

116TH CONGRESS }  
2d Session }

SENATE

{ S. Doc.  
116-18 }

**PROCEEDINGS OF THE  
UNITED STATES SENATE**

IN THE

**IMPEACHMENT TRIAL OF  
PRESIDENT DONALD JOHN TRUMP**

**VOLUME III: VISUAL AIDS FROM THE  
TRIAL**



VOLUME III OF IV

JANUARY 31, 2020.—Ordered to be printed

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UNANIMOUS CONSENT AGREEMENTS RELATED TO  
PRINTING

*In the Senate of the United States*

*January 31, 2020*

Mr. McCONNELL. Mr. Chief Justice, I ask unanimous consent that the Secretary be authorized to include statements of Senators explaining their votes, either given or submitted during the legislative sessions of the Senate on Monday, February 3; Tuesday, February 4; and Wednesday, February 5; along with the full record of the Senate's proceedings and the filings by the parties in a Senate document printed under the supervision of the Secretary of the Senate that will complete the documentation of the Senate's handling of these impeachment proceedings.

The CHIEF JUSTICE. Without objection, it is so ordered.  
[166 Cong. Rec. S769 (daily ed. Jan. 31, 2020)]

*February 3, 2020*

Mr. McCONNELL. Mr. President, I ask unanimous consent to modify the order of January 31 to allow the Senators to have until Wednesday, February 26, 2020—that would be the Wednesday after we come back—to have printed statements and opinions in the CONGRESSIONAL RECORD, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; finally, I ask that the two-page rule be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.  
[166 Cong. Rec. S805 (daily ed. Feb. 3, 2020)]

*February 25, 2020*

Mr. McCONNELL. Madam President, I ask unanimous consent to modify the order of January 31 to allow Senators to have until Thursday, February 27, 2020, to have printed statements and opinions in the CONGRESSIONAL RECORD, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; finally, I ask that the two-page rule be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.  
[166 Cong. Rec. S1160 (daily ed. Feb. 25, 2020)]

## FOREWORD

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By unanimous consent, the United States Senate has directed the creation of this publication, Senate Document 116–18, which contains, in four volumes, the official record of the Senate proceedings in the impeachment trial of President Donald John Trump in the 116th Congress. The purpose of these volumes is to preserve for future reference the formal record of the third presidential impeachment trial in the nation’s history. Together with the 18 volumes contained in Senate Document 116–13, which includes all publicly available material submitted to the Senate by the House of Representatives as their evidentiary record, these volumes represent the complete official record of the impeachment actions against President Trump in the 116th Congress.

The volumes are:

Volume I: Preliminary Proceedings

Volume II: Floor Trial Proceedings

Volume III: Visual Aids From the Trial

Volume IV: Statements of Senators

More than 20 years after the last presidential impeachment trial in the Senate, technology was a major difference in the conduct of these proceedings and how the record was presented. Audio and video recordings, as well as visual aids (slides) were used by both the House managers and counsel for the President throughout the course of their arguments. In Volume I and Volume II of this Document, the text of what was heard on audio and video proceedings is included in the record. However, visual aids are not reproduced in the *Congressional Record*; therefore references have been inserted in this record where such aids were used by the speaker. Those references indicate a slide number and each such slide can be found in Volume III.

### VOLUME I: PRELIMINARY PROCEEDINGS

Volume I contains all preliminary impeachment proceedings prior to opening presentations by the House managers and counsel for the President and commencement of the evidentiary portion of the trial.

On December 18, 2019, the House of Representatives adopted two articles of impeachment against President Trump (House Resolution 755, 116th Congress). A subsequent resolution, adopted on January 15, 2020, appointed managers on the part of the House of Representatives (House Resolution 798, 116th Congress).

On January 15, 2020, Majority Leader Mitch McConnell and Democratic Leader Charles E. Schumer addressed the Senate on the issue of impeachment. Following recognition of Senate leaders, the Clerk of the House informed the Senate in open session that

the House of Representatives had passed House Resolution 798, authorizing and appointing managers for the impeachment trial of President Trump. Subsequently, the Senate unanimously agreed to receive the managers, request the attendance of the Chief Justice of the United States, appoint an escort committee for the Chief Justice, and provide necessary access to the Senate Chamber. The Senate notified the House of Representatives that it was ready to receive the managers and begin the trial.

On January 16, 2020, Majority Leader McConnell and Democratic Leader Schumer addressed the Senate on the issue of impeachment. At 12:00 noon on January 16, the managers on the part of the House of Representatives appeared at the bar of the Senate to exhibit the articles of impeachment, set forth in House Resolution 755. Following exhibition of the articles of impeachment, the president pro tempore of the Senate, by unanimous consent, was authorized to appoint a committee consisting of four senators to escort the Chief Justice of the United States to the Senate Chamber. On January 16, the president pro tempore of the Senate appointed Senators Roy Blunt, Patrick Leahy, Lindsey Graham, and Dianne Feinstein to serve as the escort committee.

At 2:00 p.m. on January 16, the Chief Justice, as presiding officer of the presidential impeachment trial, took the prescribed oath and then administered the oath to all senators present. With the Chief Justice presiding, the Senate unanimously agreed that a summons be issued to President Trump, that his answer to the articles of impeachment be filed with the Secretary of the Senate by 6:00 p.m. on January 18, 2020, and that the House of Representatives file its replication to the President's answer with the Secretary by 12:00 noon on January 20, 2020. The Senate also agreed that trial briefs, if desired, should be filed by the House of Representatives with the Secretary by 5:00 p.m. on January 18 and by the President by 12:00 noon on January 20, and any rebuttal brief may be filed by the House by 12:00 noon on January 21, 2020. These agreements also authorized the Secretary to print all of these preliminary matters as a Senate document to be made available to all parties. These documents were published within 24 hours of their filing as Senate Document 116–12, and are also reprinted in this Document in Volume I, both in their original form and as they were published in the *Congressional Record* on January 21, 2020.

On January 21, Majority Leader McConnell and Democratic Leader Schumer again addressed the Senate on the issue of impeachment. After one remaining Senator was sworn in to the impeachment proceedings and additional preliminary matters were addressed, Leader McConnell introduced Senate Resolution 483 (116th Congress) to set forth procedures for consideration of the articles of impeachment against President Trump. Counsel for the President and then the House managers were each given up to one hour to debate the Resolution, presenting the first arguments by each side in these proceedings. After initial debate on the Resolution, Democratic Leader Schumer proposed Amendment Number 1284 to subpoena certain White House documents and records. After up to two more hours divided by the parties, the amendment was tabled (roll call vote number 15). Ten additional amendments

(numbers 1285–1294) were proposed by Democratic Leader Schumer (one on behalf of Senator Van Hollen) dealing with the subpoenaing of documents and records, the calling of witnesses, and the timing of trial proceedings. After further debate on each amendment, each was tabled by a roll call vote. After all amendments had been disposed of, the Senate adopted Resolution 483 by a vote of 53 yeas to 47 nays (roll call vote number 26).

## VOLUME II: FLOOR TRIAL PROCEEDINGS

Volume II reproduces the official record of the Senate floor proceedings in the impeachment trial of President Trump, beginning with opening arguments by House managers and counsel for the President, as ordered under Senate Resolution 483. The managers presented their case on behalf of the House of Representatives on January 22, 23, and 24, 2020. Counsel for the President presented their case on January 25, 27, and 28. On January 29 and 30, senators posed questions to House managers and to counsel for the President.

On January 31, 2020, pursuant to Senate Resolution 483, the Senate considered whether it would be in order to consider and debate under the impeachment rules any motion to subpoena witnesses or documents. The House managers' argument was presented first, followed by counsel for the President. After argument, the Chief Justice put the question to the Senate for its decision, and by a vote of 49 yeas to 51 nays (roll call vote number 27) the Senate determined it would not permit motions to subpoena witnesses or documents. Majority Leader McConnell then introduced Senate Resolution 488, proposing procedures for the remainder of the impeachment trial. Democratic Leader Schumer proposed 4 amendments to the Resolution. No argument was heard on the Resolution or the amendments. Each amendment was tabled (roll call vote numbers 28 through 31), and the Resolution was agreed to by the Senate by a vote of 53 yeas to 47 nays (roll call vote number 32).

No depositions were taken during the Senate proceedings, and no witnesses appeared at the trial. The House managers and counsel for the President presented closing arguments on February 3.

Volume II concludes with the February 5, 2020, vote and judgment of the Senate to acquit President Trump on two articles of impeachment (roll call vote numbers 33 and 34).

## VOLUME III: VISUAL AIDS FROM THE TRIAL

Volume III reproduces the complete set of visual aids used by House managers and counsel for the President during the preliminary and trial proceedings. A notation indicating the use of a visual aid is embedded in the transcript of the proceedings (Volumes I and II) with citation information for items included in Volume III.

## VOLUME IV: STATEMENTS OF SENATORS

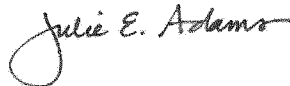
On January 31, 2020, the Senate unanimously agreed to provide each senator an opportunity to place in the *Congressional Record* a statement explaining his or her vote on the articles of impeachment, and to include those statements in the official record of the

Senate's impeachment proceedings. Modified on February 3 and again on February 25, the unanimous consent agreement set a deadline of February 27, 2020, for submission of statements. Those statements are included in Volume IV.

The publication of these volumes, supplemented with Senate Document 116–13, sets forth a complete record of this historic impeachment trial and will provide for a fuller understanding of the way in which the Senate conducted these proceedings.

#### ACKNOWLEDGEMENTS

I want to thank my staff from the Executive Office, Legislative Offices, Office of the Parliamentarian, Office of Printing and Document Services, Senate Historical Office and Senate Library for their work on both the trial and the execution of this Document.

A handwritten signature in dark ink, reading "Julie E. Adams". The signature is fluid and cursive, with a large loop at the beginning of the first name.

JULIE E. ADAMS,  
*Secretary of the Senate.*

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Sen. Alexander .....	2043
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<sup>i</sup> For ease of reference, the documents contained in S. Doc. 116–12, i.e., the pertinent constitutional provisions, the Senate Impeachment Rules, the Articles of Impeachment, the Answer of President Trump, and the Replication of the House of Representatives, are reprinted in this publication.

<sup>ii</sup> Slide images are only printed in Volume III. CONGRESSIONAL RECORD pages have been listed for ease of reference.



SLIDES 1–142

[166 CONG. REC. S380–426 (DAILY ED. JAN. 21, 2020)]

**SLIDE 1.** S. Doc. 116–18 Vol. I, Pg. 612; 166 Cong. Rec. S380

**THE SENATE SHOULD CONDUCT A FAIR TRIAL**

**Resolution prohibits subpoenas now, which is counter to:**

- ▶ **Fundamental Fairness**
- ▶ **The Senate’s Constitutional Duty to “Try” The Case**
- ▶ **Decades of History and Precedent**
- ▶ **The American People’s Desire for the Truth**

**SLIDE 2.** S. Doc. 116–18 Vol. I, Pg. 614; 166 Cong. Rec. S380

**PRESIDENT TRUMP’S OBSTRUCTION**  
**SEPTEMBER 9, 2019**

12:47 AM

As I said on the phone, I think it’s crazy to withhold security assistance for help with a political campaign.

VOLKER

SONDLAND

TAYLOR

Kurt Volker Document Production, KV00000053 (Oct. 2, 2019)

**SLIDE 3.** S. Doc. 116–18 Vol. I, Pg. 615; 166 Cong. Rec. S381

**PRESIDENT TRUMP'S OBSTRUCTION**

- ▶ 0 Documents In Response To Impeachment Inquiry Requests And Subpoenas
- ▶ White House Withholding Direct Evidence Of Scheme:
  - Text messages
  - WhatsApp messages
  - Notes
  - Memoranda
  - Official Records
  - Calls

**SLIDE 4.** S. Doc. 116–18 Vol. I, Pg. 615/685; 166 Cong. Rec. S381/S407

**PRESIDENT DIRECTED OFFICIALS NOT TO TESTIFY**

 Mick Mulvaney	 Robert B. Blair	 Ambassador John Bolton	 John A. Eisenberg	 Michael Ellis	 Preston Wells Griffith
 Dr. Charles M. Kupperman	 Russell T. Vought	 Michael Duffey	 Brian McCormack	 T. Ulrich Brechbuhl	 Secretary Rick Perry



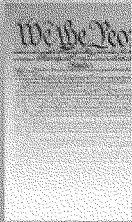
**SLIDE 5.** S. Doc. 116–18 Vol. I, Pg. 616; 166 Cong. Rec. S381

**PRESIDENT TRUMP’S OBSTRUCTION**

- 1** Waiting For Courts Is Irresponsible When Threat Is Imminent
- 2** No Precedent For Allowing a President To Avoid Impeachment By Litigation
- 3** House Compiled Extensive Evidence
- 4** Senate’s Duty To Try – Includes New Evidence

**SLIDE 6.** S. Doc. 116–18 Vol. I, Pg. 616; 166 Cong. Rec. S381

**THE UNITED STATES CONSTITUTION**



**“The Senate shall have the sole Power to try all Impeachments.”**

United States Constitution, Article I, § 2, cl. 5


**SLIDE 7.** S. Doc. 116–18 Vol. I, Pg. 617; 166 Cong. Rec. S381

**IMPORTANCE OF OBTAINING EVIDENCE**

- ▶ **Fundamental Fairness Requires Evidence in Trials**
- ▶ **History & Precedent: New Evidence in All 15 Full Senate Impeachment Trials**
  - 1. Witnesses in Every Trial**
  - 2. Average Witnesses Heard: 33**
  - 3. Hundreds or Thousands of Pages of New Documents**

**SLIDE 8.** S. Doc. 116–18 Vol. I, Pg. 617; 166 Cong. Rec. S382

**HISTORY & PRECEDENT: DOCUMENTS IN SENATE TRIALS**



- ▶ **Judge Claiborne Impeachment Trial**
  - 19 Witnesses
  - Over 2,000 Pages Of New Documents

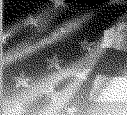
**McConnell: “Labored Intensely For More Than Two Months, *Amassing The Necessary Evidence And Testimony*”**

**SLIDE 9.** S. Doc. 116–18 Vol. I, Pg. 617; 166 Cong. Rec. S382

HISTORY & PRECEDENT SUPPORT NEED FOR WITNESSES		
Senate Trial	# Witnesses in Senate Trial	# New Witnesses
President Johnson (1868)	40	37
Judge Pickering (1804)	11	11
Justice Porteous (2010)	26	17

**SLIDE 10.** S. Doc. 116–18 Vol. I, Pg. 618; 166 Cong. Rec. S382

**THE SENATE’S DUTY TO HEAR  
ALL RELEVANT EVIDENCE**




**Senators have unanimously ordered the arrest of the absent witness to ensure that the Senate “may properly execute the functions imposed upon it.”**

ALLEGRA, Deputy Sergeant at Arms of the United States Senate, is CALIGHERY

**SLIDE 11.** S. Doc. 116–18 Vol. I, Pg. 618/618; 166 Cong. Rec. S382/S382

**THE SENATE'S IMPEACHMENT RULES**

  
UNITED STATES SENATE

- ▶ **Rule 6:** “Senate shall have the power to compel the attendance of witnesses” and “enforce obedience”
- ▶ **Rule 7:** Presiding Officer may “rule on all questions of evidence”
- ▶ **Rule 11:** “to receive evidence and take testimony”
- ▶ **Rule 16:** “questions with respect to admission of evidence”
- ▶ **Rule 17, 18, 19:** questioning witnesses
- ▶ **Rule 25:** swearing in and subpoenaing witnesses

Rules of Procedure and Practice in the Senate when Sitting on Impeachment Trials.

**SLIDE 12.** S. Doc. 116–18 Vol. I, Pg. 619/619; 166 Cong. Rec. S382/S382

**CLINTON PRECEDENT**

- 1 Both Parties Negotiated And Agreed To The Process**
- 2 All Of The Clinton Documents Were Provided Before The Trial**
- 3 All Of The Clinton Witnesses Testified Before Trial**
- 4 This Trial Does Not Require Salacious Testimony**


**SLIDE 13.** S. Doc. 116–18 Vol. I, Pg. 619/620/620; 166 Cong. Rec. S382/S383/S383

**PRESIDENT TRUMP'S ONGOING OBSTRUCTION  
REQUIRES SUBPOENAS NOW**

- President Is Responsible For Witnesses' Failure To Appear Before The House**
- If the President Wishes To Contest the Facts, He Must Not Deny Access to Relevant Witnesses**
- President Must Not Be Allowed To Mislead By Releasing Some Documents But Not Others**
- You May Infer Guilt From His Ongoing Refusal to Obey Subpoenas**

**SLIDE 14.** S. Doc. 116–18 Vol. I, Pg. 620; 166 Cong. Rec. S383

**FAIRNESS REQUIRES VOTING  
AGAINST THE RESOLUTION**



- Constitutional Duty Of Senate To Try Impeachment**
- President Wrongfully Deprived House Of Evidence**
- American People Deserve The Full Truth**

**SLIDE 15.** S. Doc. 116–18 Vol. I, Pg. 632; 166 Cong. Rec. S387

**A FAIR, LEGITIMATE TRIAL**

- 1 Evidence Is Directly Relevant**
- 2 Stop President Trump's Concealment**
- 3 Americans Deserve The Full Truth**
- 4 Fairness Requires A Full Record**

**SLIDE 16.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

- 1 History & Precedent**
- 2 The President's Obstruction**
- 3 Need For White House Documents**
- 4 Need To Subpoena Documents Now**



**SLIDE 17.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**1 History & Precedent**

- ▶ “Senate shall have the sole Power to try all Impeachments”
- ▶ Senate Rules of Procedure and Practice
- ▶ 15 Senate Trials Had New Evidence

U.S. Const. Article I, § 3, cl. 6

**SLIDE 18.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**HISTORY & PRECEDENT**

- ▶ **President Johnson**
  - New Evidence On First Day of Trial
  - New Documents Before Witnesses
  - 40 Witnesses
- ▶ **Judge Pickering**
  - New Evidence Before Opening Statements
  - New Documents Throughout Trial

The White House, Preliminary Memorandum Concerning Referral of Office of Independent Counsel at 13 (Sep. 11, 1998); Clinton Senate Trial Proceedings, Vol. III, at 98

**SLIDE 19.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**HISTORY & PRECEDENT**

- ▶ **Judge Porteous**
  - 7-months pre-trial discovery
  - 6,000 pages of documentary evidence
  - 5 days of evidentiary hearings
  - 26 witnesses
- ▶ **President Clinton**
  - 90,000 pages produced by Clinton To Independent Counsel Before Trial
  - 3 Witnesses At Trial

The White House, Preliminary Memorandum Concerning Referral of Independent Counsel at 13 (Sep. 11, 1998); Clinton Senate Trial Proceedings, Vol. 86, at vi

**SLIDE 20.** S. Doc. 116–18 Vol. I, Pg. 634; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**2 The President's Obstruction**

- ▶ **From The Beginning, President Trump Blocked All Evidence**
- ▶ **"We're Fighting All The Subpoenas"**
- ▶ **"I Have An Article II, Where I Have The Right To Do Whatever I Want"**

Oct. 9 Caution Letter; Jeremy Diamond & Alex Meloy, Trump at war with Democrats: 'We're fighting all the subpoenas', CNN, Apr. 24, 2019; Jeremy Diamond & Alex Meloy, Trump at war with Democrats: 'We're fighting all the subpoenas', CNN, Apr. 24, 2019



**SLIDE 21.** S. Doc. 116–18 Vol. I, Pg. 634; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**2 The President's Obstruction**

- ▶ **Sept: Two voluntary requests**
- ▶ **Oct. 4: Subpoena to White House**
- ▶ **Oct. 8: White House Refuses To Comply**

Press Release, Three House Committees Launch Probe Into Trump and Giuliani Pressure Campaign (Sept. 9, 2019); Letter from Elijah Cummings, Adam Schiff, and Eliot Engel to Mick Mulvaney (Oct. 4, 2019)

**SLIDE 22.** S. Doc. 116–18 Vol. I, Pg. 635; 166 Cong. Rec. S388

**October 8 White House Letter**

**“For these reasons, President Trump and his Administration reject your baseless, unconstitutional efforts to overturn the democratic process. Your unprecedented actions have left the President with no choice. In order to fulfill his duties to the American people, the Constitution, the Executive Branch, and all future occupants of the Office of the Presidency, President Trump and his Administration cannot participate in your partisan and unconstitutional inquiry under these circumstances.”**

Oct. 8, 2019 letter

**SLIDE 23.** S. Doc. 116–18 Vol. I, Pg. 635; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**2 The President's Obstruction**

- ▶ **No Justification**
  - **Never Asserted Executive Privilege**
- ▶ **Disregards Separation Of Powers**
  - **President Cannot Decide The Terms Of His Own Trial**

**SLIDE 24.** S. Doc. 116–18 Vol. I, Pg. 636; 166 Cong. Rec. S389

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**3 Need for White House Documents**

- ▶ **What Is President Trump Hiding?**
  1. **Direct Communications With Zelensky**
  2. **Request For Political Investigations**
  3. **Unlawful Hold Of Military Aid**
  4. **Concerns Reported To NSC Legal**
  5. **Recall Of Amb. Yovanovitch**

**SLIDE 25.** S. Doc. 116–18 Vol. I, Pg. 636; 166 Cong. Rec. S389

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**1 Direct Communications With Zelensky**

- ▶ April 21 Phone Call
- ▶ July 25 Phone Call
- ▶ September 25 UN Meeting

**SLIDE 26.** S. Doc. 116–18 Vol. I, Pg. 637; 166 Cong. Rec. S389

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**1 Direct Communications With Zelensky**

- ▶ July 25 Call
  - Documents generated during the call
  - Vindman, Williams: words excluded from official Call Memo

**SLIDE 27.** S. Doc. 116–18 Vol. I, Pg. 637; 166 Cong. Rec. S389

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**1 Direct Communications With Zelensky**

- ▶ July 25 Call
  - Documents during the call
    - Vindman, Williams: words excluded from Call Memo
    - Vindman, Williams: officials took notes
  - Documents after the call

**SLIDE 28.** S. Doc. 116–18 Vol. I, Pg. 637; 166 Cong. Rec. S389

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ Officials' Records About Pressuring Ukraine
- ▶ Bolton:
  - Hosted July 10 Meeting
  - Urged President Trump to release aid
  - Bolton's lawyer: "personally involved"

S. Doc. 116-18 Hearing To, at 60, 616 (Hearings on the Ukraine Aid Package: 64 Days of Conflict and Confusion, N.Y. Times, Dec. 29, 2019)

**SLIDE 29.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S398

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ **Officials' Records About Pressuring Ukraine**
- ▶ **Sondland: "I have not had access to all of my phone records, ... emails, ... and many, many other State Department documents"**

Sondland Hearing Tr. at 36

**SLIDE 30.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S390

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ **Officials' Records About Pressuring Ukraine**
- ▶ **June 19 Email from Sondland To Top Officials:**
  - **Zelensky is "prepared to receive Potus' call. Will assure him that he intends to run a fully transparent investigation and will 'turn over every stone.'"**

Sondland Hearing Tr. at 27

**SLIDE 31.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S390

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ **Emails and Records of President Trump’s Private Agents**
  - Rudy Giuliani
  - Victoria Toensing
  - Joe DiGenova

**SLIDE 32.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ **Emails and Records of President Trump’s Private Agents**
- ▶ **May 10 Giuliani Letter to Zelensky:**
  - “as personal counsel to President Trump and with his knowledge and consent”

Palmas Jan. 14 Document Production, Exh. 142-3 File, at 28



**SLIDE 33.** S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**3 President Trump's Hold Of Military Aid**

- ▶ **Against unanimous agency support for bipartisan aid to be released**
- ▶ **Government Accountability Office: hold violated the law**

Windham Dep. Tr. at 184; Morrison Dep. Tr. at 106; GAO Decision, "Office of Management and Budget—Withholding of Ukraine Security Assistance," Jan. 16, 2020.

