership Center.

Center spokeswoman Maura Sheldon stressed that her group is nonpartisan and ensures "that our delegations hear from both sides of the aisle, receiving bipartisan information." She said the Ukrainian journalists in subsequent days met with Republican officials in North Carolina and elsewhere. And she said that, before the Library of Congress event, "Open World's program manager for Ukraine did contact Chalupa to advise her that Open World is a nonpartisan agency of the Congress."

Chalupa, though, indicated in an email that was later hacked and released by WikiLeaks that the Open World Leadership Center "put me on the program to speak specifically about Paul Manafort."

## **Republicans pile on Russia for hacking, get details on GOP targets**

By **MARTIN MATISHAK** and **AUSTIN WRIGHT**

In the email, which was sent in early May to then-DNC communications director Luis Miranda, Chalupa noted that she had extended an invitation to the Library of Congress forum to veteran Washington investigative reporter Michael Isikoff. Two days before the event, he had published a story for Yahoo News revealing the unraveling of a \$26 million deal between Manafort and a Russian oligarch related to a telecommunications venture in Ukraine. And Chalupa wrote in the email she'd been "working with for the past few weeks" with Isikoff "and connected him to the Ukrainians" at the event.

Isikoff, who accompanied Chalupa to a reception at the Ukrainian Embassy immediately after the Library of Congress event, declined to comment.

interior was ransacked, with papers and the garage openers scattered throughout the cars. Nothing was taken from the vehicles.”

Then, early in the morning on another day, a woman “wearing white flowers in her hair” tried to break into her family’s home at 1:30 a.m., Chalupa said. Shulyar told Chalupa that the mysterious incident bore some of the hallmarks of intimidation campaigns used against foreigners in Russia, according to Chalupa.

“This is something that they do to U.S. diplomats, they do it to Ukrainians. Like, this is how they operate. They break into people’s homes. They harass people. They’re theatrical about it,” Chalupa said. “They must have seen when I was writing to the DNC staff, outlining who Manafort was, pulling articles, saying why it was significant, and painting the bigger picture.”

In a Yahoo News story naming Chalupa as one of 16 “ordinary people” who “shaped the 2016 election,” Isikoff wrote that after Chalupa left the DNC, FBI agents investigating the hacking questioned her and examined her laptop and smartphone.

Chalupa this month told Politico that, as her research and role in the election started becoming more public, she began receiving death threats, along with continued alerts of state-sponsored hacking. But she said, “None of this has scared me off.”

...

While it’s not uncommon for outside operatives to serve as intermediaries between governments and reporters, one of the more damaging Russia-related stories for the Trump campaign — and certainly for Manafort — can be traced more directly to the Ukrainian government.

Documents released by an independent Ukrainian government agency — and publicized by a parliamentarian — appeared to show \$12.7 million in cash payments that were earmarked for Manafort by the Russia-aligned party of the deposed former president, Yanukovich.

The New York Times, in the August story revealing the ledgers’ existence, reported that the payments earmarked for Manafort were “a focus” of an investigation by Ukrainian anti-corruption officials, while CNN reported days later that the FBI was pursuing an overlapping inquiry.

A former Ukrainian investigative journalist and current parliamentarian named Serhiy Leshchenko, who was elected in 2014 as part of Poroshenko's party, held a news conference to highlight the ledgers, and to urge Ukrainian and American law enforcement to aggressively investigate Manafort.

"I believe and understand the basis of these payments are totally against the law — we have the proof from these books," Leshchenko said during the news conference, which attracted international media coverage. "If Mr. Manafort denies any allegations, I think he has to be interrogated into this case and prove his position that he was not involved in any misconduct on the territory of Ukraine," Leshchenko added.

Manafort denied receiving any off-books cash from Yanukovich's Party of Regions, and said that he had never been contacted about the ledger by Ukrainian or American investigators, later telling POLITICO "I was just caught in the crossfire."

According to a series of memos reportedly compiled for Trump's opponents by a former British intelligence agent, Yanukovich, in a secret meeting with Putin on the day after the *Times* published its report, admitted that he had authorized "substantial kickback payments to Manafort." But according to the report, which was published Tuesday by BuzzFeed but remains unverified, Yanukovich assured Putin "that there was no documentary trail left behind which could provide clear evidence of this" — an alleged statement that seemed to implicitly question the authenticity of the ledger.

2016

### **Inside the fall of Paul Manafort**

By KENNETH P. VOGEL and MARC CAPUTO

The scrutiny around the ledgers — combined with that from other stories about his Ukraine work — proved too much, and he stepped down from the Trump campaign less than a week after the *Times* story.