**SLIDE 34.** S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**Trump's Freeze On Ukraine Aid Was Unlawful**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE

**Faithful execution of the law does not permit the President to substitute his own policy priorities for those that Congress has enacted into law. OMB withheld funds for a policy reason, which is not permitted under the Impoundment Control Act (ICA). The withholding was not a programmatic delay. Therefore, we conclude that OMB violated the ICA.**

GAO Decision, "Office of Management and Budget—Withholding of Ukraine Security Assistance," Jan. 16, 2020.

**SLIDE 35.** S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**3 President Trump's Hold Of Military Aid**

- ▶ White House documents describing planning of freeze
- ▶ June 27: Mulvaney to Blair: "Did we ever find out...whether we can hold it back?"
  - Blair's Response: "Expect Congress to become unhinged..."

Eric Lipton et al., Behind the Ukraine Aid Freeze: 84 Days of Conflict and Confusion, N.Y. Times (Dec. 29, 2019)

**SLIDE 36.** S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**3 President Trump's Hold Of Military Aid**

- ▶ Records of officials advocating for release
  - Presidential Decision Memo: "consensus" that aid should "be released"
  - August 30 Meeting with President:
    - Esper and Pompeo: "freeing up the money for Ukraine was the *right thing to do*"
    - Bolton: "This is in *America's interest*"

Washington Post, at 136-37; Morrison, *supra* note 16, at 166-67; Eric Lipton et al., Behind the Ukraine Aid Freeze: 84 Days of Conflict and Confusion, N.Y. Times (Dec. 29, 2019)



**SLIDE 37.** S. Doc. 116–18 Vol. I, Pg. 640; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**3 President Trump's Hold Of Military Aid**

- ▶ After-the-fact justification for releasing the aid
- Jan. 3, 2020: OMB: “20 responsive documents”

Letter from Dionne Hardy, FOIA Officer, to Charlie Savage, N.Y. Times, Jan. 3, 2020; Josh Dawsey, et al., White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid, Wash. Post, Nov. 24, 2019.

**SLIDE 38.** S. Doc. 116–18 Vol. I, Pg. 640; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**The Washington Post**  
Democracy Dies in Darkness

**White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid**

By Josh Dawsey, Carol D. Leonnig and Tom Hamburger  
November 24, 2019 at 6:44 p.m. EST

The research by the White House Counsel's Office, which was triggered by a congressional impeachment inquiry announced in September, includes early August email exchanges between acting chief of staff Mick Mulvaney and White House budget officials seeking to provide an explanation for withholding the funds after the president had already ordered a hold in mid-July on the nearly \$400 million in security assistance

Dawsey, Josh, Leonnig, Carol D., and Hamburger, Tom. "White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid." *The Washington Post*, November 24, 2019.

**SLIDE 39.** S. Doc. 116–18 Vol. I, Pg. 640; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**4 Concerns Reported To NSC Legal**

- ▶ Hill, Vindman: Reported July 10 Meeting
- ▶ Vindman: “Because it was inappropriate. And, following the meeting, I had a short conversation... [with] Dr. Hill, and we discussed the idea of needing to report this.”

Williams-Vindman Hearing Tr. at 45:42

**SLIDE 40.** S. Doc. 116–18 Vol. I, Pg. 641; 166 Cong. Rec. S391

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**4 Concerns Reported To NSC Legal**

- ▶ Hill, Vindman: Reported July 10 Meeting
  - Vindman: NSC Legal took notes
  - Hill went back again July 11
- ▶ Vindman reported again July 25
- ▶ Morrison reported concerns 3 times

Williams-Vindman Hearing Tr. at 45:42, Williams-Vindman Hearing Tr. at 5:05, Cohen-Morrison Hearing Tr. at 36:22

**SLIDE 41.** S. Doc. 116–18 Vol. I, Pg. 641; 166 Cong. Rec. S391

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**4** **Need To Subpoena Documents Now**

► **Why Now?**

1. Precedent shows: evidence *before* witnesses
2. Resolve privilege and evidentiary issues
3. Affects witness testimony and document production
4. Ensures genuine, credible trial

**SLIDE 42.** S. Doc. 116–18 Vol. I, Pg. 652; 166 Cong. Rec. S395

**PRESIDENT TRUMP'S OBSTRUCTION**

► **President Trump Directed:**

- Every Office
- Every Agency
- Every Official

► **To Defy Every Subpoena. Zero Documents Produced.**

**NO PRESIDENT HAS EVER DONE THIS**


**SLIDE 43.** S. Doc. 116–18 Vol. I, Pg. 652; 166 Cong. Rec. S394

**SUBSTANTIAL EVIDENCE OF PRESIDENT TRUMP'S  
HIGH CRIMES AND MISDEMEANORS**


- ▶ 17 Witnesses
- ▶ 130 Hours of Testimony
- ▶ President Trump's Own Words on Calls, Speeches
- ▶ Hundreds of Texts, Emails, and Documents

**SLIDE 44.** S. Doc. 116–18 Vol. I, Pg. 653; 166 Cong. Rec. S395


**DESPITE OBSTRUCTION, BRAVE OFFICIALS CAME FORWARD**

  
TAYLOR

"I think it's crazy to withhold security assistance for help with a political campaign"

  
SONDLAND

"[W]e knew these investigations were important to the President" and "we followed the President's orders"





  
HOLMES

"[I]t was made clear that some action on Burisma/Biden investigation was a precondition for an Oval Office visit"

Taylor Dep. Tr. at 39-40; Sondland Hearing Tr. at 17-18; Hill-Holmes Hearing Tr. at 25

**SLIDE 45.** S. Doc. 116–18 Vol. I, Pg. 653; 166 Cong. Rec. S395

**STATE DEPARTMENT OFFICIALS  
IDENTIFIED RELEVANT DOCUMENTS**

 TAYLOR	 KENT
 SONDLAND	 VOLKER

“[Took] notes on conversations” in “little notebook”

Wrote or updated notes to file about the President’s scheme at least 4 times

Identified multiple emails with top Trump advisors describing the President’s scheme

Produced limited text messages between U.S. officials, Giuliani, and Ukrainians

Taylor Dep. Tr. at 15–46; Kent Dep. Tr. at 165, 182–183, 188–253, 255, 260; Sondland Hearing Opening Statement; Kurt Volker Document Production (Oct. 3, 2019).

**SLIDE 46.** S. Doc. 116–18 Vol. I, Pg. 653; 166 Cong. Rec. S395

**STATE DEPARTMENT DOCUMENTS  
SHOULD BE PRODUCED**

- ▶ **Directly Relevant**
- ▶ **Discrete Set of Records:**
  1. Communications
  2. Emails
  3. Diplomatic Cables
  4. Officials’ Notes
- ▶ **Subpoenaed But Concealed By the President**

**SLIDE 47.** S. Doc. 116–18 Vol. I, Pg. 654; 166 Cong. Rec. S396

**STATE DEPARTMENT DEFIED LAWFUL SUBPOENA**

<b>Sept. 9</b>	<b>House Committees Send Request. No Compliance</b>
<b>Sept. 27</b>	<b>House Committees Send Subpoena</b>
<b>Oct. 1</b>	<b>Sec. Pompeo Promises Response on October 4</b>
<b>Oct. 4</b>	<b>Sec. Pompeo Fails to Respond</b>
<b>Oct. 8</b>	<b>President Trump Directs Administration to Stonewall</b>

**ZERO DOCUMENTS PRODUCED**

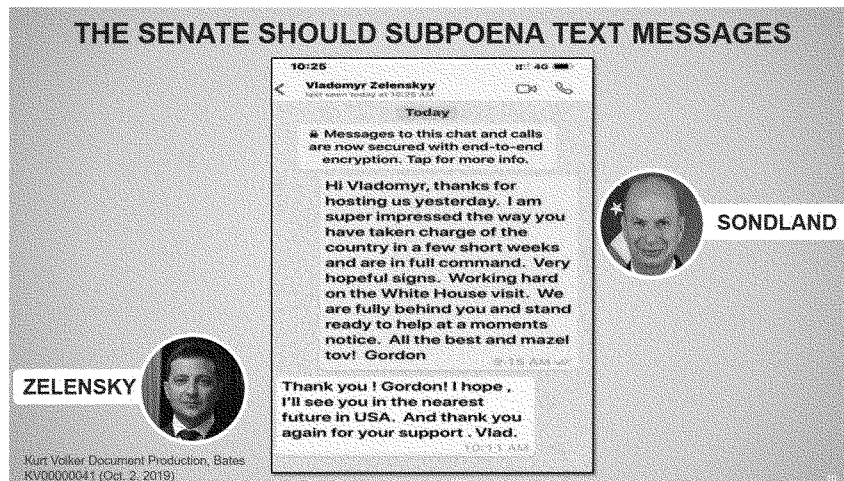
Letter from Engel, Schiff, and Cummings to Mike Pompeo (Sep. 9, 2019); Letter from Engel, Schiff, and Cummings to Mike Pompeo (Sep. 27, 2019); Letter from Mike Pompeo to Engel, Schiff, and Cummings (Oct. 1, 2019); Letter from Pat Cipollone to Nancy Pelosi, et al. (Oct. 8, 2019)

**SLIDE 48.** S. Doc. 116–18 Vol. I, Pg. 655; 166 Cong. Rec. S396

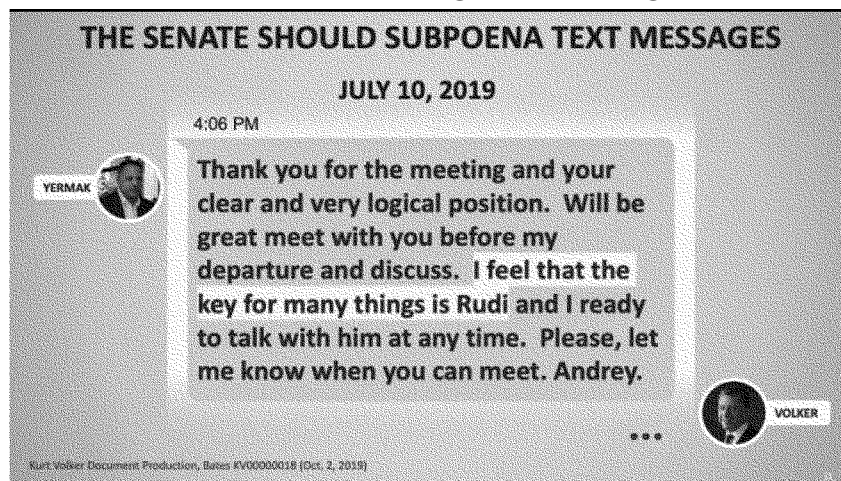
**THE SENATE SHOULD SUBPOENA  
WHATSAPP AND OTHER TEXT  
MESSAGES**



**SLIDE 49.** S. Doc. 116–18 Vol. I, Pg. 655; 166 Cong. Rec. S396



**SLIDE 50.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396




**SLIDE 51.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

**THE SENATE SHOULD SUBPOENA TEXT MESSAGES**


**JULY 25, 2019**

8:36 AM

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

 VOLKER

10:15 AM

YERMAK 

Phone call went well. President Trump proposed to choose any convenient dates. President Zelenskiy chose 20.21.22 September for the White House visit....


Kurt Volker Document Production, Bates KV00000019 (Oct. 2, 2019)

**SLIDE 52.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

**THE SENATE SHOULD SUBPOENA TEXT MESSAGES**


**JULY 26, 2019**

6:55 AM

 VOLKER

Hi Mr. Mayor — you may have heard— the President has a great phone call with the Ukrainian President yesterday. Exactly the right messages as we discussed.

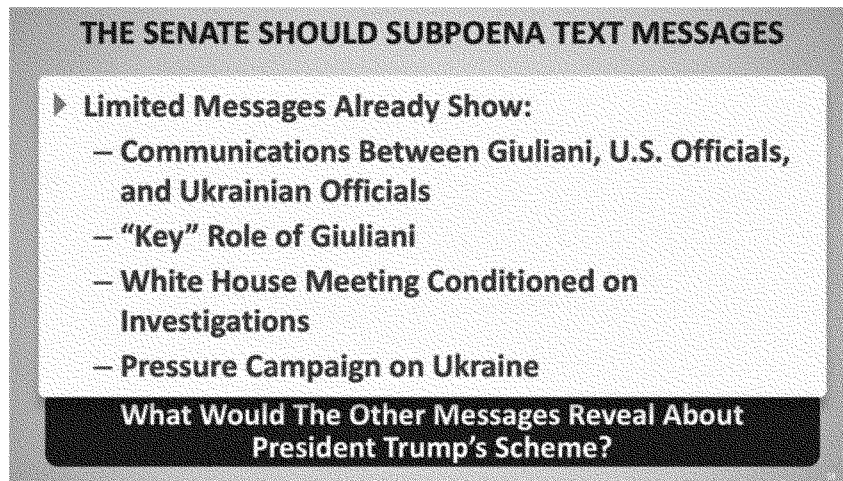
...

 GIULIANI

Kurt Volker Document Production, Bates KV00000007 (Oct. 2, 2019)



**SLIDE 53.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396



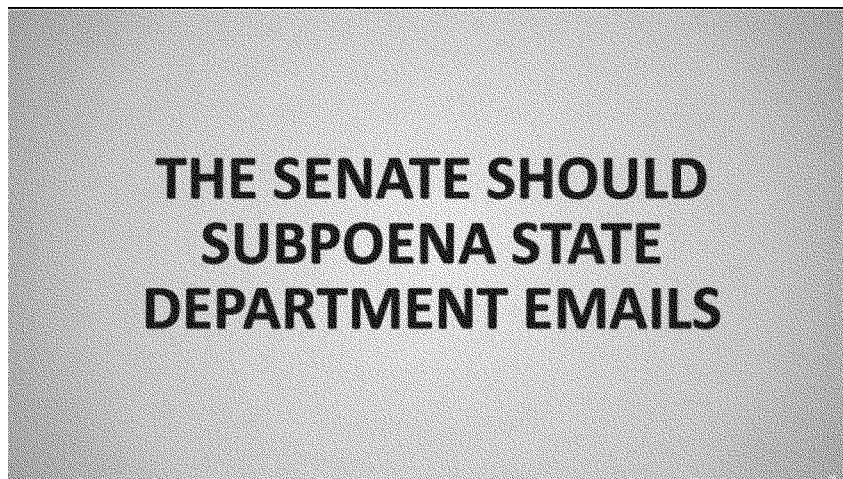
**THE SENATE SHOULD SUBPOENA TEXT MESSAGES**

▶ **Limited Messages Already Show:**

- Communications Between Giuliani, U.S. Officials, and Ukrainian Officials
- “Key” Role of Giuliani
- White House Meeting Conditioned on Investigations
- Pressure Campaign on Ukraine

**What Would The Other Messages Reveal About President Trump’s Scheme?**

**SLIDE 54.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396



**THE SENATE SHOULD  
SUBPOENA STATE  
DEPARTMENT EMAILS**

**SLIDE 55.** S. Doc. 116–18 Vol. I, Pg. 657; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**TRANSCRIPTION**  
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.  <b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow.  MM
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2019-11-20 Statement of Sondland, p. 21

**SLIDE 56.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**MARCH 26 – POMPEO AND GIULIANI CALL**

<b>From:</b>	[REDACTED]
<b>Sent:</b>	Tuesday, March 26, 2019 9:54 AM
<b>To:</b>	S_All
<b>Subject:</b>	9:53am -- S finished speaking with Rudy Giuliani

FOIA, American Oversight, State Department (Nov. 22, 2019); AT&T Document Production, Bates ATTHPSCI\_20190930\_02034- ATTHPSCI\_20190930\_02053, ATTHPSCI\_20190930\_03538-ATTHPSCI\_20190930\_03539; Email from Madeleine Westerhout to State Department Official, (Mar. 27, 2019)

**SLIDE 57.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**From:** Westerhout, Madeleine E. EOP/WHO  
**Sent:** Wednesday, March 27, 2019 11:52 AM  
**To:** [REDACTED]  
**Subject:** FW: Secretary Pompeo

Hey [REDACTED] -- this is Rudy Giuliani's assistant. What number can I give her for S?

**From:** Zafonte, Jo Ann [REDACTED]  
**Sent:** Wednesday, March 27, 2019 11:28 AM  
**To:** Westerhout, Madeleine E. EOP/WHO [REDACTED]  
**Subject:** [EXTERNAL] Secretary Pompeo

Hi Madeleine, hope all is well. It's been a while.

Hate to bother you but might you be able to send me a good number for above, I've been trying and getting nowhere through regular channels.

AD: State, Ukraine, Docs, [12/22/19]

**SLIDE 58.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397

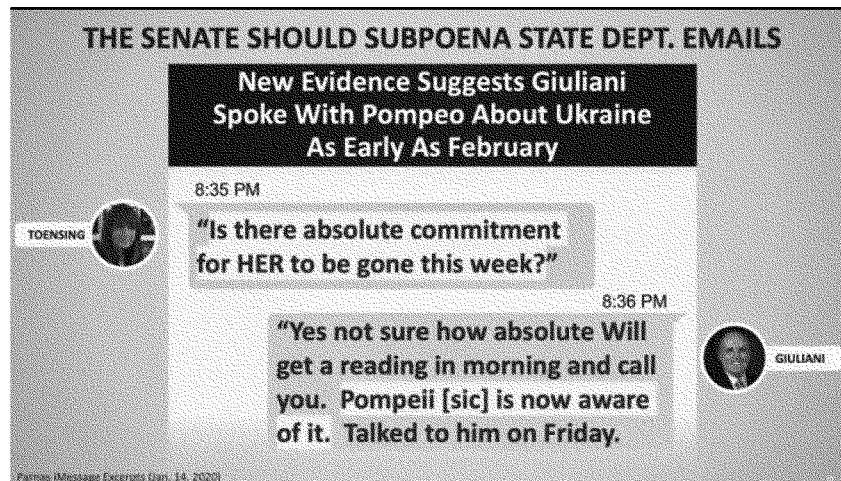
**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**March 27, 2019 – Giuliani Has 4 Calls with the State Department**

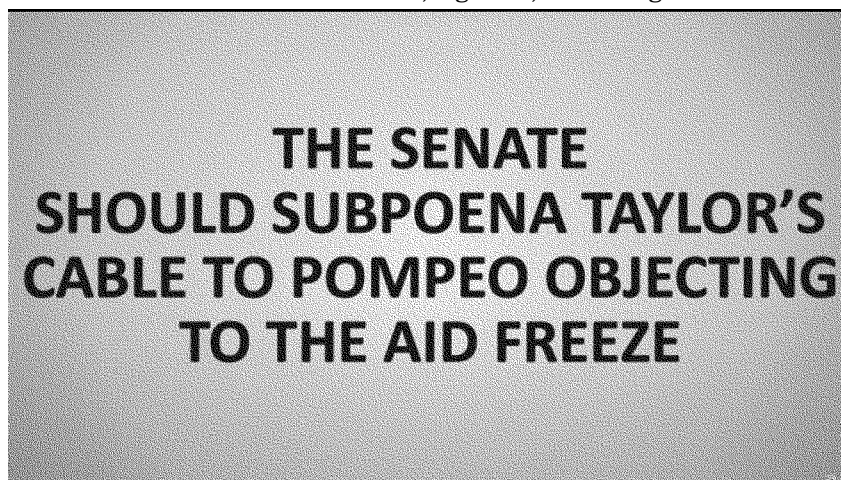
<b>12:06pm</b>	Call from Giuliani to State Switchboard number (10 sec)
<b>12:07pm</b>	Call from Giuliani to State Department number (7 sec)
<b>12:11pm</b>	Call from Giuliani to White House number (27 sec)
<b>12:16pm</b>	Call from Giuliani to Ruth Fisher (Pompeo assistant) number (1 min 5 sec)
<b>12:31pm</b>	Call from Giuliani to State Switchboard number (0 sec)
<b>12:33pm</b>	Call from Giuliani to White House number (0 sec)

652A, American Oversight, State Department (Nov. 22, 2019)

**SLIDE 59.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397



**SLIDE 60.** S. Doc. 116–18 Vol. I, Pg. 659; 166 Cong. Rec. S397



**SLIDE 61.** S. Doc. 116–18 Vol. I, Pg. 659; 166 Cong. Rec. S398

**THE SENATE SHOULD SUBPOENA TAYLOR'S CABLE**

- ▶ Describes The President's Harm to Our National Security
- ▶ Sent When Ukrainians Were "Just Desperate" and Succumbing To President's Pressure Campaign
- ▶ The Day After It Was Sent, Pompeo, Esper, and Bolton Urged President Trump to Release the Aid. He Refused

**THE CABLE IS KEY EVIDENCE. IT SHOULD BE RELEASED**

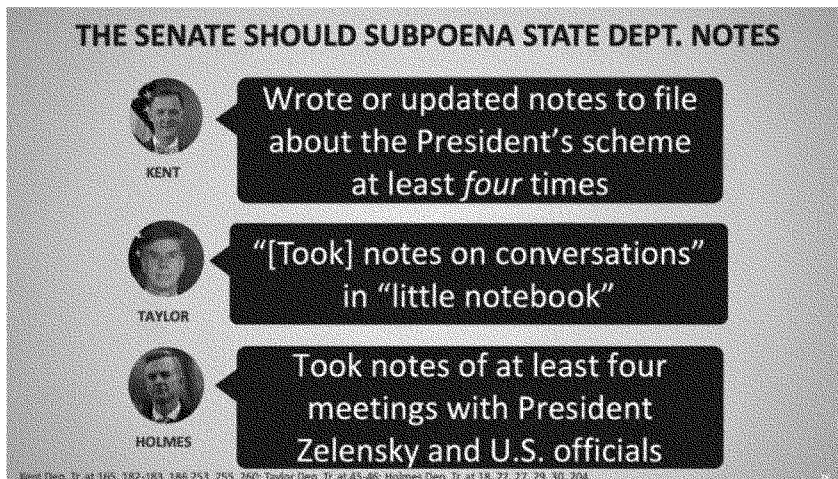
**SLIDE 62.** S. Doc. 116–18 Vol. I, Pg. 660; 166 Cong. Rec. S398




**THE SENATE SHOULD  
SUBPOENA STATE  
DEPARTMENT OFFICIALS'  
NOTES**



**SLIDE 63.** S. Doc. 116–18 Vol. I, Pg. 660; 166 Cong. Rec. S398

**THE SENATE SHOULD SUBPOENA STATE DEPT. NOTES**



-   
KENT: Wrote or updated notes to file about the President's scheme at least *four* times
-   
TAYLOR: "[Took] notes on conversations" in "little notebook"
-   
HOLMES: Took notes of at least four meetings with President Zelensky and U.S. officials

Kent Dep. Tr. at 195, 192-193, 186-253, 255, 260; Taylor Dep. Tr. at 43-46; Holmes Dep. Tr. at 18, 22, 27, 29, 30, 204

**SLIDE 64.** S. Doc. 116–18 Vol. I, Pg. 661; 166 Cong. Rec. S398

**George Kent Testimony**

"But the more awkward part of the conversation came when Special Representative Volker made the point that the Ukrainians, who had opened their authorities under Zelenskyy, had opened investigations of former President Poroshenko, he didn't think that was appropriate. And then Andriy Yermak said: What? You mean the type of investigations you're pushing for us to do on Biden and Clinton?"

Kent Dep. Tr. at 329

**SLIDE 65.** S. Doc. 116–18 Vol. I, Pg. 661; 166 Cong. Rec. S398

**THE SENATE SHOULD SUBPOENA  
STATE DEPARTMENT DOCUMENTS**

- 1. Communications, Including  
WhatsApp and Other Text Messages**
- 2. Emails**
- 3. Diplomatic Cables**
- 4. Officials' Notes**

**SLIDE 66.** S. Doc. 116–18 Vol. I, Pg. 661; 166 Cong. Rec. S398

**NO NEED FOR JUDICIAL ENFORCEMENT**

- ▶ Not Done in Any Previous Impeachment**
- ▶ President Trump Claims the House Is Not  
Even Allowed to Seek Judicial Enforcement**
- ▶ FOIA Process Too Slow**
- ▶ FOIA Documents Heavily Redacted**
- ▶ Litigation Takes Years**

**SLIDE 67.** S. Doc. 116–18 Vol. I, Pg. 671; 166 Cong. Rec. S401

**THE NEED FOR OMB AND DOD DOCUMENTS**

**Los Angeles Times**

Trump froze military aid — as Ukrainian soldiers perished in battle



By SABRA AYRES, SERGEI L. LOIKO

OCT. 16, 2019  
3 AM

Excerpt, Trump froze military aid — as Ukrainian soldiers perished in battle, L.A. Times (Oct. 16, 2018)

**SLIDE 68.** S. Doc. 116–18 Vol. I, Pg. 671; 166 Cong. Rec. S401

**THE NEED FOR OMB AND DOD DOCUMENTS**

 **Central To The President's Scheme:** 

- ▶ **DOD Aid Was Frozen By President Trump**
- ▶ **OMB Issued Freeze At President Trump's Direction**
- ▶ **DOD Warned OMB That Freeze Was Unlawful**
- ▶ **DOD Warned OMB That Funds Would Be Lost**
- ▶ **OMB Scrambled To Justify The Freeze**



**SLIDE 69.** S. Doc. 116–18 Vol. I, Pg. 672; 166 Cong. Rec. S402

OMB AND DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID	
<b>For FY 2019</b>	<b>Congress authorizes \$391 Million for Ukraine</b>
<b>May 23</b>	<b>DOD: Ukraine Met Anti-Corruption Benchmarks</b>
<b>June 18</b>	<b>DOD: \$250 Million In Aid To Be Provided</b>
<b>June 19</b>	<b>Blair (WH) to Vought (OMB): “We need to hold it up”</b>
<b>June 19</b>	<b>Email Duffey (OMB) to DOD: Questions About Aid</b>

**SLIDE 70.** S. Doc. 116–18 Vol. I, Pg. 673; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID**

**June 19 Email From OMB To DOD**

On Jun 19, 2019, at 6:37 PM, Duffey, Michael P. EOP/OMB (b) (6) > wrote:

Elaine –

The President has asked about this funding release, and I have been tasked to follow-up with someone over there to get more detail. Do you have insight on this funding?

Thanks,  
Mike

Excerpted from OMB and DOD FOIA Release to Center for Public Integrity, at 47 (Dec. 12, 2019)

**SLIDE 71.** S. Doc. 116–18 Vol. I, Pg. 673; 166 Cong. Rec. S403

<b>OMB AND DOD DOCUMENTS REVEAL THE IMPLEMENTATION OF THE PRESIDENT'S HOLD</b>	
<b>July 3</b>	<b>State Dept: OMB is blocking Congressional Notification for Ukraine aid</b>
<b>July 12</b>	<b>Email from Blair to Duffey (OMB): "the President is directing a hold on military support for Ukraine"</b>

Costen-Hale Hearing Tr. at 34; Vladimirov Dep. Tr. at 178-179; Sandy Dep. Tr. at 98-99

**SLIDE 72.** S. Doc. 116–18 Vol. I, Pg. 673; 166 Cong. Rec. S403

<b>Mark Sandy Testimony</b>	
<b>Q:</b>	... So this July 12th email from Mr. Blair, what did it say?
<b>SANDY:</b>	To the best of my recollection, that the President is directing a hold on military support funding from Ukraine.
<b>Q:</b>	What else was in that email?
<b>SANDY:</b>	Nothing that I recall.
<b>Q:</b>	Was any other country mentioned?
<b>SANDY:</b>	No.
<b>Q:</b>	Any other security assistance package?
<b>SANDY:</b>	No.

Sandy Dep. Tr., 12:1-11

**SLIDE 73.** S. Doc. 116–18 Vol. I, Pg. 674; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS WOULD SHED MORE LIGHT ON MEETINGS ABOUT THE FREEZE**

**Questions Remain...**

- ▶ Did OMB have talking points for these meetings?
- ▶ Did OMB and DOD officials take notes during them?
- ▶ Did OMB and DOD officials exchange emails about what was going on?
- ▶ Did OMB discuss reasons they could give for the freeze?

**The American People Deserve Answers**

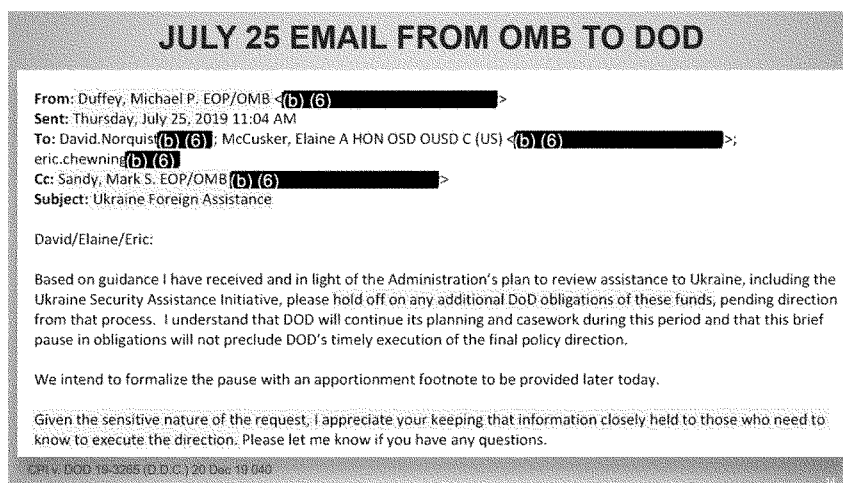
**SLIDE 74.** S. Doc. 116–18 Vol. I, Pg. 674; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS REVEAL KEY FACTS ABOUT JULY 25**

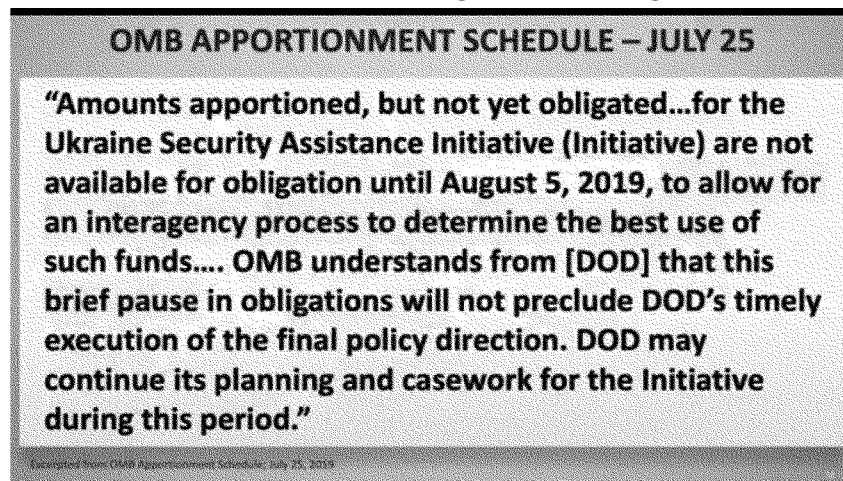
<b>~9:00 am</b>	<b>President Trump to Zelensky: “do us a favor though”</b>
<b>~11:00 am</b>	<b>Email from Duffey (OMB) to DOD: keep information “closely held”</b>

Jul 25 Call Record; FOIA; Center for Public Integrity; OMB and DOD at 40 (Dec. 32, 2019)

**SLIDE 75.** S. Doc. 116–18 Vol. I, Pg. 674/715; 166 Cong. Rec. S403/S418



**SLIDE 76.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S403



**SLIDE 77.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS REVEAL  
KEY FACTS ABOUT JULY 25**

**Questions Remain...**

- ▶ Where was Duffey's guidance coming from?
- ▶ Why was the request "sensitive"?
- ▶ What was the connection between OMB's direction and the President's call with Zelensky?
- ▶ Did OMB and DOD officials communicate about the questions from Ukrainian officials?

**The American People Deserve Answers**

**SLIDE 78.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S403

**OMB AND DOD  
DOCUMENTS WOULD REVEAL FACTS  
ABOUT POLITICAL APPOINTEE'S  
TAKEOVER OF UKRAINE RESPONSIBILITY**

**SLIDE 79.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S404

**Mark Sandy Testimony**

**Q:** And prior to the change in delegation of the approval process for apportionments regarding USAI, which took that responsibility away from you, a career official, to Mr. Duffey, a political official, you had raised concerns about the hold on Ukraine security assistance with Mr. Duffey, correct? Prior to July 29th?

**Sandy:** Yes. I had raised concerns about the implementation.



**Q:** And specifically how to implement it in light of the Impoundment Control Act?

**Sandy:** That's correct.

Sandy Dep. 10, at 173

**SLIDE 80.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S404

**OMB AND DOD DOCUMENTS WOULD REVEAL FACTS ABOUT  
TAKEOVER OF UKRAINE RESPONSIBILITY**

 **Questions Remain...** 



- ▶ Why did Duffey take over Ukraine responsibility?
- ▶ Was the White House involved in that decision?
- ▶ Was Sandy removed because he expressed concerns about the legality of the hold?

**The American People Deserve Answers**



**SLIDE 81.** S. Doc. 116–18 Vol. I, Pg. 676; 166 Cong. Rec. S404

**OMB AND DOD DOCUMENTS REVEAL CONCERNS ABOUT THE IMPACT AND LEGALITY OF PRESIDENT TRUMP'S FREEZE**



 **Questions Remain...** 

- ▶ Did White House respond to OMB's concerns and recommendation to release the aid?
- ▶ Did White House instruct OMB to create paper trail to try to justify the hold?

**The American People Deserve Answers**

**SLIDE 82.** S. Doc. 116–18 Vol. I, Pg. 676; 166 Cong. Rec. S404

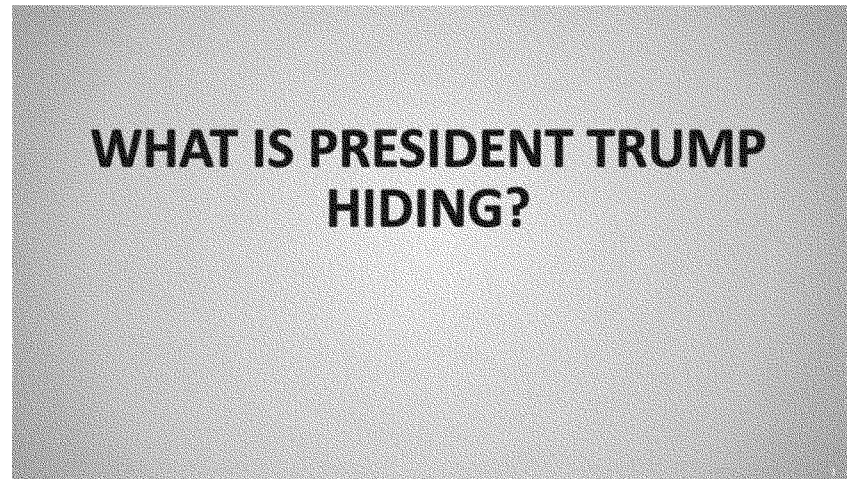
**THE PRESIDENT'S SCHEME UNRAVELS**

 **Questions Remain...** 

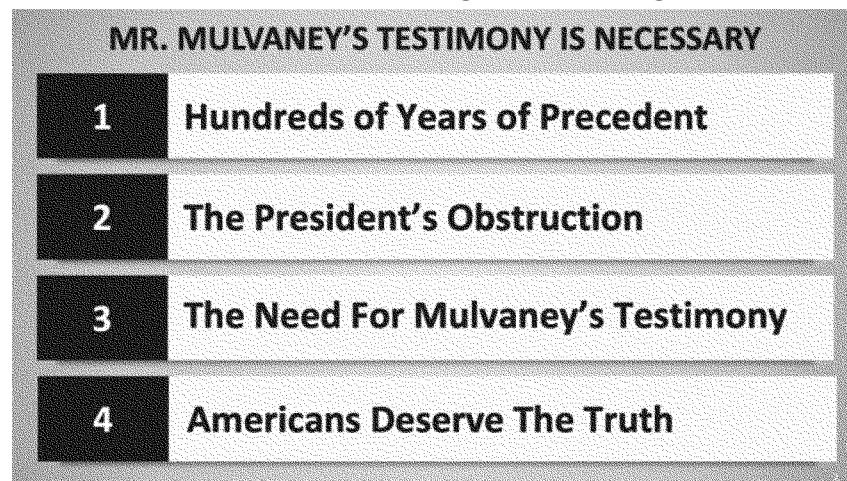
- ▶ Did White House direct OMB to continue the hold?
- ▶ What was OMB told about why President released the aid?
- ▶ What communications did DOD and OMB have with the White House around this time?
- ▶ Did anyone connect the dots about the real reason for the hold?

**The American People Deserve Answers**

**SLIDE 83.** S. Doc. 116–18 Vol. I, Pg. 683; 166 Cong. Rec. S406



**SLIDE 84.** S. Doc. 116–18 Vol. I, Pg. 683; 166 Cong. Rec. S406





**SLIDE 85.** S. Doc. 116–18 Vol. I, Pg. 684; 166 Cong. Rec. S407

<b>HUNDREDS OF YEARS OF PRECEDENT</b>			
<b>Impeached Official</b>	<b>Witnesses</b>	<b>Impeached Official</b>	<b>Witnesses</b>
Judge Pickering (1804)	<b>11</b>	Judge Archbald (1913)	<b>112</b>
Justice Chase (1805)	<b>49</b>	Judge Louderback (1933)	<b>44</b>
Judge Peck (1830-31)	<b>19</b>	Judge Ritter (1936)	<b>25</b>
Judge Humphreys (1862)	<b>9</b>	Judge Claiborne (1986)	<b>19</b>
President Johnson (1868)	<b>40</b>	Judge Hastings (1989)	<b>55</b>
Sec. of War Belknap (1876)	<b>40</b>	Judge Nixon (1989)	<b>10</b>
Judge Swayne (1905)	<b>44</b>	President Clinton (1999)	<b>3</b>
		Judge Porteous (2010)	<b>26</b>
<b>Average # Witnesses Per Senate Trial</b>			<b>33</b>

**SLIDE 86.** S. Doc. 116–18 Vol. I, Pg. 685; 166 Cong. Rec. S407

**MULVANEY'S TESTIMONY IS NECESSARY**

**Reason 2 The President's Obstruction**

- ▶ **Blanket Order To Administration: Don't Participate**
- ▶ **Produced 0 Documents**
- ▶ **Ignored 71 Requests**


**SLIDE 87.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

THE PRESIDENT'S OBSTRUCTION			
	PRESIDENT TRUMP	PRESIDENT CLINTON	PRESIDENT JOHNSON
Key Witnesses Blocked	<u>12</u>	<u>0</u>	<u>0</u>
Subpoenaed Witnesses Blocked	<u>9</u>	<u>0</u>	<u>0</u>
# Witnesses in Senate Trial	???	<u>3</u>	<u>40</u>

House Intelligence Committee Ukraine Report at 31; Clinton Senate Trial Proceedings, Vol. 61 at VII; Johnson Senate Trial Proceedings, Vol. 1 at xvii-xviii

**SLIDE 88.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

**THE PRESIDENT'S OBSTRUCTION:  
CONTRARY TO SUPREME COURT PRECEDENT**




**"[When the House or Senate is considering] a question of ... impeachment, ... [there is] no reason to doubt the right to compel the attendance of witnesses, and their answer to proper questions, in the same manner and by the use of the same means that courts of justice can in like cases."**

Mullaney v. Daugherty, 273 U.S. 135 (1927)

**SLIDE 89.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

**THE PRESIDENT'S OBSTRUCTION:  
CONTRARY TO HISTORY AND PRECEDENT**




**Justice Joseph Story:**  
"[The President] should not have the power of preventing a thorough investigation of [his] conduct, or of securing [himself] against the disgrace of a public conviction by impeachment, if [he] should deserve it."

Joseph Story, Commentaries, Vol. 2

**SLIDE 90.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

**THE PRESIDENT'S OBSTRUCTION:  
CONTRARY TO HISTORY AND PRECEDENT**



**Rep. John Quincy Adams:**  
"What mockery would it be for the Constitution of the United States to say that the House should have the power of impeachment, extending even to the President of the United States himself, and yet to say that the House had not the power to obtain the evidence and proofs on which their impeachment was based."

Cong. Globe, 27th Cong., 1st Sess. 540 (1842)

**SLIDE 91.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S408

**MULVANEY'S TESTIMONY IS NECESSARY**

**Reason 2** **The President's Obstruction**

- ▶ **No Other President Has Done This**
- ▶ **Precedent Is Clear: The President Must Comply with Impeachment Inquiry**
- ▶ **The President Is Not Above The Law**

**SLIDE 92.** S. Doc. 116–18 Vol. I, Pg. 687; 166 Cong. Rec. S408

**MULVANEY'S TESTIMONY IS NECESSARY**


**Reason 3** **The Need For Mulvaney's Testimony**

- ▶ **4 Key Reasons Why President Trump Wants To Hide Mulvaney's Testimony**

**SLIDE 93.** S. Doc. 116–18 Vol. I, Pg. 687; 166 Cong. Rec. S408

**MULVANEY TESTIMONY: 4 KEY REASONS**

**1 President's Top Aide**




Mick Mulvaney

- ▶ Firsthand knowledge
- ▶ "In the loop" at every stage
- ▶ Ordered by President to execute freeze on military aid
- ▶ Senior-most staff position, oversaw White House staff
- ▶ Head of OMB

**SLIDE 94.** S. Doc. 116–18 Vol. I, Pg. 687; 166 Cong. Rec. S408

**MULVANEY TESTIMONY: 4 KEY REASONS**

**2 Critical Role Planning Ukraine Pressure Scheme**




Mick Mulvaney

- ▶ Sondland: "Everyone was in the loop" and the Ukraine scheme "was no secret"

**SLIDE 95.** S. Doc. 116–18 Vol. I, Pg. 689; 166 Cong. Rec. S409

**MULVANEY TESTIMONY: 4 KEY REASONS**

**2 Critical Role Planning Ukraine Pressure Scheme**



Mick Mulvaney


Sondland Hearing Opening Statement

- ▶ Sondland July 19 Email: Zelensky “is prepared to receive Potus’ call. Will assure him that he intends to run a fully transparent investigation and will ‘turn over every stone.’”
- ▶ Mulvaney Response: “I asked NSC to set it up for tomorrow”

**SLIDE 96.** S. Doc. 116–18 Vol. I, Pg. 690; 166 Cong. Rec. S409

**MULVANEY TESTIMONY: 4 KEY REASONS**

**3 Critical Role Implementing Ukraine Pressure Scheme**



**The New York Times**

**Mick Mulvaney**  
To: Robert Blair

Fri 06/27/2019


“I’m just trying to tie up some loose ends,” Mr. Mulvaney wrote.  
“Did we ever find out about the money for Ukraine and whether we can hold it back?”