At the time, Leshchenko suggested that his motivation was partly to undermine Trump. "For me, it was important to show not only the corruption aspect, but that he is [a] pro-Russian candidate who can break the geopolitical balance in the world," Leshchenko told the *Financial Times* about two weeks after his news conference. The newspaper noted that Trump's candidacy had spurred "Kiev's wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election," and the story quoted Leshchenko asserting that the majority of Ukraine's politicians are "on Hillary Clinton's side."

Valentyn Nalyvaichenko, a Ukrainian former diplomat who served as the country's head of security under Poroshenko but is now affiliated with a leading opponent of Poroshenko, said it was fishy that "only one part of the black ledger appeared." He asked, "Where is the handwriting analysis?" and said it was "crazy" to announce an investigation based on the ledgers. He met last month in Washington with Trump allies, and said, "of course they all recognize that our [anti-corruption bureau] intervened in the presidential campaign."

And in an interview this week, Manafort, who re-emerged as an informal advisor to Trump after Election Day, suggested that the ledgers were inauthentic and called their publication "a politically motivated false attack on me. My role as a paid consultant was public. There was nothing off the books, but the way that this was presented tried to make it look shady."

He added that he felt particularly wronged by efforts to cast his work in Ukraine as pro-Russian, arguing "all my efforts were focused on helping Ukraine move into Europe and the West." He specifically cited his work on denuclearizing the country and on the European Union trade and political pact that Yanukovich spurned before fleeing to Russia. "In no case was I ever involved in anything that would be contrary to U.S. interests," Manafort said.

Yet Russia seemed to come to the defense of Manafort and Trump last month, when a spokeswoman for Russia's Foreign Ministry charged that the Ukrainian government used the ledgers as a political weapon.

"Ukraine seriously complicated the work of Trump's election campaign headquarters by planting information according to which Paul Manafort, Trump's campaign chairman, allegedly accepted money from Ukrainian oligarchs," Maria Zakharova said at a news briefing, according to a transcript of her remarks posted on the Foreign Ministry's website. "All of you have heard this remarkable story," she told assembled reporters.

...

Beyond any efforts to sabotage Trump, Ukrainian officials didn't exactly extend a hand of friendship to the GOP nominee during the campaign.

The ambassador, Chaly, penned an op-ed for The Hill, in which he chastised Trump for a confusing series of statements in which the GOP candidate at one point expressed a willingness to consider recognizing Russia's annexation of the Ukrainian territory of Crimea as legitimate. The op-ed made some in the embassy uneasy, sources said.

Andriy Artemenko, a Ukrainian parliamentarian associated with a conservative opposition party, did meet with Trump's team during the campaign and said he personally offered to set up similar meetings for Chaly but was rebuffed.

"It was clear that they were supporting Hillary Clinton's candidacy," Artemenko said. "They did everything from organizing meetings with the Clinton team, to publicly supporting her, to criticizing Trump. ... I think that they simply didn't meet because they thought that Hillary would win."

Shulyar rejected the characterizations that the embassy had a ban on interacting with Trump, instead explaining that it "had different diplomats assigned for dealing with different teams tailoring the content and messaging. So it was not an instruction to abstain from the engagement but rather an internal discipline for diplomats not to get involved into a field she or he was not assigned to, but where another colleague was involved."

And she pointed out that Chaly traveled to the GOP convention in Cleveland in late July and met with members of Trump's foreign policy team "to highlight the importance of Ukraine and the support of it by the U.S."

Despite the outreach, Trump's campaign in Cleveland gutted a proposed amendment to the Republican Party platform that called for the U.S. to provide "lethal defensive weapons" for Ukraine to defend itself against Russian incursion, backers of the measure charged.

The outreach ramped up after Trump's victory. Shulyar pointed out that Poroshenko was among the first foreign leaders to call to congratulate Trump. And she said that, since Election Day, Chaly has met with close Trump allies, including Sens. Jeff Sessions, Trump's nominee for attorney general, and Bob Corker, the chairman of the Senate Foreign Relations Committee, while the ambassador accompanied Ivanna Klympush-Tsintsadze, Ukraine's vice prime minister for European and Euro-Atlantic integration, to a round of Washington meetings with Rep. Tom Marino (R-Pa.), an early Trump backer, and Jim DeMint, president of The Heritage Foundation, which played a prominent role in Trump's transition.

...

Many Ukrainian officials and operatives and their American allies see Trump's inauguration this month as an existential threat to the country, made worse, they admit, by the dissemination of the secret ledger, the antagonistic social media posts and the perception that the embassy meddled against — or at least shut out — Trump.

is being blamed by critics in Kiev and Washington for implementing — if not engineering — the country’s anti-Trump efforts, according to Ukrainian and U.S. politicians and operatives interviewed for this story. They say that several potential Poroshenko opponents have been through Washington since the election seeking audiences of their own with Trump allies, though most have failed to do so.