**SLIDE 97.** S. Doc. 116–18 Vol. I, Pg. 690; 166 Cong. Rec. S409

**MULVANEY TESTIMONY: 4 KEY REASONS**

**3 Critical Role Implementing Ukraine Pressure Scheme**



**► Multiple witnesses:** President directed *Mulvaney* to issue aid freeze

**► WashPo:** “Email exchanges” between Mulvaney and OMB officials

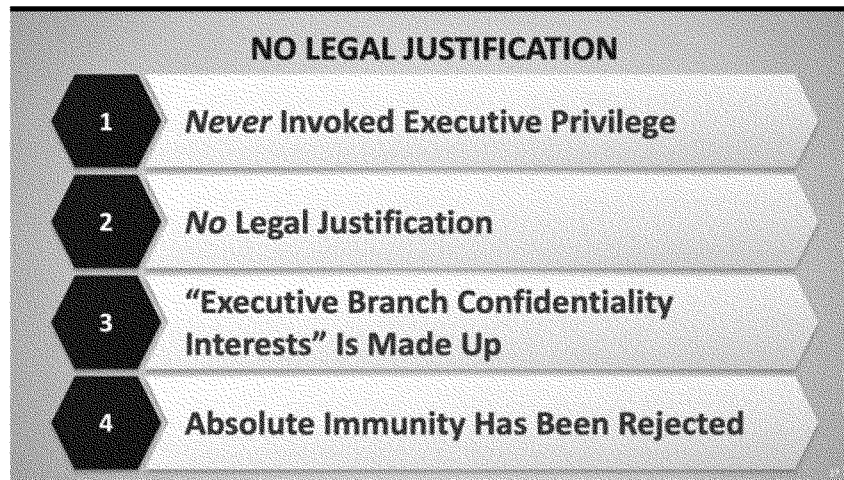
- Concerns with freeze
- After-the-fact justification

2019. Dersley et al., White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid, Wash Post, Nov. 26, 2019

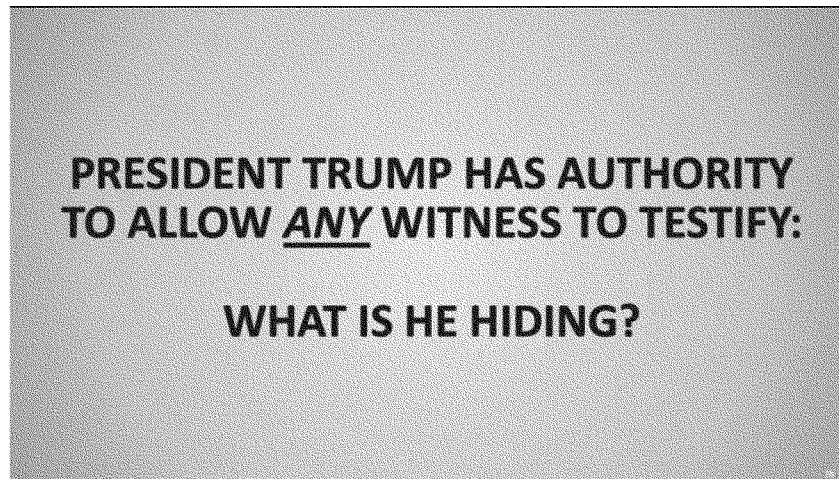
**SLIDE 98.** S. Doc. 116–18 Vol. I, Pg. 691; 166 Cong. Rec. S410

**PRESIDENT TRUMP CANNOT BE  
ALLOWED TO PLACE HIMSELF ABOVE THE  
LAW**

**SLIDE 99.** S. Doc. 116–18 Vol. I, Pg. 692/692; 166 Cong. Rec. S410/S410

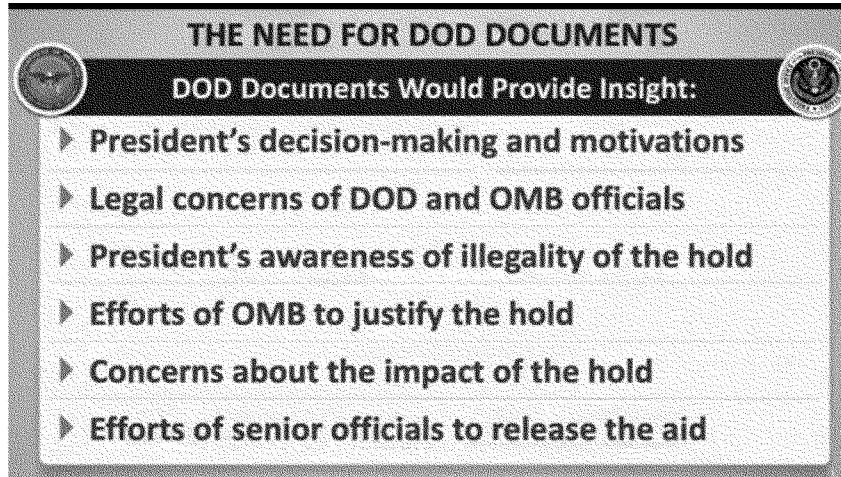


**SLIDE 100.** S. Doc. 116–18 Vol. I, Pg. 692; 166 Cong. Rec. S410





**SLIDE 101.** S. Doc. 116–18 Vol. I, Pg. 701; 166 Cong. Rec. S413

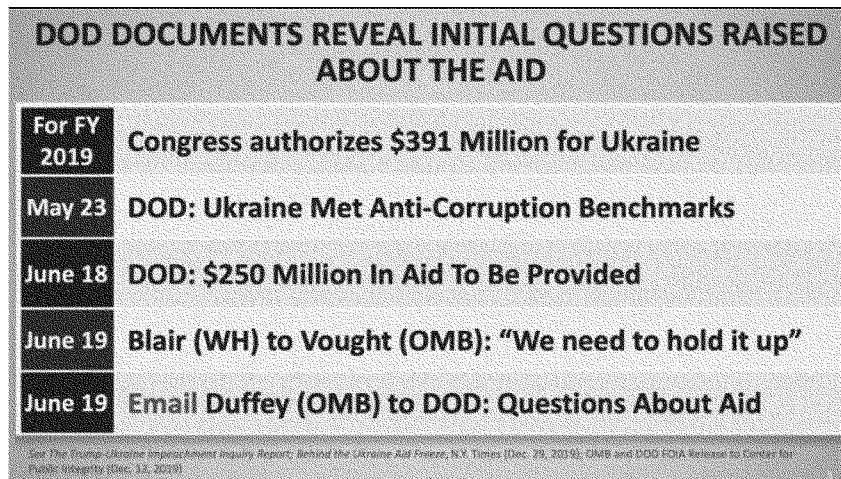


**THE NEED FOR DOD DOCUMENTS**

**DOD Documents Would Provide Insight:**

- ▶ President's decision-making and motivations
- ▶ Legal concerns of DOD and OMB officials
- ▶ President's awareness of illegality of the hold
- ▶ Efforts of OMB to justify the hold
- ▶ Concerns about the impact of the hold
- ▶ Efforts of senior officials to release the aid

**SLIDE 102.** S. Doc. 116–18 Vol. I, Pg. 702; 166 Cong. Rec. S414



**DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID**

<b>For FY 2019</b>	<b>Congress authorizes \$391 Million for Ukraine</b>
<b>May 23</b>	<b>DOD: Ukraine Met Anti-Corruption Benchmarks</b>
<b>June 18</b>	<b>DOD: \$250 Million In Aid To Be Provided</b>
<b>June 19</b>	<b>Blair (WH) to Vought (OMB): "We need to hold it up"</b>
<b>June 19</b>	<b>Email Duffey (OMB) to DOD: Questions About Aid</b>

See The Young-Ukraine Impasse: Inquiry Report; Behind the Ukraine Aid Freeze, N.Y. Times (Dec. 29, 2019); OMB and DOD FOIA Release to Center for Public Integrity (Dec. 12, 2019).

**SLIDE 103.** S. Doc. 116–18 Vol. I, Pg. 702/712; 166 Cong. Rec. S414/S417

**DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID**

**June 19 Email From OMB To DOD**

On Jun 19, 2019, at 6:37 PM, Duffey, Michael P. EOP/OMB (b) (6) > wrote:

Elaine –

The President has asked about this funding release, and I have been tasked to follow-up with someone over there to get more detail. Do you have insight on this funding?

Thanks,  
Mike

Excerpted from OMB and DOD FOIA Release to Center for Public Integrity, at 47 (Dec. 12, 2019).

**SLIDE 104.** S. Doc. 116–18 Vol. I, Pg. 703; 166 Cong. Rec. S414

**Laura Cooper Testimony**

"[O]n the issue 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."

Cooper Testimony at 13-14

**DOD  
DOCUMENTS REVEAL CONCERNS ABOUT  
THE IMPACT AND LEGALITY OF  
PRESIDENT TRUMP'S FREEZE**


**AUGUST 9 EMAIL FROM DOD TO OMB  
(FOIA PRODUCTION)**

>> -----Original Message-----  
>> From: McCusker, Elaine A HON OSD OUSD C (USA) (b) (5)  
>> Sent: Friday, August 9, 2019 5:32 PM  
>> To: Duffey, Michael P. EOP/OMB (b) (5); Sandy, Mark S. EOP/OMB  
(b) (5)  
>> Cc: Olinich, Bonnie L SES OSD OUSD C (USA) (b) (5); Ney, Paul C JF HON OSD  
ODC (USA) (b) (5)  
>> Subject: USAI  
>>  
>> Mike, Mark  
>>  
>> Attached info on the USAI execution. Number 5 has the general info on the steps - (b) (5)  
>>  
>> EM  
>>

2025 Release Under E.O. 14176

**SLIDE 107.** S. Doc. 116–18 Vol. I, Pg. 703/716; 166 Cong. Rec. S414/S419

**AUGUST 9 EMAIL FROM DOD TO OMB  
(PUBLIC REPORTING)**


 **McCusker To Senior OMB Officials**

**“As we discussed, as of 12 AUG I don’t think we can agree that the pause ‘will not preclude timely execution.’ We hope it won’t and will do all we can to execute once the policy decision is made, but can no longer make that declarative statement.”**

Just Security Reporting

**SLIDE 108.** S. Doc. 116–18 Vol. I, Pg. 704/717; 166 Cong. Rec. S414/S419

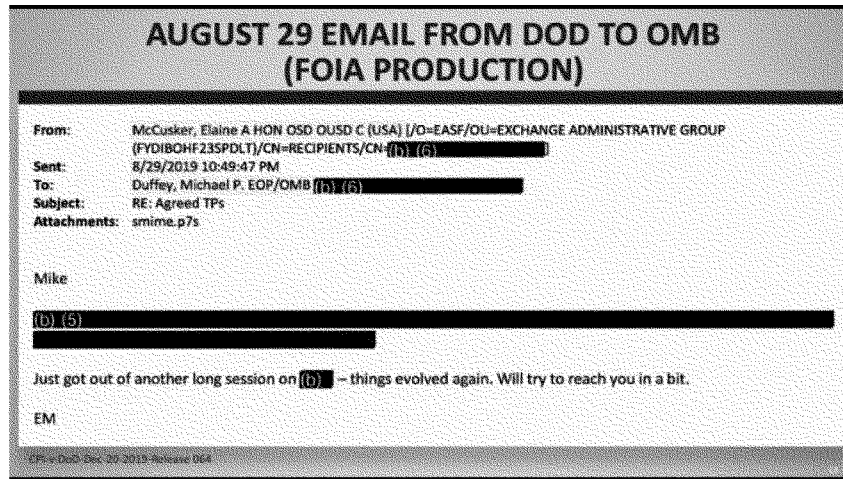
**AUGUST 29 EMAIL FROM DOD TO OMB  
(PUBLIC REPORTING)**

 **McCusker To Duffey**

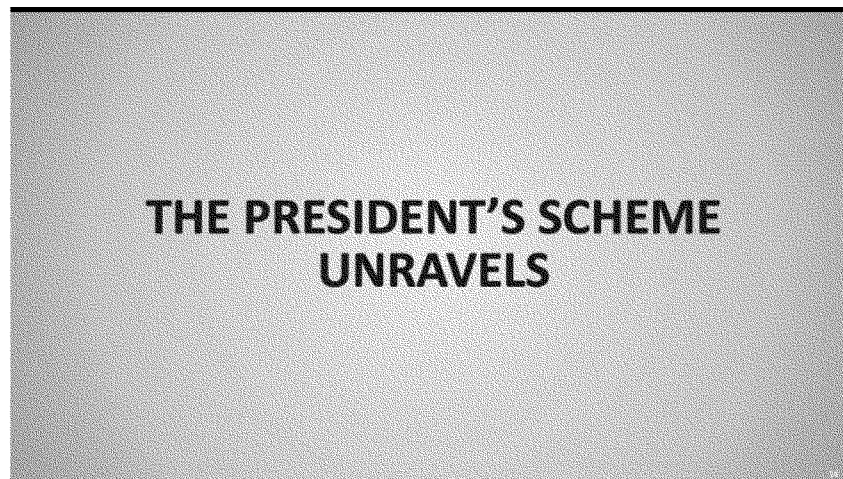
**“I don’t agree to the revised TPs – the last one is just not accurate from a financial execution standpoint, something we have been consistently conveying for a few weeks.”**

Exclusion: Declassified Ukraine Documents Reveal Extent of Pentagon’s Legal Concerns, Just Security (Jan. 3, 2020)

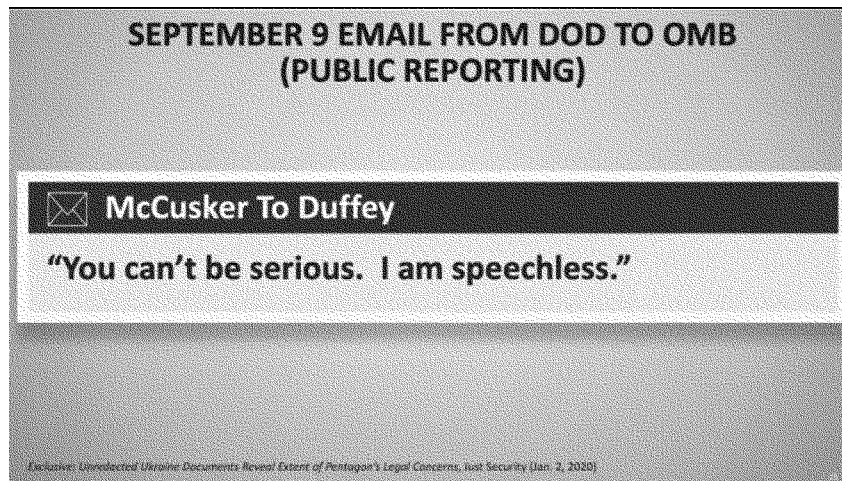
**SLIDE 109.** S. Doc. 116–18 Vol. I, Pg. 704; 166 Cong. Rec. S414



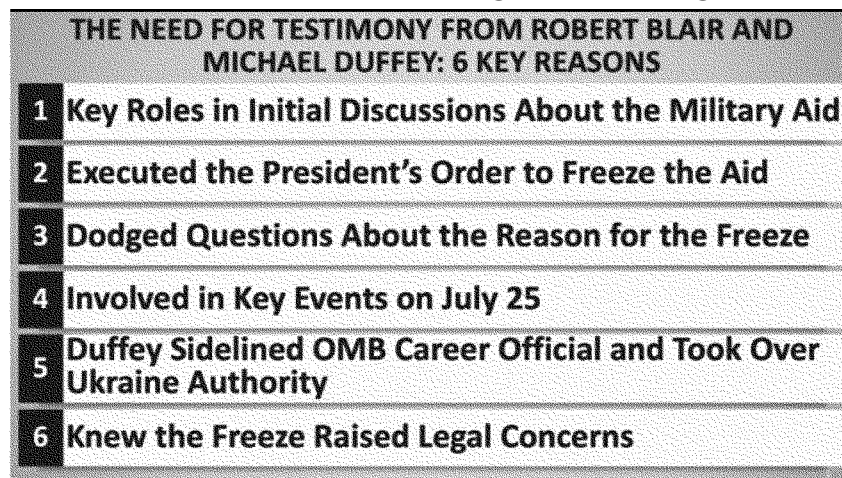
**SLIDE 110.** S. Doc. 116–18 Vol. I, Pg. 704; 166 Cong. Rec. S414



**SLIDE 111.** S. Doc. 116–18 Vol. I, Pg. 704; 166 Cong. Rec. S414



**SLIDE 112.** S. Doc. 116–18 Vol. I, Pg. 711; 166 Cong. Rec. S417





**SLIDE 113.** S. Doc. 116–18 Vol. I, Pg. 712; 166 Cong. Rec. S417

**BLAIR AND DUFFEY: 6 KEY REASONS**

**1 Key Roles in Initial Discussions About the Military Aid**

▶ **June 19:**

- **Blair to Vought (OMB):** “We need to hold it up”
- **Duffey to DOD:** “The President has asked about this funding release”

Eric Lipton et al., *Behind the Ukraine Aid Freeze: 84 Days of Conflict and Confusion*, N.Y. Times, Dec. 29, 2019; FOIA Release, Center for Public Integrity, (Dec. 22, 2019).

**SLIDE 114.** S. Doc. 116–18 Vol. I, Pg. 712; 166 Cong. Rec. S417

**BLAIR AND DUFFEY: 6 KEY REASONS**

**1 Key Roles in Initial Discussions About the Military Aid**

▶ **Blair and Duffey Can Answer:**

- What led Blair to call Vought?
- What prompted Duffey’s email to DOD?
- What conversations did they have with the President or Mulvaney?

**SLIDE 115.** S. Doc. 116–18 Vol. I, Pg. 712; 166 Cong. Rec. S417

**BLAIR AND DUFFEY: 6 KEY REASONS**

**1 Key Roles in Initial Discussions About the Military Aid**

- ▶ **June 27: Blair to Mulvaney:** “Expect Congress to become unhinged”
- ▶ **Blair Can Answer:**
  - When did Mulvaney and Blair begin discussing the hold?
  - Were there further discussions?
  - Did Mulvaney explain why the President wanted the hold?
  - Did Blair raise objections?

© The Lippman et al., Behind the Ukraine Aid Freeze: A History of Conflict and Confusion, NY Times, Dec. 29, 2019

**SLIDE 116.** S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S417

**BLAIR AND DUFFEY: 6 KEY REASONS**

**2 Executed the President’s Order to Freeze the Aid**

- ▶ **July 3: State Dept.: OMB is blocking Congressional Notification**
- ▶ **Duffey Can Answer:**
  - Who from OMB issued the order?
  - At whose direction?
  - Was any reason provided?



**SLIDE 117.** S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S417

**Mark Sandy Testimony**

Q: ... So this July 12th email from Mr. Blair, what did it say?

A: To the best of my recollection, that the President is directing a hold on military support funding from Ukraine.

Q: What else was in that email?

A: Nothing that I recall.

Q: Was any other country mentioned?

A: No.

Sandy Dep. 11, 35:1-11

**SLIDE 118.** S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S417

**BLAIR AND DUFFEY: 6 KEY REASONS**

**2 Executed the President's Order to Freeze the Aid**

- ▶ **July 12: Blair to Duffey:** "President is directing a hold on military support funding for Ukraine"
- ▶ **Blair Can Answer:**
  - What other discussions took place?
  - Did the President or Mulvaney give Blair a reason?
  - Did Blair know the hold was done to pressure Ukraine to announce political investigations?

Sandy Dep. 11, 35:1-11

**SLIDE 119.** S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S418

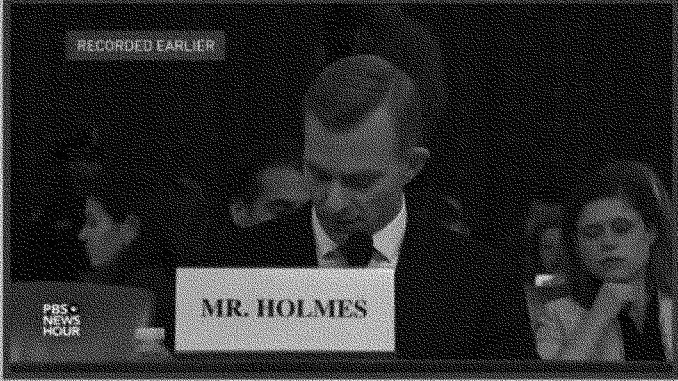
**BLAIR AND DUFFEY: 6 KEY REASONS**

**3 Dodged Questions About the Reason for the Freeze**

- ▶ **Around July 17/18:** Duffey asks Blair for the reason for the freeze.
  - **Blair’s Response:** “We need to let the hold take place” and then “revisit” the issue with the President

**SLIDE 120.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

**NO EXPLANATION FOR THE FREEZE**



RECORDED EARLIER

PBS NEWS HOUR

MR. HOLMES

Kendall Taylor Hearing Tr. at 1:59

**SLIDE 121.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

**JULY 26 MEETING**

**Catherine Croft Testimony**

**Q:** Did you ever learn what Mike Duffey meant by "corruption" when he made this statement at the July 26 deputies' meeting?

**A** No.

**Mark Sandy Testimony**


**Q:** But did OMB have an understanding of the reason for the hold on July 26th?

**A** No.

Croft Dep. Tr. at 93; Sandy Dep. Tr. at 97

**SLIDE 122.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

**JULY 19 EMAIL FROM SONDLAND TO BLAIR AND OTHER TOP OFFICIALS**

 **Subject: Re: 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.

2019-11-20 Statement of Sondland, p. 21

**SLIDE 123.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

**BLAIR AND DUFFEY: 6 KEY REASONS**

**4 Involved in Key Events on July 25**

► **Blair Can Answer:**

- What was his involvement in setting up the call?
- What did he understand Sondland’s email to mean?
- What did he know about the investigations?
- Did he speak with the President or Mulvaney about it?

**SLIDE 124.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418


**BLAIR AND DUFFEY: 6 KEY REASONS**


**4 Involved in Key Events on July 25**


► **July 25: Blair** joins July 25 call and hears President Trump request a “favor,” i.e., investigations of the 2016 election and Vice President Biden

**SLIDE 125.** S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418  
Williams

**REACTIONS TO THE JULY 25 CALL**

  
**VINDMAN**  
"[The July 25 call] was wrong" and he had a "duty to report it"

  
**MORRISON**  
Reported the July 25 call "pretty much right away" and "recommended that we restrict access to the package"

  
**WILLIAMS**  
"[The July 25 call] struck me as unusual and inappropriate," and "more political in nature"

Vindman Dep. Tr. at 154; Volker-Morrison Hearing Tr. at 36-37; Williams Dep. Tr. at 129, 149

**SLIDE 126.** S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418

**BLAIR AND DUFFEY: 6 KEY REASONS**

**4 Involved in Key Events on July 25**

► **Blair Can Answer:**

- What was Blair's reaction to the call?
- Did he take notes?
- Was he concerned like the other officials?

**SLIDE 127.** S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418

<b>BLAIR AND DUFFEY: 6 KEY REASONS</b>	
<b>4</b>	<b>Involved in Key Events on July 25</b>
<ul style="list-style-type: none"><li>▶ <b>July 25:</b> Based on “guidance,” <b>Duffey</b> directs DOD to maintain freeze and keep it “closely held”</li><li>▶ <b>Duffey Can Answer:</b><ul style="list-style-type: none"><li>– What was the guidance Duffey received?</li><li>– Who gave it to him?</li><li>– Was it connected to the President’s call with Zelensky?</li><li>– Why did he tell DOD to keep it quiet?</li></ul></li></ul>	

**SLIDE 128.** S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418

<b>BLAIR AND DUFFEY: 6 KEY REASONS</b>	
<b>5</b>	<b>Duffey Sidelined OMB Career Official and Took Over Authority To Withhold Ukraine Aid</b>
<ul style="list-style-type: none"><li>▶ <b>July 29:</b> <b>Sandy</b> removed from responsibility after he raises legal concerns; <b>Duffey</b> takes over</li><li>▶ <b>Duffey Can Answer:</b><ul style="list-style-type: none"><li>– Why did he take control of the Ukraine aid?</li><li>– Was Sandy removed because he expressed concerns about the legality of the hold?</li><li>– Did the White House order Duffey to assume responsibility?</li></ul></li></ul>	



**SLIDE 129.** S. Doc. 116–18 Vol. I, Pg. 716; 166 Cong. Rec. S419


**BLAIR AND DUFFEY: 6 KEY REASONS**

**6 Knew the Freeze Raised Legal Concerns**

- ▶ **July/August:** DOD warned Duffey repeatedly that the freeze raised legal concerns
  - **Aug. 9:** DOD can no longer support claim that hold “will not preclude timely execution”
  - **Aug. 12:** “execution risk increases with continued delays”

**SLIDE 130.** S. Doc. 116–18 Vol. I, Pg. 716; 166 Cong. Rec. S419

**AUGUST 12 EMAIL TO DUFFEY  
(PER PUBLIC REPORTING)**

 **McCusker To Duffey**

**Based on OMB’s communication with DOD on August 12, 2019, OMB understands from the Department that this additional pause in obligations may not preclude DOD’s timely execution of the final policy direction but that execution risk increases with continued delays.**

Excluded Unclassified Document: Revised Text of Postage’s Legal Concerns, Just Security (January 2, 2020)

**SLIDE 131.** S. Doc. 116–18 Vol. I, Pg. 716; 166 Cong. Rec. S419

<b>BLAIR AND DUFFEY: 6 KEY REASONS</b>	
<b>6</b>	<b>Knew the Freeze Raised Legal Concerns</b>
	<p>► <b>Duffey Can Answer:</b></p> <ul style="list-style-type: none"><li>– Did he take any actions in response to DOD's concerns?</li><li>– Did he take direction from Blair, the White House, or President Trump?</li></ul>

**SLIDE 132.** S. Doc. 116–18 Vol. I, Pg. 728/728; 166 Cong. Rec. S423/S423


<b>AMB. BOLTON'S TESTIMONY IS NECESSARY</b>	
<b>1</b>	<b>President's Top National Security Aide and Now Willing to Testify</b>
<b>2</b>	<b>Direct Knowledge of President's Scheme: Akin to "Drug Deal"</b>
<b>3</b>	<b>Expressed Concerns That Giuliani Would "Blow Everybody Up"</b>
<b>4</b>	<b>Predicted July 25 Call Would Be "Disaster" and Urged Officials to Report Concerns</b>
<b>5</b>	<b>Actively Involved In Addressing President's Freeze On Ukraine Military Aid</b>



**SLIDE 133.** S. Doc. 116–18 Vol. I, Pg. 729; 166 Cong. Rec. S423

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**1 President's Top National Security Aide and Now Willing to Testify**



Ambassador John Bolton

- ▶ Reported directly to President Trump
- ▶ Supervised NSC staff, including 3 key witnesses
- ▶ Oversaw foreign policy and national security matters
- ▶ Said he is willing to testify and has new, relevant information

**SLIDE 134.** S. Doc. 116–18 Vol. I, Pg. 729; 166 Cong. Rec. S423

**AMB. BOLTON WAS A TOP AIDE AND IS NOW WILLING TO TESTIFY**

**November 8, 2019 Letter from Amb. Bolton's Counsel**

The same is true, of course, of Ambassador Bolton, who was the National Security Advisor to the President, and who was personally involved in many of the events, meetings, and conversations about which you have already received testimony, as well as many relevant meetings and conversations that have not yet been discussed in the testimonies thus far.

Excerpted from Supperman v. U.S. House of Representatives, Document No. 24-1, Case 1:19-cv-03224-R/L (Filed Nov. 8, 2019)

**SLIDE 135.** S. Doc. 116–18 Vol. I, Pg. 729; 166 Cong. Rec. S423

**AMB. BOLTON WAS A TOP AIDE AND IS NOW WILLING TO TESTIFY**

**January 6, 2020 Statement of John R. Bolton**


Accordingly, since my testimony is once again at issue, I have had to resolve the serious competing issues as best I could, based on careful consideration and study. I have concluded that, if the Senate issues a subpoena for my testimony, I am prepared to testify.

boltonpar.com/2020/01/statement-of-john-r-bolton/ (Jan. 6, 2020)

**SLIDE 136.** S. Doc. 116–18 Vol. I, Pg. 730; 166 Cong. Rec. S424

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**2 Direct Knowledge of President's Scheme: Akin to "Drug Deal"**


  
Ambassador John Bolton

► **Hill:** "Ambassador Bolton immediately stiffened... and ended the meeting."

**SLIDE 137.** S. Doc. 116–18 Vol. I, Pg. 731; 166 Cong. Rec. S424

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**3** Expressed Concerns That Giuliani Would "Blow Everybody Up"



Ambassador John Bolton

- ▶ Giuliani is a "hand grenade who's going to blow everybody up"
- ▶ "[N]obody should be meeting with Giuliani"
- ▶ Amb. Bolton was "closely monitoring what Mr. Giuliani was doing"

**SLIDE 138.** S. Doc. 116–18 Vol. I, Pg. 731; 166 Cong. Rec. S424

**Fiona Hill Testimony**

A: And Ambassador Bolton had said repeatedly that nobody should be meeting with Giuliani. And you may recall before that I said that he described Giuliani as a bit of a hand grenade that was going to blow everyone up.

Q: Uh-huh.

A: And he was obviously, at that point, you know, closely monitoring what Mr. Giuliani was doing and the messaging that he was sending out.

Hill Depo. Tr. at 127

**SLIDE 139.** S. Doc. 116–18 Vol. I, Pg. 732; 166 Cong. Rec. S425

**Ambassador Bill Taylor Testimony**


"Ambassador Bolton was not interested in having – did not want to have the call because he thought it was going to be a disaster. He thought that there could be some talk of investigations or worse on the call."

Taylor Dep. Tr. at 174 (emphasis added)

**SLIDE 140.** S. Doc. 116–18 Vol. I, Pg. 733; 166 Cong. Rec. S425

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**4** Predicted July 25 Call Would Be "Disaster" and Urged Officials to Report Concerns




Ambassador John Bolton

- ▶ To Hill: "go to the lawyers"
- ▶ To Taylor: Send first-person cable
- ▶ To Morrison: "Stay out of it, brief the lawyers"
- ▶ To Morrison: "tell the lawyers"

**SLIDE 141.** S. Doc. 116–18 Vol. I, Pg. 733; 166 Cong. Rec. S425

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**5** **Actively Involved In Addressing President's Freeze On Ukraine Military Aid**



Ambassador John Bolton

- ▶ Led process to convince President to release the aid
- ▶ July 26: Amb. Bolton to Morrison: Entire Cabinet supports releasing the aid

**SLIDE 142.** S. Doc. 116–18 Vol. I, Pg. 735; 166 Cong. Rec. S426

**NO LEGITIMATE CLAIM OF EXECUTIVE PRIVILEGE**

- 1** **Qualified Privilege Rejected in *Nixon***
- 2** **President Has Not Invoked**
- 3** **Absolute Immunity Has Been Rejected By Courts**
- 4** **"Presidents are not kings"**



SLIDES 143–228

[166 CONG. REC. S443–483 (DAILY ED. JAN. 22, 2020)]

**SLIDE 143.** S. Doc. 116–18 Vol. II, Pg. 758; 166 Cong. Rec. S443

**THE FRAMERS’  
CONSTITUTIONAL REMEDY**

**“When a man unprincipled in private life desperate in his fortune, bold in his temper, possessed of considerable talents, having the advantage of military habits—despotic in his ordinary demeanour—known to have scoffed in private at the principles of liberty—when such a man is seen to mount the hobby horse of popularity—to join in the cry of danger to liberty—to take every opportunity of embarrassing the General Government & bringing it under suspicion—to flatter and fall in with all the non sense of the zealots of the day—it may justly be suspected that his object is to throw things into confusion that he may ‘ride the storm and direct the whirlwind.’”**

Alexander Hamilton, “Objections and Answers respecting the Administration of the Government,”  
Founders Online, National Archives. <https://founders.archives.gov/documents/Hamilton/01-12-02-0184-0002>

**SLIDE 144.** S. Doc. 116–18 Vol. II, Pg. 764; 166 Cong. Rec. S446

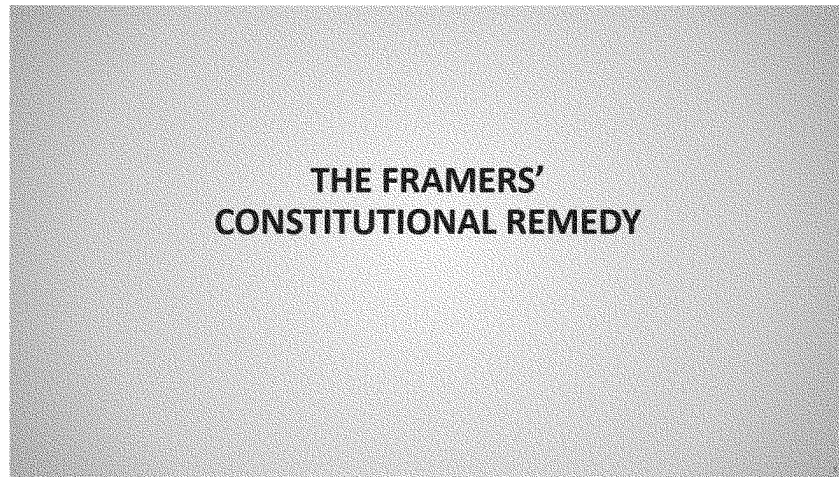
**THE FRAMERS’  
CONSTITUTIONAL REMEDY**

**“Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent? What other body would be likely to feel confidence enough in this own situation, to preserve, unawed and uninfluenced, the necessary impartiality between an individual accused, and the Representatives of the people, his accuser?”**

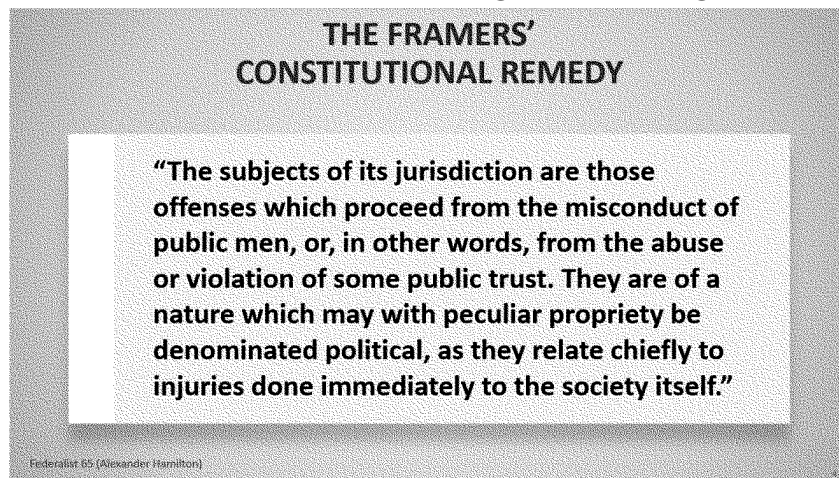
Federalist 69 (Alexander Hamilton)



**SLIDE 145.** S. Doc. 116–18 Vol. II, Pg. 764; 166 Cong. Rec. S446

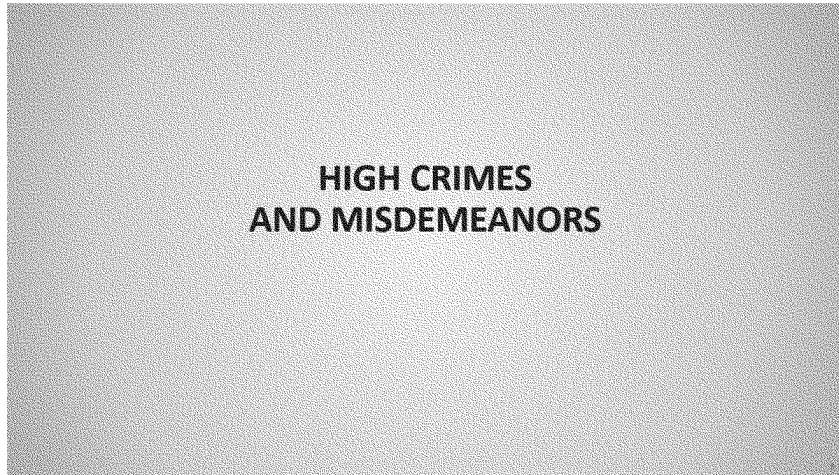


**SLIDE 146.** S. Doc. 116–18 Vol. II, Pg. 765; 166 Cong. Rec. S446

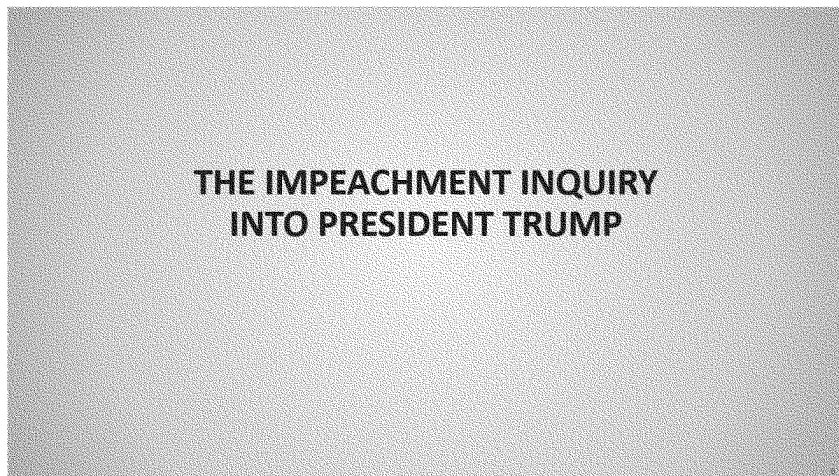




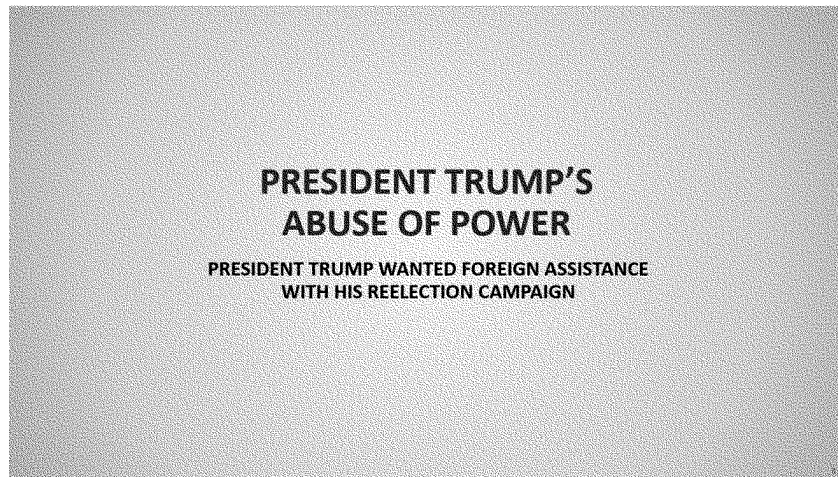
**SLIDE 147.** S. Doc. 116–18 Vol. II, Pg. 765; 166 Cong. Rec. S446



**SLIDE 148.** S. Doc. 116–18 Vol. II, Pg. 766; 166 Cong. Rec. S446



**SLIDE 149.** S. Doc. 116–18 Vol. II, Pg. 769; 166 Cong. Rec. S448



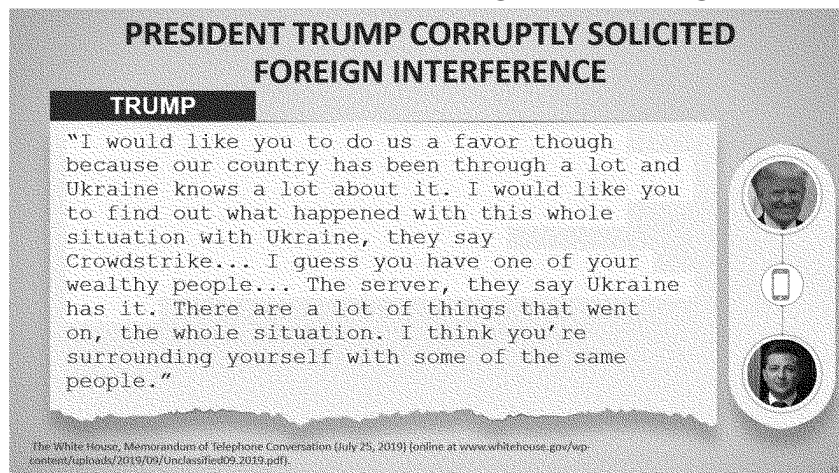
**SLIDE 150.** S. Doc. 116–18 Vol. II, Pg. 769; 166 Cong. Rec. S448



**SLIDE 151.** S. Doc. 116–18 Vol. II, Pg. 770; 166 Cong. Rec. S448



**SLIDE 152.** S. Doc. 116–18 Vol. II, Pg. 771; 166 Cong. Rec. S449



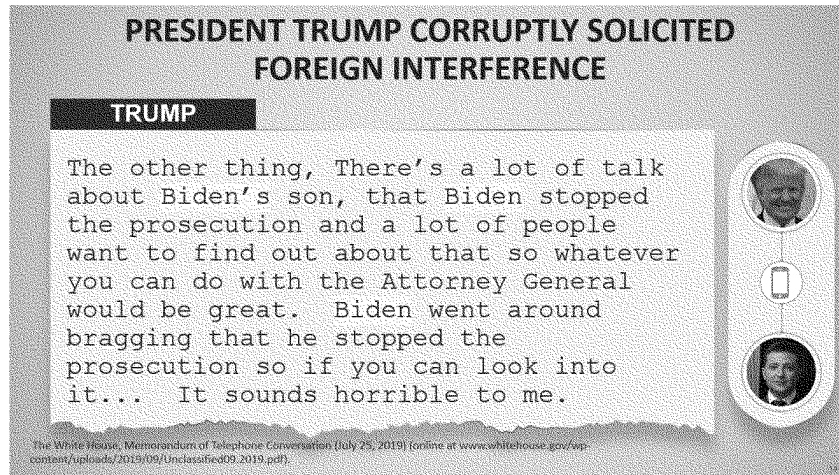
**SLIDE 153.** S. Doc. 116–18 Vol. II, Pg. 722; 166 Cong. Rec. S449

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

**TRUMP**

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.

The White House, Memorandum of Telephone Conversation (July 25, 2019) (online at [www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf](https://www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf)).



**SLIDE 154.** S. Doc. 116–18 Vol. II, Pg. 776; 166 Cong. Rec. S450

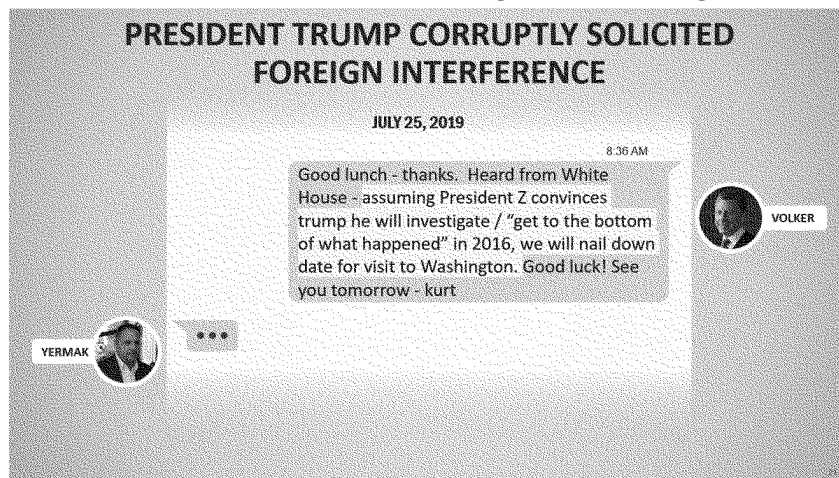
**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

**JULY 25, 2019**

8:36 AM

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

**YERMAK**

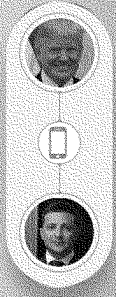


**SLIDE 155.** S. Doc. 116–18 Vol. II, Pg. 776; 166 Cong. Rec. S450

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

**ZELENSKY**

"I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. 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."



Memorandum of telephone conversation, page 5; Trump-Zelensky Call Record July 25, 2019

**SLIDE 156.** S. Doc. 116–18 Vol. II, Pg. 777; 166 Cong. Rec. S451

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

<b>Yermak Draft (August 12)</b>	<b>Giuliani-Volker-Sondland Draft (August 13)</b>
"...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."	"...We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 US elections, which in turn will prevent the recurrence of this problem in the future."

Source: Volker Document Production






**SLIDE 157.** S. Doc. 116–18 Vol. II, Pg. 780; 166 Cong. Rec. S452

**PRESIDENT TRUMP CONDITIONED  
MILITARY AID ON INVESTIGATIONS**

**TRUMP**

"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."


The White House, Memorandum of Telephone Conversation (July 25, 2019) (online at [www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf](http://www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf)).


**SLIDE 158.** S. Doc. 116–18 Vol. II, Pg. 782; 166 Cong. Rec. S453



**PRESIDENT TRUMP CONDITIONED  
MILITARY AID ON INVESTIGATIONS**

SEPTEMBER 9, 2019

12:47 AM

**TAYLOR**  As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

**SONDLAND**  ...

 **VOLKER** 

Source: Volker Document Production

**SLIDE 159.** S. Doc. 116–18 Vol. II, Pg. 782; 166 Cong. Rec. S453

**PRESIDENT TRUMP CONDITIONED  
MILITARY AID ON INVESTIGATIONS**

**TAYLOR:** "That security system was so important for Ukraine, as well as our own national interest, to withhold that assistance for no good reason other than help with the political campaign made no sense. It was counterproductive to all of what we had been trying to do. It was illogical. It could not be explained. It was crazy."

Deposition of William Taylor, October 22, 2019.

**SLIDE 160.** S. Doc. 116–18 Vol. II, Pg. 782; 166 Cong. Rec. S453

**PRESIDENT TRUMP CONDITIONED  
MILITARY AID ON INVESTIGATIONS**

**Goldman:** Now, you referenced a television interview and a desire for President Trump to put Zelensky in a public box, which you also have in quotes. Was that in your notes?

**Taylor:** It was in my notes.

**Goldman:** And what did you understand that to mean, to put Zelensky in a public box?

**Taylor:** I understood that to mean that President Trump, through Ambassador Sondland, was asking for President Zelensky to very publicly commit to these investigations, that it was not sufficient to do this in private, that this needed to be a very public statement.