“None of the Ukrainians have any access to Trump — they are all desperate to get it, and are willing to pay big for it,” said one American consultant whose company recently met in Washington with Yuriy Boyko, a former vice prime minister under Yanukovich. Boyko, who like Yanukovich has a pro-Russian worldview, is considering a presidential campaign of his own, and his representatives offered “to pay a shit-ton of money” to get access to Trump and his inaugural events, according to the consultant.

The consultant turned down the work, explaining, “It sounded shady, and we don’t want to get in the middle of that kind of stuff.”

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## OP-ED CONTRIBUTORS

# Investing in Ukraine's Future

By John E. Herbst, Steven Pifer and William B. Taylor Jr.

Dec. 29, 2015

Just over a year ago, President Obama signed into law the Ukraine Freedom Support Act, which provided congressional backing to sanctions on Russia following the Kremlin's illegal annexation of Crimea and invasion of eastern Ukraine. Since then, sanctions have hurt Russia's economy and prevented individuals in President Vladimir V. Putin's inner circle from traveling to the West. The Obama administration should be commended for sustaining a successful sanctions regime.

But Washington must do more than just punish Russia. It must bolster Ukrainians as they struggle to build a new, reform-minded government while continuing to fight to maintain their country's territorial integrity.

As winter sets in, the continuing war in Ukraine's east has devolved into an economic siege as Russia leverages gas supplies, coal shipments and debt repayment to attempt to extract concessions from a Ukrainian government that is still battling Russian proxies violating the Minsk II cease-fire. With Ukraine's economic output having shrunk by a quarter, the currency sharply devalued and a population fearful of an uncertain future, Ukraine is teetering on the brink.

Appropriately funding efforts to improve Ukraine's stability is a down payment on Europe's collective security. Russia's land grab in Crimea violates the very security architecture — including the Helsinki Final Act responsible for establishing the inviolability of Europe's national borders — that has kept Europe secure since World War II. But the durability of this system depends on the West's willingness to defend it. Failing to do so signals to both adversaries and allies that agreements among nations simply do not matter.

Support for Ukraine's democratic aspirations in the face of Russian aggression is one of the few areas where both Democrats and Republicans agree. But the gap between rhetoric and resources pledged is shockingly wide. Next year, Ukraine can expect approximately \$3 billion to \$4 billion in conditional support from the United States and the European Union, combined. This sum is insufficient. Lawrence Summers, the former United States Treasury

11/12/2019

Opinion | Investing in Ukraine's Future - The New York Times

also pushing the Ukrainian government to reform. A global order based on rule of law is at stake. Defending it cannot be done on the cheap. For the West, a Ukraine impoverished by Kremlin aggression will be far more costly.

*John E. Herbst, director of the Dinu Patriciu Eurasia Center at the Atlantic Council, was American ambassador to Ukraine from 2003-6. Steven Pifer, a senior fellow at the Brookings Institution, was ambassador to Ukraine from 1998-2000. William B. Taylor, Jr., executive vice president at the United States Institute of Peace, was ambassador to Ukraine from 2006-9.*

From: John Bennett <[johnbennett@cqrollcall.com](mailto:johnbennett@cqrollcall.com)>

Date: October 17, 2019 at 4:52:10 PM CDT

Subject: In-town pool report #5 - NEWS: Mulvaney statement

White House's Judd Deere passes along the following:

STATEMENT FROM CHIEF OF STAFF MICK MULVANEY

Once again, the media has decided to misconstrue my comments to advance a biased and political witch hunt against President Trump. Let me be clear: there was absolutely no quid pro quo between Ukrainian military aid and any investigation into the 2016 election. The president never told me to hold any money until the Ukrainians did anything related to the server. The only reasons we were holding the money was because of concern over a lack of support from other nations and concerns over corruption. Multiple times during the more-than 30 minute briefing where I took over 25 questions, I referred to President Trump's interest in rooting out corruption in Ukraine, and ensuring taxpayer dollars are spent responsibly and appropriately. There was never any connection between the funds and the Ukrainians doing anything with the server - this was made explicitly obvious. It is a fact that the aid money was delivered without any action on the part of the Ukrainians regarding the server.

"There was never any condition on the flow of the aid related to the matter of the DNC server."

John T. Bennett

Senior White House Correspondent

Senior Editor | A FiscalNote publication

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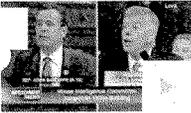


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