Ambassador William Taylor/Mr. George Kent, Open Hearing, 11/13/2019



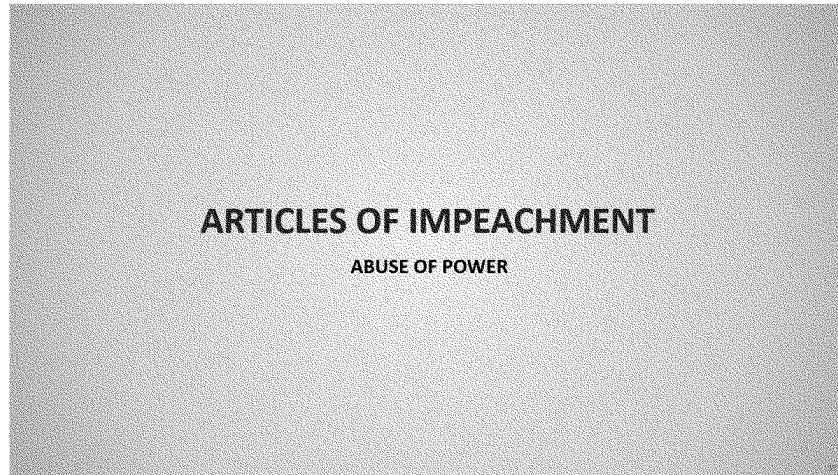
**SLIDE 161.** S. Doc. 116–18 Vol. II, Pg. 786; 166 Cong. Rec. S454

**PRESIDENT TRUMP'S SCHEME UNDERMINED  
THE NATIONAL INTEREST**

**SLIDE 162.** S. Doc. 116–18 Vol. II, Pg. 789; 166 Cong. Rec. S455

**PRESIDENT TRUMP'S  
OBSTRUCTION OF CONGRESS**

**SLIDE 163.** S. Doc. 116–18 Vol. II, Pg. 792; 166 Cong. Rec. S456



**SLIDE 164.** S. Doc. 116–18 Vol. II, Pg. 792; 166 Cong. Rec. S457



**SLIDE 165.** S. Doc. 116–18 Vol. II, Pg. 797; 166 Cong. Rec. S458

**PRESIDENT TRUMP AND  
DONALD TRUMP JR. ON TWITTER**

**Donald Trump Jr.** @realDonaldTrump

We need more @RichardGrenell's and less of these jokers as ambassadors.

Calls Grow To Remove Obama's U.S. Ambassador To Ukraine

 Calls Grow To Remove Obama's U.S. Ambassador To Ukraine, Marie Perle  
dailywire.com

12:12 PM · Mar 24, 2019 · Twitter for iPhone

**Donald J. Trump** @realDonaldTrump

"John Solomon: As Russia Collusion fades, Ukrainian plot to help Clinton emerges." @seanhannity @FoxNews

10:40 PM · Mar 20, 2019 · Twitter for iPhone

Source: Twitter

**SLIDE 166.** S. Doc. 116–18 Vol. II, Pg. 797; 166 Cong. Rec. S459

**PHONE RECORDS FROM APRIL 12, 2019**

Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
04/12/19	11:05:25	0:03	OMB-Associated Phone Number	Giuliani, Rudy
04/12/19	11:05:39	12:10	"-1"	Giuliani, Rudy
04/12/19	13:13:49	0:12	Giuliani, Rudy	White House Phone Number
04/12/19	14:11:22	0:03	"-1"	Giuliani, Rudy
04/12/19	14:11:27	0:03	OMB-Associated Phone Number	Giuliani, Rudy
04/12/19	15:48:09	0:03	OMB-Associated Phone Number	Giuliani, Rudy
04/12/19	17:17:36	7:52	Sekulow, Jay	Giuliani, Rudy
04/12/19	19:56:43	5:03	Giuliani, Rudy	White House Phone Number

**SLIDE 167.** S. Doc. 116–18 Vol. II, Pg. 798/823; 166 Cong. Rec. S459/S468

**FEBRUARY 2, 2017 JOINT NEWS CONFERENCE  
PRESIDENT PUTIN AND PRIME MINISTER ORBAN**

“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.”

*- President Putin*

President Putin, February 2, 2017, Joint News Conference with Prime Minister Orban;  
<http://en.kremlin.ru/events/president/news/53806>

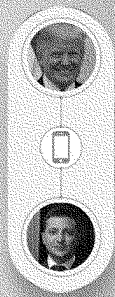
**SLIDE 168.** S. Doc. 116–18 Vol. II, Pg. 799; 166 Cong. Rec. S459

**TRUMP-ZELENSKY CALL RECORD  
APRIL 21, 2019**

**TRUMP**

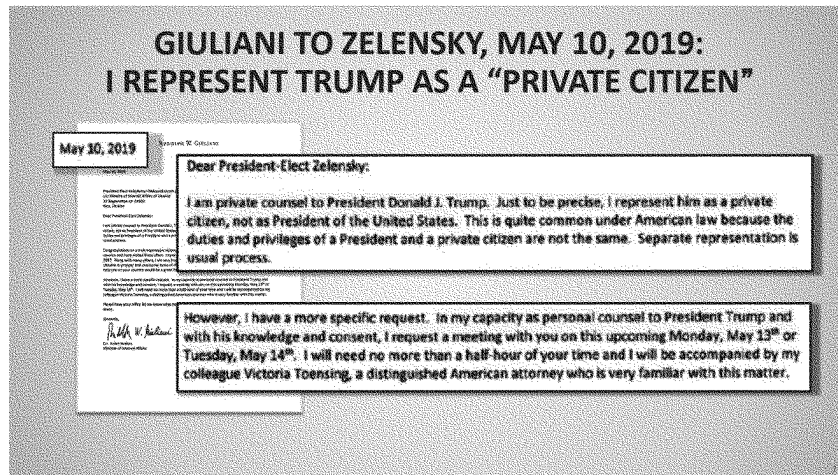
“When you’re settled in and ready, I’d like to invite you to the White House. We’ll have a lot of things to talk about, but we’re with you all the way.”

Memorandum of telephone conversation, page 4

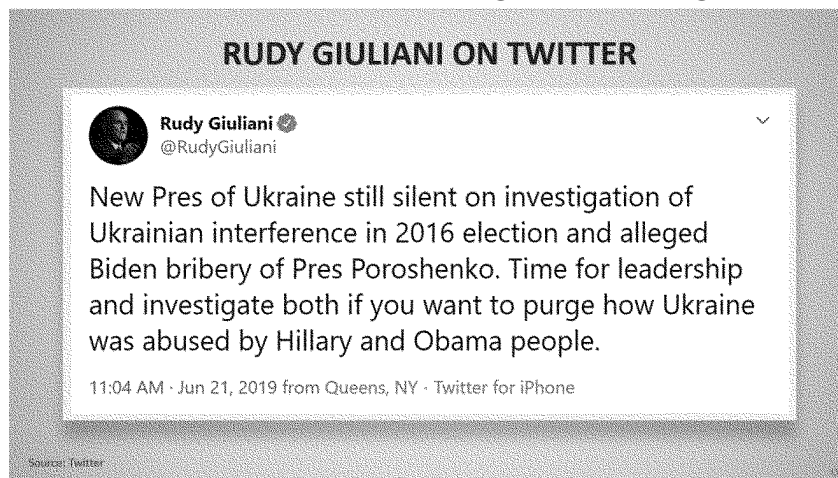


**SLIDE 169.** S. Doc. 116–18 Vol. II, Pg. 800; 166 Cong. Rec. S460**SLIDE 170.** S. Doc. 116–18 Vol. II, Pg. 800; 166 Cong. Rec. S460

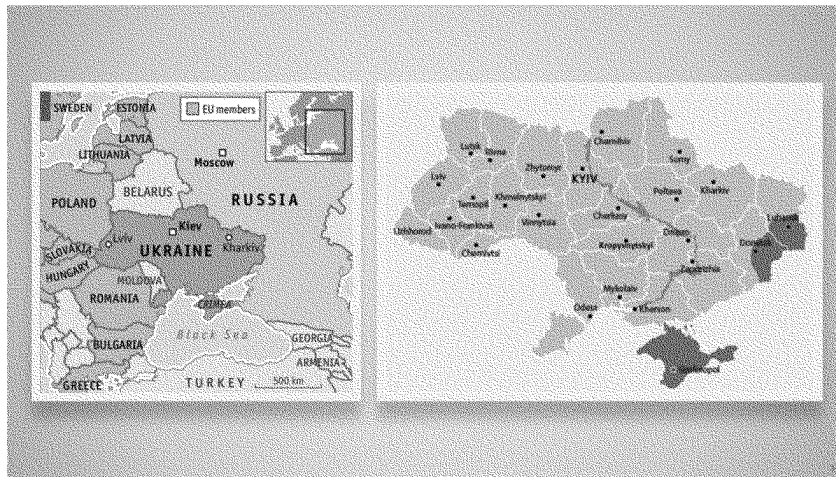
**SLIDE 171.** S. Doc. 116–18 Vol. II, Pg. 801; 166 Cong. Rec. S460



**SLIDE 172.** S. Doc. 116–18 Vol. II, Pg. 803; 166 Cong. Rec. S461





**SLIDE 173.** S. Doc. 116–18 Vol. II, Pg. 805; 166 Cong. Rec. S462**SLIDE 174.** S. Doc. 116–18 Vol. II, Pg. 805; 166 Cong. Rec. S462

**AP** In Kiev, Mattis says Moscow wants to redraw borders by force

By ROBERT BURNS August 24, 2017



JAMES MATTIS  
FORMER SECRETARY  
OF DEFENSE

“Despite Russia’s denials, we know they are seeking to redraw international borders by force,” Mattis said, an ambition by Moscow that the secretary said is undermining sovereign European nations and stirring tension.

Burns, Robert. “In Kiev, Mattis says Moscow wants to redraw borders by force.” *The Associated Press*, August 24, 2017.



**SLIDE 175.** S. Doc. 116–18 Vol. II, Pg. 808; 166 Cong. Rec. S463

**MAY 23 CONGRESSIONAL NOTIFICATION**

Dear Mr. Chairman:

On behalf of the Secretary of Defense, and in coordination with the Secretary of State, I have certified that 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.

Letter from John C. Rood, Under Secretary of Defense for Policy, Department of Defense, to Chairman Eliot L. Engel, House Committee on Foreign Affairs (May 23, 2019).

**SLIDE 176.** S. Doc. 116–18 Vol. II, Pg. 809; 166 Cong. Rec. S463

**JUNE 19 EMAIL FROM MICHAEL DUFFEY  
TO ELAINE MCCUSKER**

On Jun 19, 2019, at 6:37 PM, Duffey, Michael P. EOP/OMB [REDACTED] wrote:

Elaine --

The President has asked about this funding release, and I have been asked to follow-up with someone over there to get more detail. Do you have insight on this funding?

Thanks,  
Mike

<https://www.washingtonpost.com/archive/local/2019/06/19/pentagon-to-send-250m-in-weapons-to-ukraine/2019-06-19/>

**Pentagon to send \$250M in  
weapons to Ukraine**

By Russ Fied  
1 June 19, 2019 01:17 PM

The Department of Defense plans to send \$250 million in military equipment to Ukraine to assist in building up the country's military capabilities as it continues to counter Russian-backed forces in its eastern provinces.

The aid package will include sniper rifles, grenade launchers, and counter-artillery radars for the Ukrainian Navy, special operations forces, and land troops. Electronic warfare detection equipment, night vision technology, and military medical equipment will also be included. This additional equipment brings total U.S. security assistance to Ukraine to \$1.5 billion since 2014, according to the Pentagon.

CPA: DOD 19-3265 (D.O.C.) 20 Dec 19 08/2; see also Sandy Dep. Tr. at 25; DOD Announces \$250M to Ukraine, Department of Defense (June 18, 2019)

**SLIDE 177.** S. Doc. 116–18 Vol. II, Pg. 809; 166 Cong. Rec. S463

**MULVANEY JUNE 27 EMAIL TO ROBERT BLAIR**

**The New York Times**

***Behind the Ukraine Aid Freeze: 84 Days of Conflict and Confusion***

The inside story of President Trump's demand to halt military assistance to an ally shows the price he was willing to pay to carry out his agenda.

By Eric Lipton, Maggie Haberman and Mark Mazzei

Published Dec. 29, 2019 Updated Jan. 16, 2020

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“I’m just trying to tie up some loose ends,” Mr. Mulvaney wrote.

“Did we ever find out about the money for Ukraine and whether we can hold it back?”

<https://www.nytimes.com/2019/12/29/us/politics/trump-ukraine-military-aid.html>

**SLIDE 178.** S. Doc. 116–18 Vol. II, Pg. 811; 166 Cong. Rec. S464

**DUFFEY EMAIL  
JULY 25, 2019**

**From:** Duffey, Michael P. EOP/OMB (b) (6)

**Sent:** 7/25/2019 3:03:40 PM

**To:** David Norquist (b) (6); McCusker, Elaine A HON OSD OUSD C (US) /O=EAS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b) (6); eric.chewning (b) (6)

**CC:** Sandy, Mark S. EOP/OMB (b) (6)

**Subject:** Ukraine Foreign Assistance

David/Elaine/Eric:

Based on guidance I have received and in light of the Administration's plan to review assistance to Ukraine, including the Ukraine Security Assistance Initiative, please hold off on any additional DoD obligations of these funds, pending direction from that process. I understand that DoD will continue its planning and casework during this period and that this brief

\* \* \*

Given the sensitive nature of the request, I appreciate your keeping that information closely held to those who need to know to execute the direction. Please let me know if you have any questions.

ERI v. DOB 19-3265 (D.D.C.) 20 Dec 19 040

**SLIDE 179.** S. Doc. 116–18 Vol. II, Pg. 813; 166 Cong. Rec. S465

**CROFT TESTIFIED UKRAINIAN OFFICIALS WOULD NOT WANT THE HOLD TO BE PUBLIC**

**Catherine Croft Deposition**

"I think that if this were public in Ukraine it would be seen as a reversal of our policy and would, just to say sort of candidly and colloquially, this would be a really big deal, it would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine."

Croft Dep. Tr. at 57-58

**SLIDE 180.** S. Doc. 116–18 Vol. II, Pg. 816; 166 Cong. Rec. S466

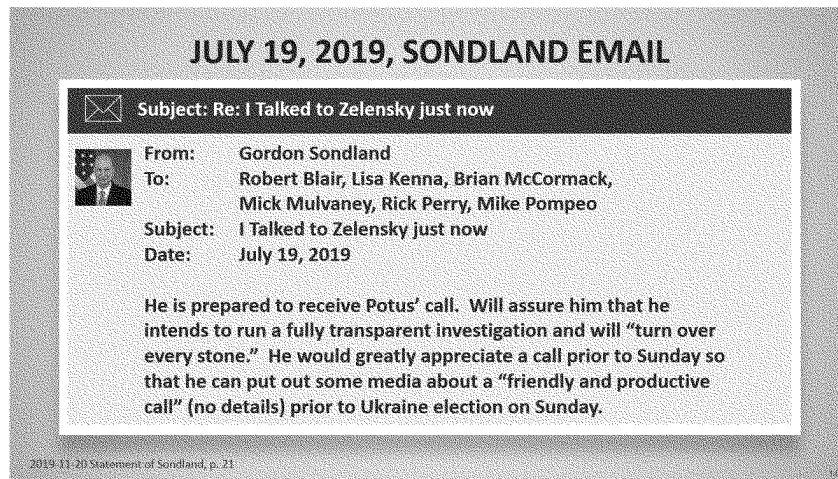
**JULY 10, 2019**

**YERMAK**

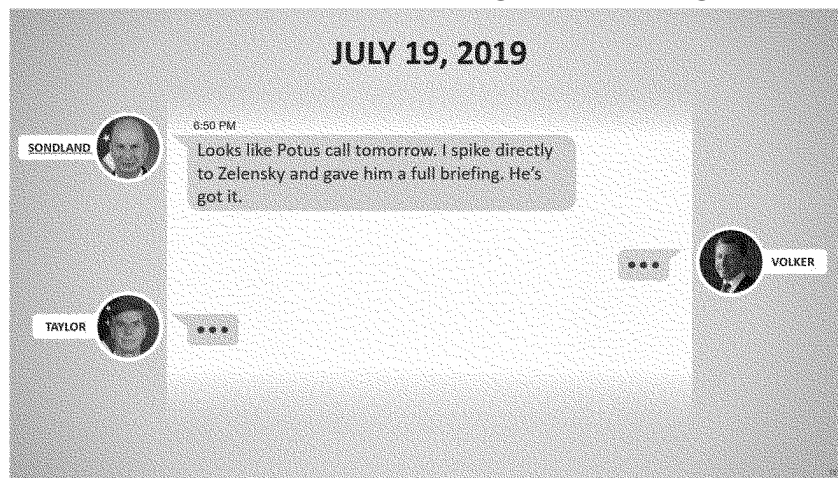
Thank you for the meeting and your clear and very logical position. Will be great meet with you before my departure and discuss. I feel that the key for many things is Rudi and I ready to talk with him at any time. Please, let me know when you can meet. Andrey.

**VOLKER**

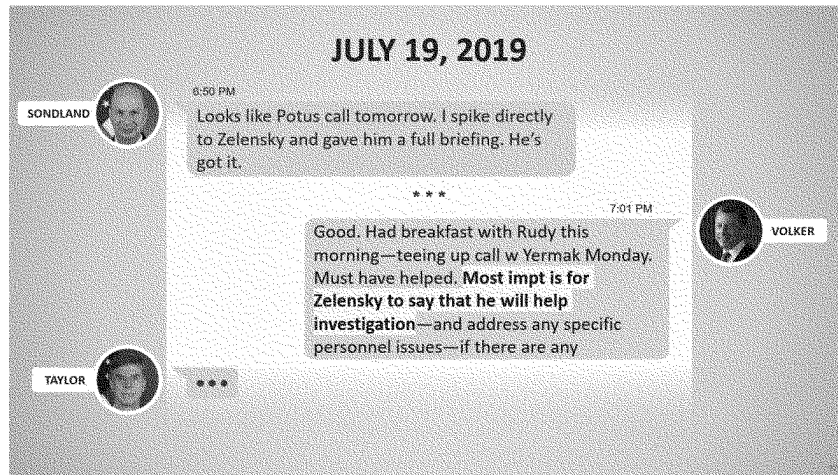
**SLIDE 181.** S. Doc. 116–18 Vol. II, Pg. 818; 166 Cong. Rec. S466



**SLIDE 182.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467

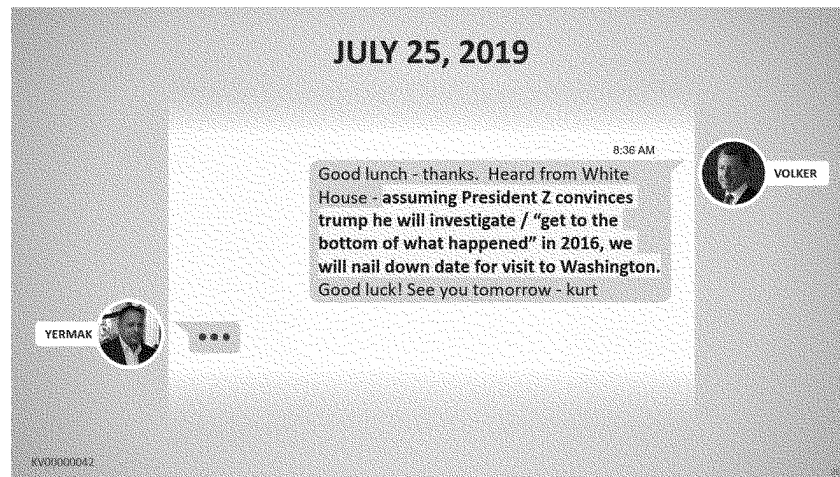
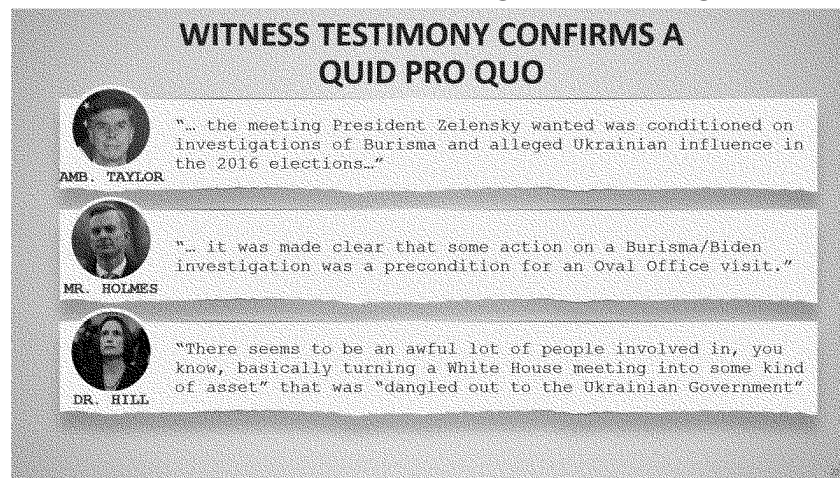


**SLIDE 183.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467



**SLIDE 184.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467




**SLIDE 185.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467**SLIDE 186.** S. Doc. 116–18 Vol. II, Pg. 820; 166 Cong. Rec. S467



**SLIDE 187.** S. Doc. 116–18 Vol. II, Pg. 820; 166 Cong. Rec. S467

**PRESIDENT TRUMP DIRECTED THE SCHEME**


**SONDLAND**



"Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President ... [Mr. Giuliani] followed the direction of the President" and "we followed the President's orders"

**SLIDE 188.** S. Doc. 116–18 Vol. II, Pg. 820; 166 Cong. Rec. S467

**DEPOSITION OF AMBASSADOR TAYLOR**



**Ambassador Taylor Testimony**

"... Ambassador Bolton was not interested in having – did not want to have the call because he thought it was going to be a disaster. He thought that there could be some talk of investigations or worse on the call."

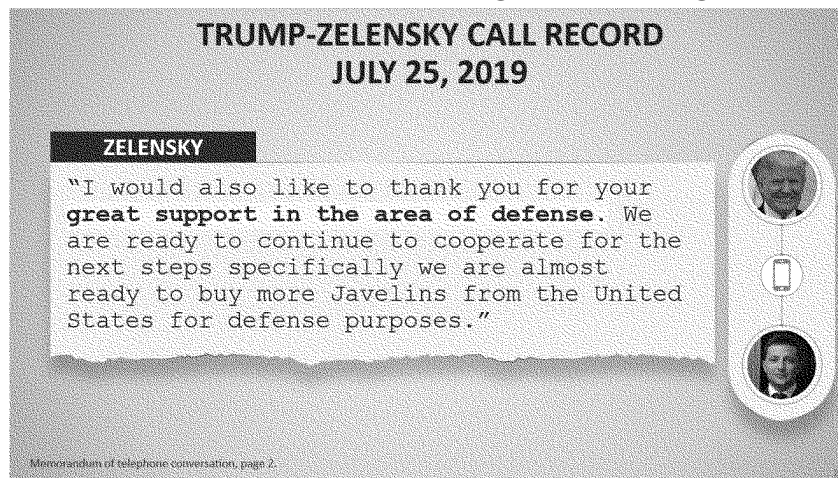
Deposition of Ambassador Taylor, October 22, 2019, page 174.



**SLIDE 189.** S. Doc. 116–18 Vol. II, Pg. 821; 166 Cong. Rec. S468



**SLIDE 190.** S. Doc. 116–18 Vol. II, Pg. 822; 166 Cong. Rec. S468

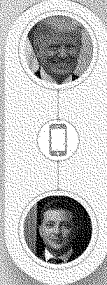


**SLIDE 191.** S. Doc. 116–18 Vol. II, Pg. 822; 166 Cong. Rec. S468

**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**TRUMP**

"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."



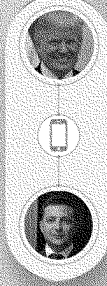
Memorandum of telephone conversation, page 3.

**SLIDE 192.** S. Doc. 116–18 Vol. II, Pg. 822; 166 Cong. Rec. S468

**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**TRUMP**

"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."



Memorandum of telephone conversation, page 3.

**SLIDE 193.** S. Doc. 116–18 Vol. II, Pg. 823; 166 Cong. Rec. S468

**PUTIN'S NOVEMBER 20, 2019 COMMENTS**

"Thank God no one is accusing us anymore of interfering in U.S. elections. Now they're accusing Ukraine."

- *President Putin*

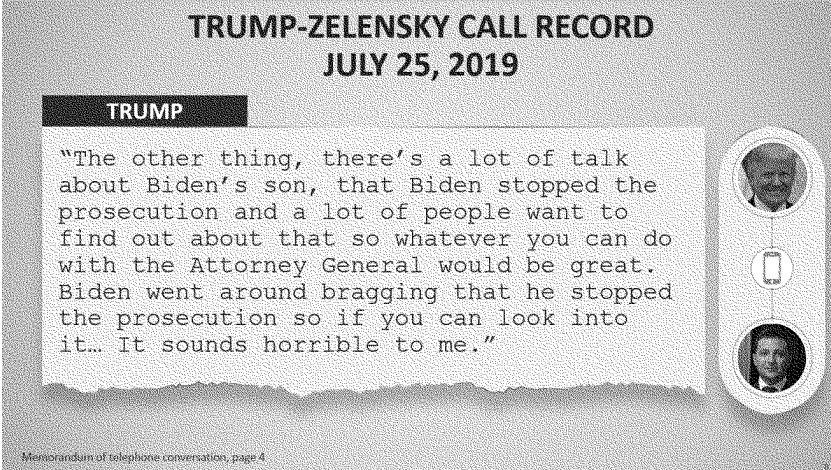
**SLIDE 194.** S. Doc. 116–18 Vol. II, Pg. 823; 166 Cong. Rec. S469

**TRUMP-ZELENSKY CALL RECORD  
JULY 25, 2019**

**TRUMP**

"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."

Memorandum of telephone conversation, page 4



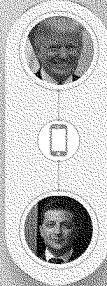
**SLIDE 195.** S. Doc. 116–18 Vol. II, Pg. 824; 166 Cong. Rec. S469

**TRUMP-ZELENSKY CALL RECORD  
JULY 25, 2019**

**ZELENSKY**

"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."

Memorandum of telephone conversation, page 1



**SLIDE 196.** S. Doc. 116–18 Vol. II, Pg. 825; 166 Cong. Rec. S469

**WHEN THE CALL RECORD WAS RELEASED, BARR  
DISAVOWS ANY ROLE IN UKRAINE SCHEME**

**POLITICO**

**Barr is thrust back in harsh glare as Ukraine scandal grows**

By JOSH GERSTEIN | 09/25/2019 03:34 PM EDT

"If you are asking separately if the President has asked the AG to investigate Biden, the answer is no," Justice spokeswoman Kerri Kupec told POLITICO Wednesday afternoon.

Gerstein, Josh, "Barr is thrust back in harsh glare as Ukraine scandal grows," *Politico*, Sept. 25, 2019.

**SLIDE 197.** S. Doc. 116–18 Vol. II, Pg. 825; 166 Cong. Rec. S469

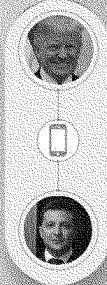
**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**TRUMP**

"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 that."

**TRUMP**

"Well, she's going to go through some things."




Memorandum of telephone conversation, page 4.

**SLIDE 198.** S. Doc. 116–18 Vol. II, Pg. 826; 166 Cong. Rec. S469

**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**TRUMP**

"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."



Memorandum of telephone conversation, page 3.

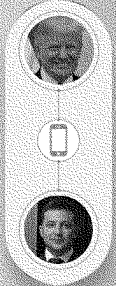


**SLIDE 199.** S. Doc. 116–18 Vol. II, Pg. 826; 166 Cong. Rec. S470

**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**ZELENSKY**

"I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. **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.**"



Memorandum of telephone conversation, page 5.

**SLIDE 200.** S. Doc. 116–18 Vol. II, Pg. 826; 166 Cong. Rec. S470

**OFFICIAL WHITE HOUSE CALL READOUT, JULY 25, 2019**

**Today, President Donald J. Trump spoke by telephone with President Volodymyr Zelenskyy of Ukraine to congratulate him on his recent election. President Trump and President Zelenskyy discussed ways to strengthen the relationship between the United States and Ukraine, including energy and economic cooperation. Both leaders also expressed that they look forward to the opportunity to meet.**

**SLIDE 201.** S. Doc. 116–18 Vol. II, Pg. 827; 166 Cong. Rec. S470

**TESTIMONY OF MS. WILLIAMS**

**Jennifer Williams Deposition**

Q: Okay. During the July 25 call, did you have any concerns about the conversation that you heard between President Trump and President Zelensky?

A: **I certainly noted that the mention of these specific investigations seemed unusual as compared to other discussions with foreign leaders.**

Q: And why were they unusual?

A: I believed those references to be **more political in nature** and so that struck me as unusual.

A: **I guess for me it shed some light on possible other motivations behind a security assistance hold.**

Williams Dep. Tr. at 129, 149

**SLIDE 202.** S. Doc. 116–18 Vol. II, Pg. 830/830; 166 Cong. Rec. S471/S471

**JULY 26, 2019**

5:55 AM

Hi Mr Mayor – you may have heard—the **President** has a great phone call with the **Ukrainian President** yesterday. Exactly the right messages as we discussed.

Please send dates when you will be in Madrid. I am seeing Yermak tomorrow morning. He will come to you in Madrid. Thanks for your help! Kurt

**GIULIANI**

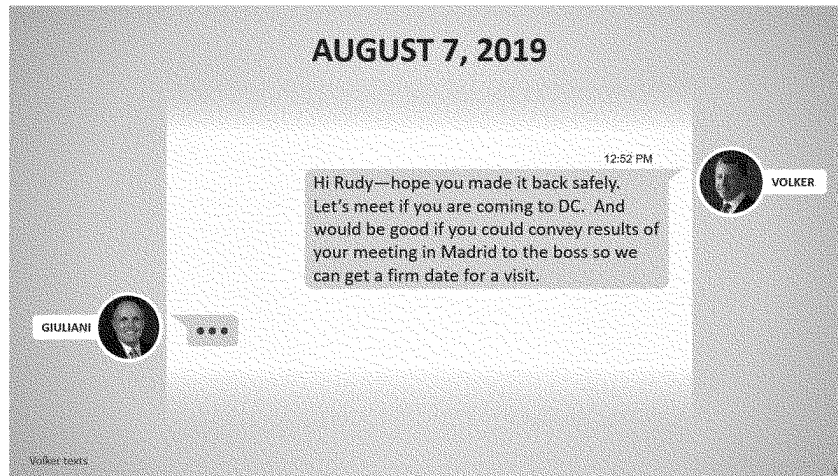
I will arrive on Aug 1 and until 5  
Thank you

**VOLKER**

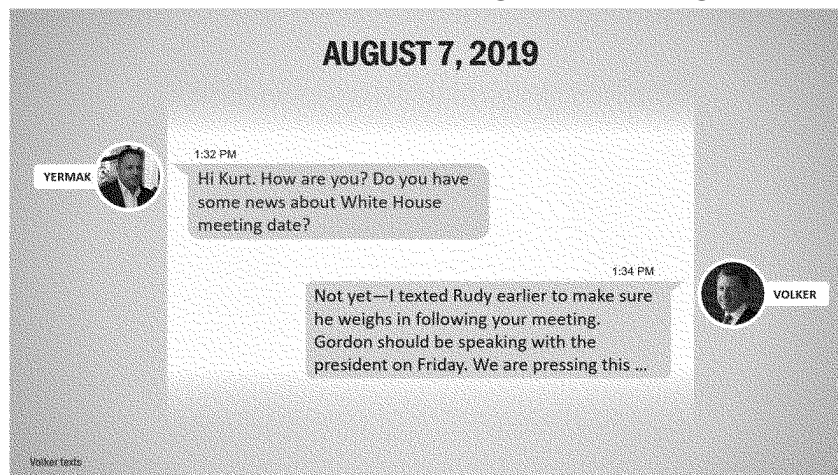
Volker texts



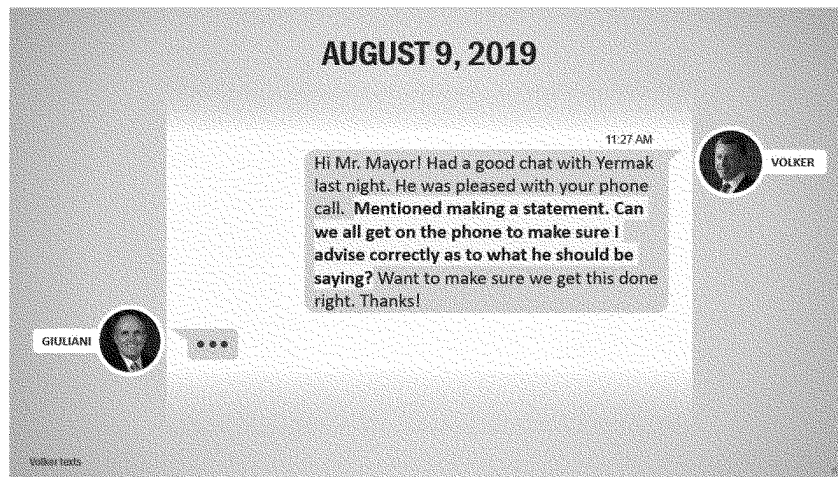
**SLIDE 203.** S. Doc. 116–18 Vol. II, Pg. 832/832; 166 Cong. Rec. S472/S472



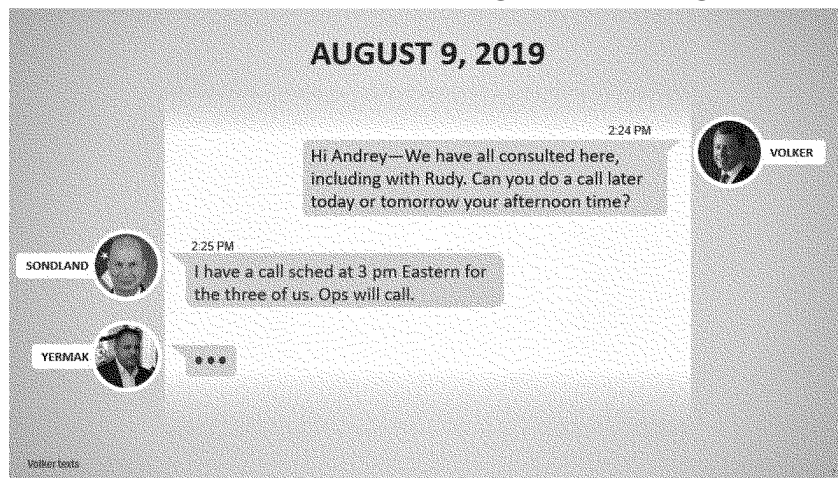
**SLIDE 204.** S. Doc. 116–18 Vol. II, Pg. 832; 166 Cong. Rec. S472



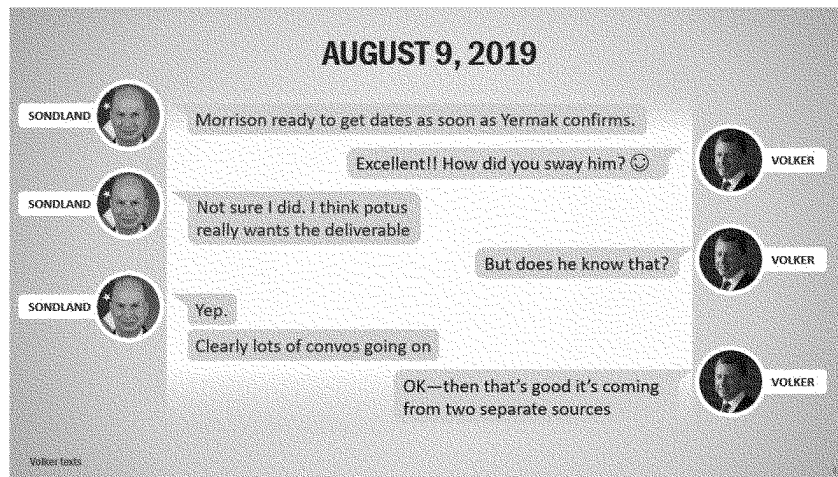
**SLIDE 205.** S. Doc. 116–18 Vol. II, Pg. 833; 166 Cong. Rec. S472



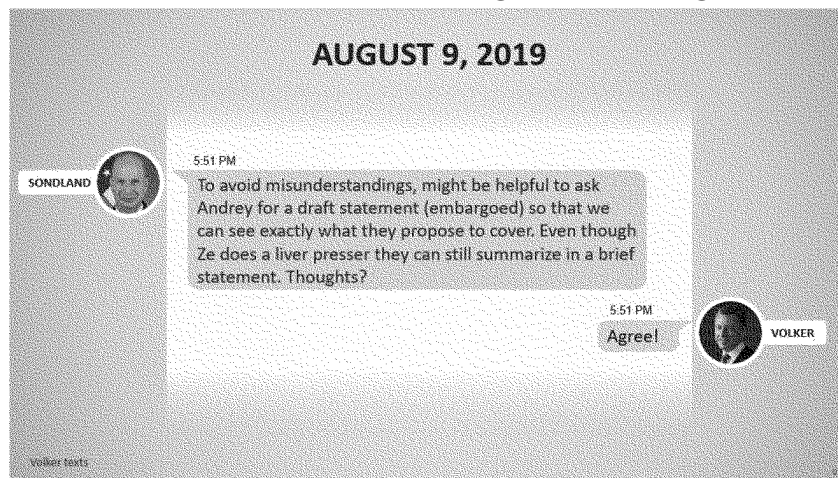
**SLIDE 206.** S. Doc. 116–18 Vol. II, Pg. 833; 166 Cong. Rec. S472



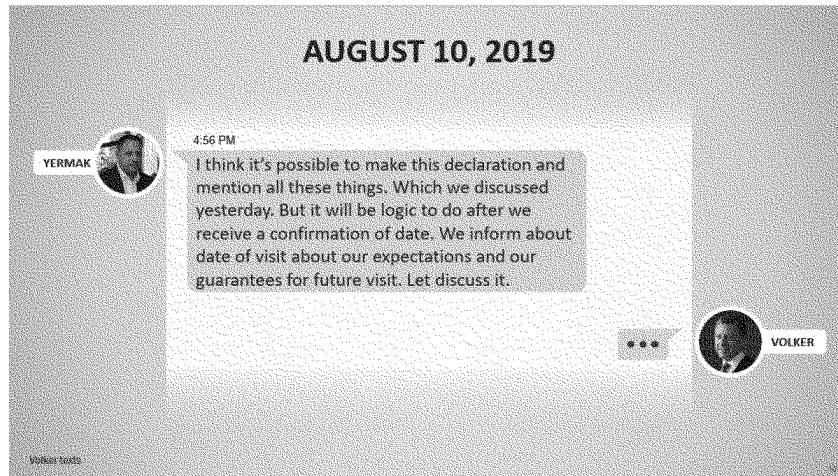
**SLIDE 207.** S. Doc. 116–18 Vol. II, Pg. 834; 166 Cong. Rec. S472



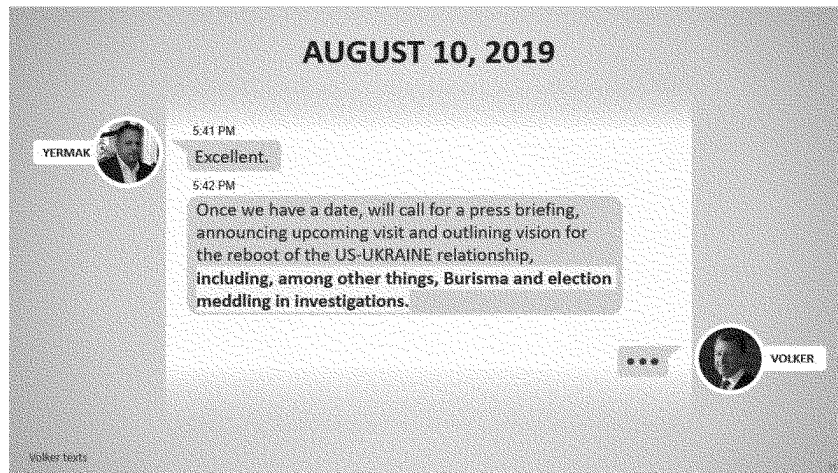
**SLIDE 208.** S. Doc. 116–18 Vol. II, Pg. 834; 166 Cong. Rec. S473



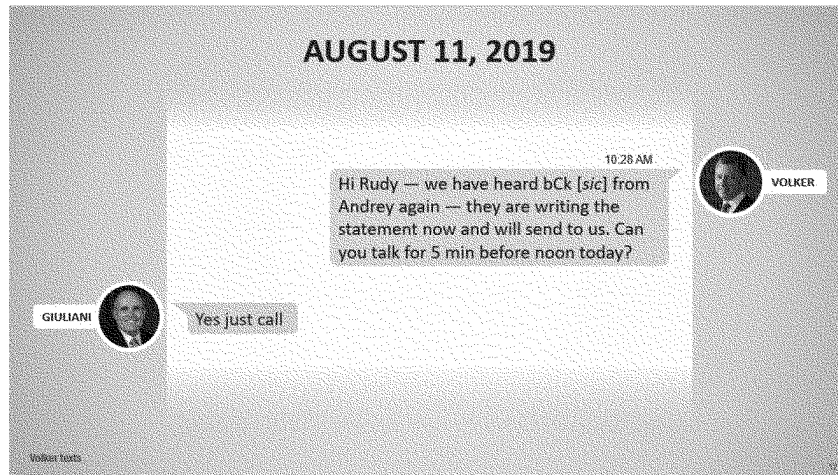
**SLIDE 209.** S. Doc. 116–18 Vol. II, Pg. 835/835; 166 Cong. Rec. S473/S473



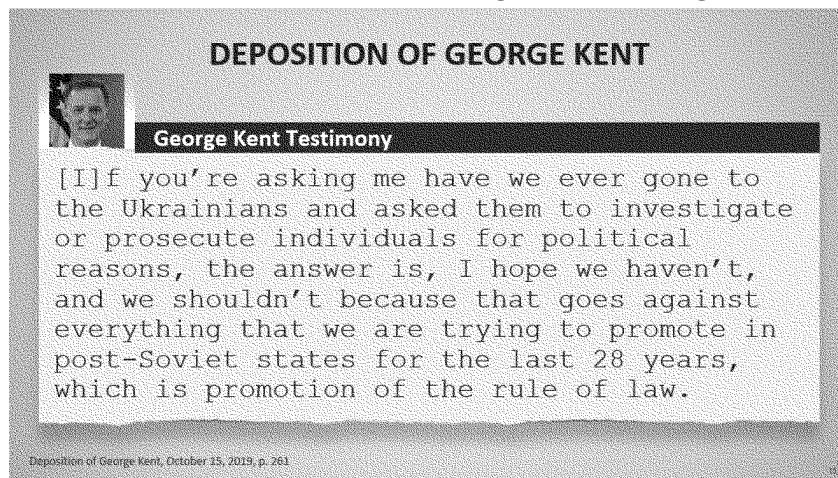
**SLIDE 210.** S. Doc. 116–18 Vol. II, Pg. 835; 166 Cong. Rec. S473

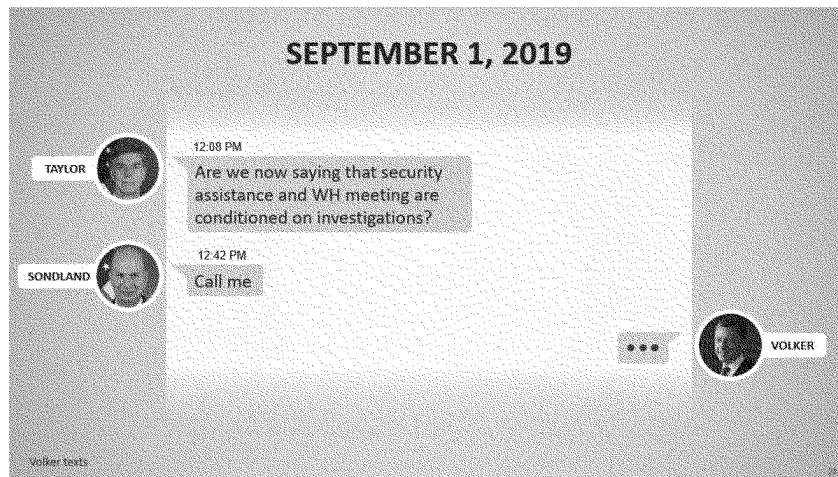


**SLIDE 211.** S. Doc. 116–18 Vol. II, Pg. 836; 166 Cong. Rec. S473



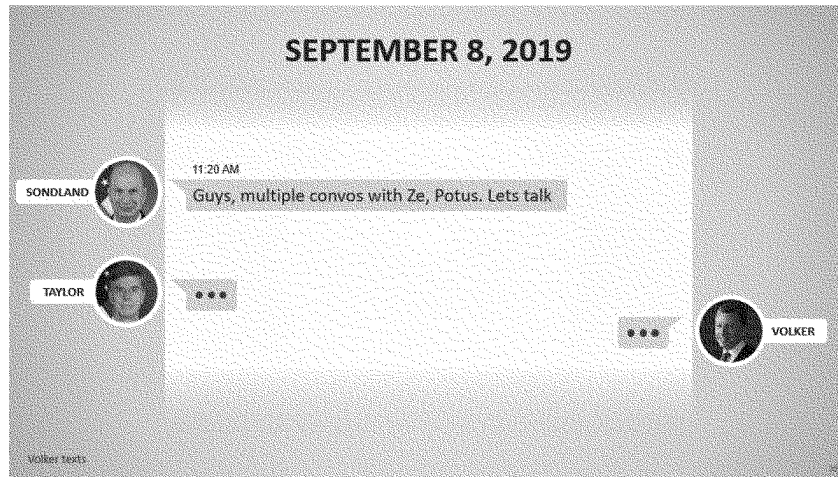
**SLIDE 212.** S. Doc. 116–18 Vol. II, Pg. 837; 166 Cong. Rec. S474



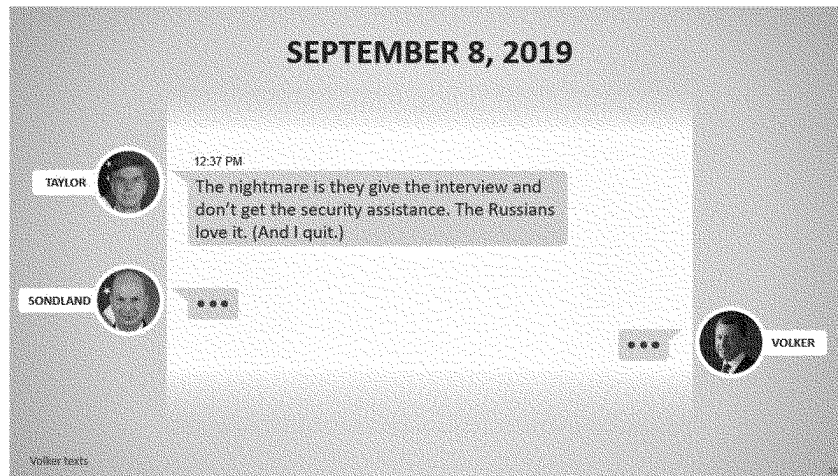
**SLIDE 213.** S. Doc. 116–18 Vol. II, Pg. 846; 166 Cong. Rec. S477**SLIDE 214.** S. Doc. 116–18 Vol. II, Pg. 847; 166 Cong. Rec. S478



**SLIDE 215.** S. Doc. 116–18 Vol. II, Pg. 849; 166 Cong. Rec. S478



**SLIDE 216.** S. Doc. 116–18 Vol. II, Pg. 850; 166 Cong. Rec. S479





**SLIDE 217.** S. Doc. 116–18 Vol. II, Pg. 850; 166 Cong. Rec. S479

**DEPOSITION OF TAYLOR**

**Ambassador Taylor Testimony**

"The nightmare" is the scenario where President Zelensky goes out in public, makes an announcement that he's going to investigate Burisma and the ... interference in 2016 election, maybe among other things. He might put that in some series of investigations. But ... the nightmare was he would mention those two, take all the heat from that, get himself in big trouble in this country and probably in his country as well, and the security assistance would not be released. That was the nightmare."

Deposition of Mark Sandy, October 22, 2019, p. 209

**SLIDE 218.** S. Doc. 116–18 Vol. II, Pg. 851; 166 Cong. Rec. S479

**SEPTEMBER 9, 2019**

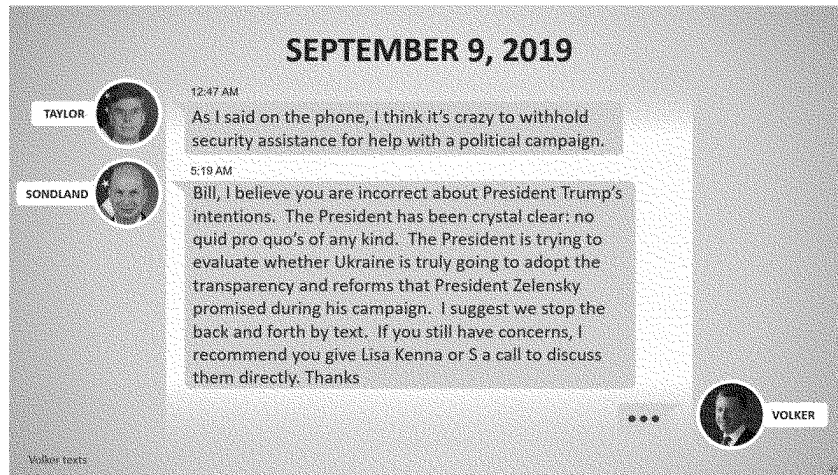
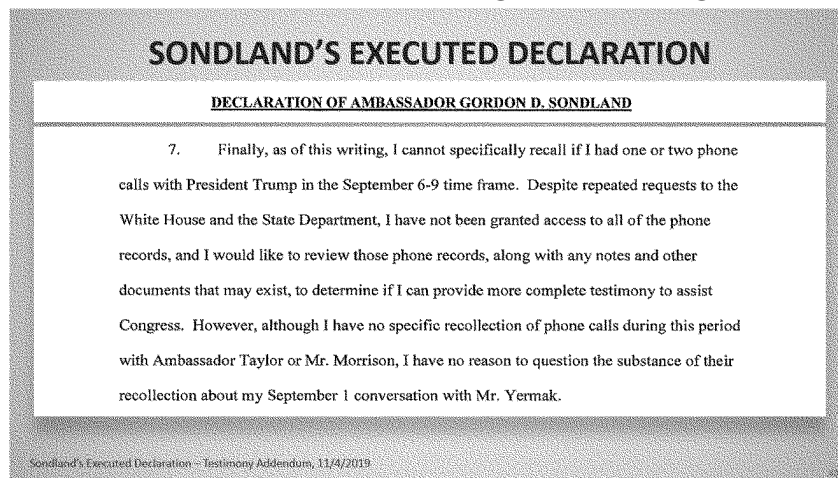
**TAYLOR** 12:31 AM  
The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us. Thus my nightmare scenario.

**SONDLAND** 12:34 AM  
Counting on you to be right about this interview, Gordon.

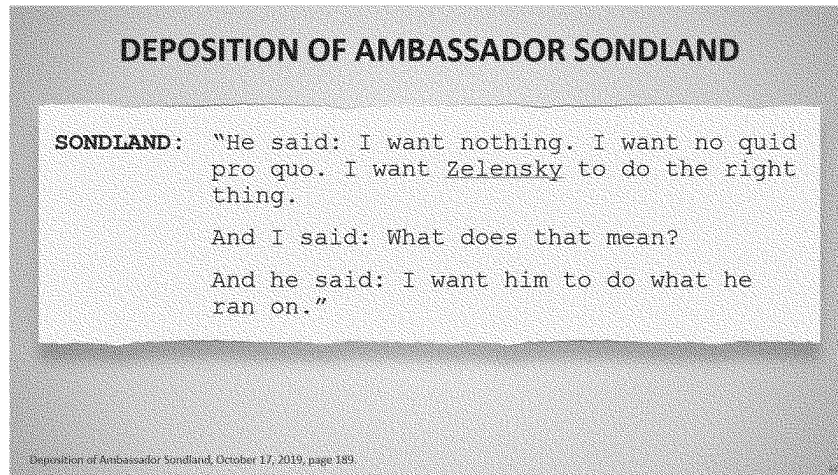
**TAYLOR** 12:47 AM  
Bill, I never said I was "right". I said we are where we are and believe we have identified the best pathway forward. Lets hope it works.

**TAYLOR** 12:47 AM  
As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

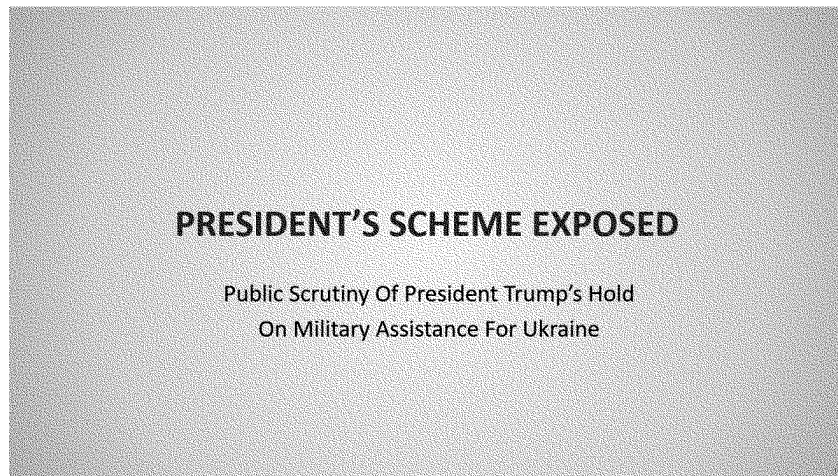
**VOLKER**

**SLIDE 219.** S. Doc. 116–18 Vol. II, Pg. 851; 166 Cong. Rec. S479**SLIDE 220.** S. Doc. 116–18 Vol. II, Pg. 852; 166 Cong. Rec. S479

**SLIDE 221.** S. Doc. 116–18 Vol. II, Pg. 852; 166 Cong. Rec. S479



**SLIDE 222.** S. Doc. 116–18 Vol. II, Pg. 853; 166 Cong. Rec. S480



**SLIDE 223.** S. Doc. 116–18 Vol. II, Pg. 854; 166 Cong. Rec. S480

**SENATE LETTER TO MULVANEY**

**United States Senate**  
WASHINGTON, DC 20510  
September 3, 2019


Dear Director Mulvaney:

As members of the bi-partisan Ukraine Caucus we write to express our deep concerns of reports that the Administration is considering not obligating the Ukraine Security Initiative funds for 2019.

Ukraine Security Letter to Mulvaney 9/3/2019

**SLIDE 224.** S. Doc. 116–18 Vol. II, Pg. 854; 166 Cong. Rec. S480


**SENATORS MURPHY AND JOHNSON  
ON RELEASING THE AID**



**SEN. MURPHY**

**“Senator Johnson and I assured Zelensky that Congress wanted to continue this funding, and would press Trump to release it immediately.”**

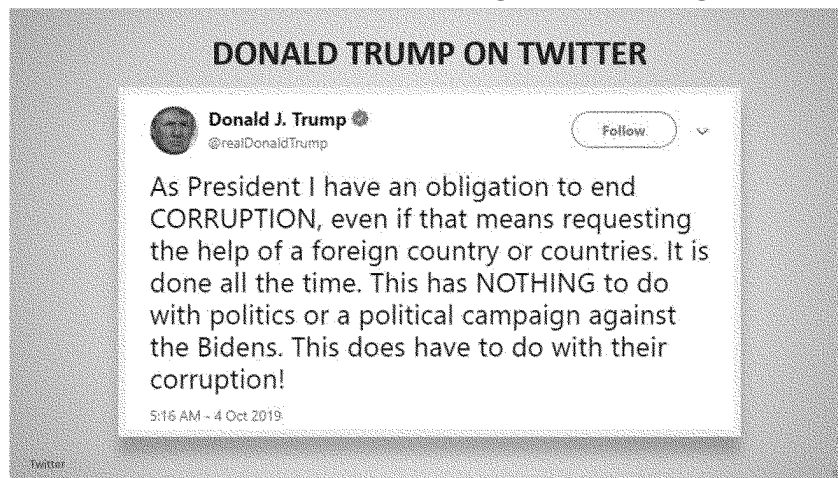
Letter from Senator Christopher Murphy to Chairman Adam B. Schiff, House Permanent Select Committee on Intelligence, and Acting Chairwoman Carolyn Maloney, House Committee on Oversight and Reform, November 15, 2019.



**SEN. JOHNSON**

**“I explained that I had tried to persuade the president to authorize me to announce the hold was released but that I was unsuccessful.”**

Letter from Senator Ron Johnson to Ranking Member Jim Jordan, Committee on Oversight and Reform, and Ranking Member Devin Nunes, Permanent Select Committee on Intelligence, November 18, 2019.

**SLIDE 225.** S. Doc. 116–18 Vol. II, Pg. 857; 166 Cong. Rec. S481**SLIDE 226.** S. Doc. 116–18 Vol. II, Pg. 861; 166 Cong. Rec. S483

**SLIDE 227.** S. Doc. 116–18 Vol. II, Pg. 861; 166 Cong. Rec. S483

**The New York Times**  
**Giuliani, Facing Scrutiny, Travels to Europe to Interview Ukrainians**

By Kenneth F. Vogel and Benjamin Novak  
 Published Dec. 4, 2019 | Updated Dec. 17, 2019

Asked about his interview with Mr. Lutsenko and efforts to interview other Ukrainian prosecutors, he responded that “like a good lawyer, I am gathering evidence to defend my client against the false charges being leveled against him” by the news media and Democrats.

Vogel, Kenneth F. and Novak, Benjamin, “Giuliani, Facing Scrutiny, Travels to Europe to Interview Ukrainians,” *The New York Times*, Dec. 4, 2019.

**SLIDE 228.** S. Doc. 116–18 Vol. II, Pg. 862; 166 Cong. Rec. S483

**MAY 10, 2019 GIULIANI LETTER TO ZELENSKY**

May 10, 2019

President Oleksandr Volodymyrovych Zelenskyy  
 c/o Ministry of Internal Affairs of Ukraine  
 10 Bogdanovskiy st. (B25)  
 Kyiv, Ukraine

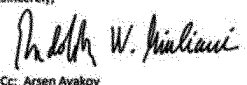
Dear President (and Zelenskyy):

I am a private counsel to President Donald J. Trump. Not in the pay office, not as President of the United States. This is to be clear. And as president of the United States and a private citizen are not I want to be clear.

Organizations and a look at the information in the report about the office and have visited these offices. I have seen had the private office. And with many others, I am very pleased that your staff is able to prosper and overcome some of the long standing problems you or your country could be a great honor.

However, I have a more specific request. In my capacity as personal counsel to President Trump and with his knowledge and consent, I request a meeting with you on this upcoming Monday, May 13<sup>th</sup> or Tuesday, May 14<sup>th</sup>. I will need no more than a half-hour of your time and I will be accompanied by my colleague Victoria Toensing, a distinguished American attorney who is very familiar with this matter.

Please have your office let me know what time or times are convenient for you, and Victoria and I will be there.

Sincerely,  
  
 Donald Trump  
 Cc: Arsen Avakov  
 Minister of Internal Affairs

CC: Arsen Avakov  
 Minister of Internal Affairs





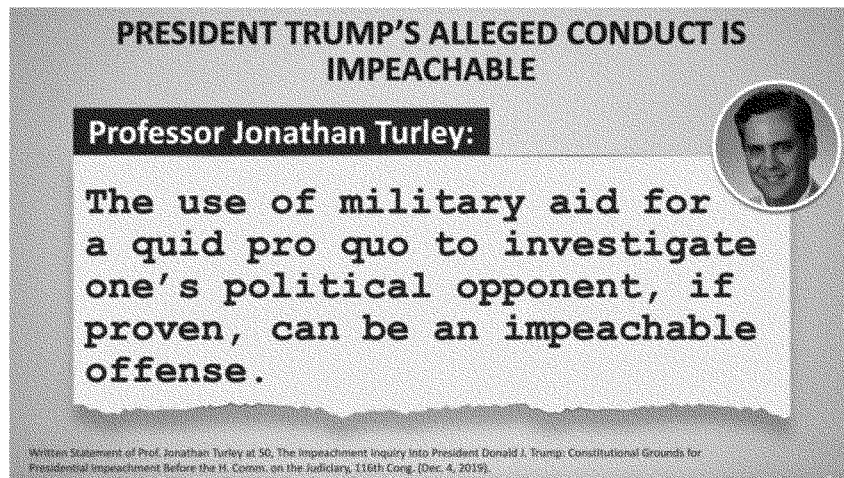
SLIDES 229–378

[166 CONG. REC. S488–527 (DAILY ED. JAN. 23, 2020)]

**SLIDE 229.** S. Doc. 116–18 Vol. II, Pg. 870/871; 166 Cong. Rec. S488/S488



**SLIDE 230.** S. Doc. 116–18 Vol. II, Pg. 871; 166 Cong. Rec. S488



**SLIDE 231.** S. Doc. 116–18 Vol. II, Pg. 871; 166 Cong. Rec. S488

**PRESENTATION OF EVIDENCE**

- ▶ Constitutional Standards
- ▶ President Trump's Abuse Of Power
  - Directly Solicited Foreign Interference
  - Used Personal Lawyer For Scheme
  - Conditioned Official Oval Office Meeting On Political Investigations
  - Froze Critical Military Aid To Pressure Ukraine To Announce Political Investigations
- ▶ President Trump's Obstruction of Congress
  - Attempted To Cover-Up Misconduct
- ▶ President Trump's Scheme Is Ongoing


**SLIDE 232.** S. Doc. 116–18 Vol. II, Pg. 872; 166 Cong. Rec. S488

**THE ABCs OF "HIGH CRIMES  
AND MISDEMEANORS"**

<b>A</b>	<b><u>A</u>buse of Power</b>
<b>B</b>	<b><u>B</u>etrayal of the Nation, Particularly Through Foreign Entanglements</b>
<b>C</b>	<b><u>C</u>orruption, Particularly Corruption of Elections</b>

**SLIDE 233.** S. Doc. 116–18 Vol. II, Pg. 873; 166 Cong. Rec. S489

**ALEXANDER HAMILTON'S LETTER  
TO GEORGE WASHINGTON, 1792**

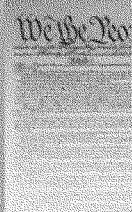


**"When a man unprincipled in private life[,] desperate in his fortune, bold in his temper . . . known to have scoffed in private at the principles of liberty — when such a man is seen to mount the hobby horse of popularity — to join in the cry of danger to liberty — to take every opportunity of embarrassing the General Government & bringing it under suspicion — to flatter and fall in with all the non sense [sic] of the zealots of the day — It may justly be suspected that his object is to throw things into confusion that he may ride the storm and direct the whirlwind."**

Alexander Hamilton, "Objections and Answers respecting the Administration of the Government," August 18, 1792

**SLIDE 234.** S. Doc. 116–18 Vol. II, Pg. 874; 166 Cong. Rec. S489

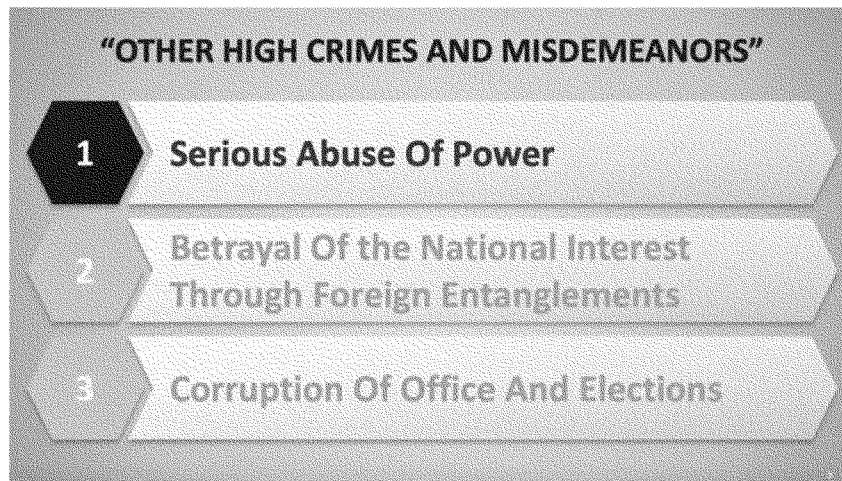
**ARTICLE II, SECTION IV:  
THE IMPEACHMENT CLAUSE**



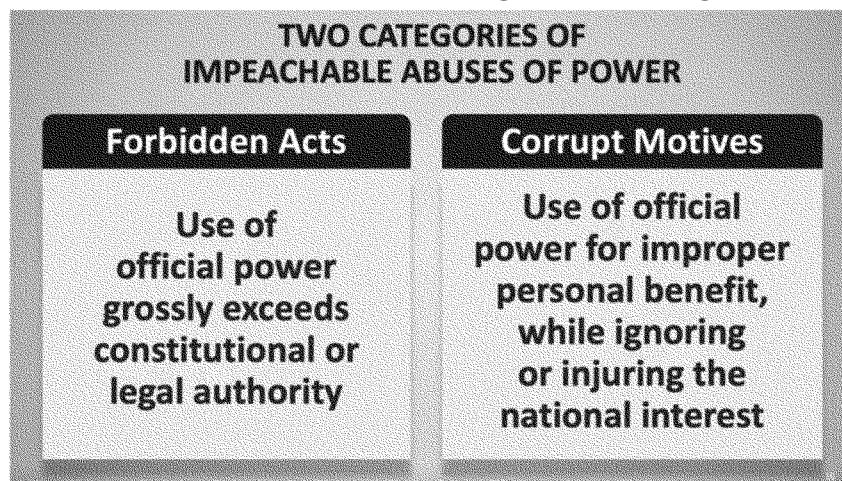
**United States Constitution**

**"The President...shall be removed from Office on Impeachment for, and Conviction of...other high Crimes and Misdemeanors."**

**SLIDE 235.** S. Doc. 116–18 Vol. II, Pg. 874; 166 Cong. Rec. S489



**SLIDE 236.** S. Doc. 116–18 Vol. II, Pg. 875; 166 Cong. Rec. S490



**SLIDE 237.** S. Doc. 116–18 Vol. II, Pg. 875; 166 Cong. Rec. S490

**IMPEACHABLE ABUSES OF POWER:  
CATEGORY 1**

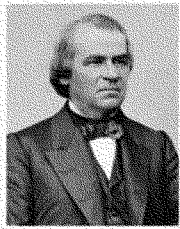
**Forbidden Acts**

The exercise of official power in a way that, on its very face, grossly exceeds the President's constitutional authority or violates legal limits on that authority.

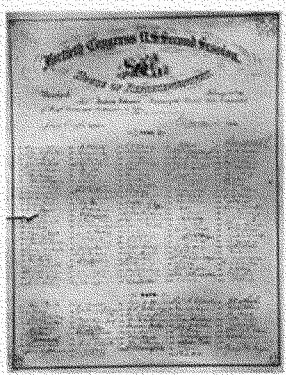
When a President wields executive power in ways that usurp and destroy the prerogatives of Congress or the Judiciary, he exceeds the scope of his constitutional authority and violates limits on permissible conduct. Such abuses of power are therefore impeachable.

**SLIDE 238.** S. Doc. 116–18 Vol. II, Pg. 875; 166 Cong. Rec. S490

**CATEGORY 1 IMPEACHABLE ABUSES OF POWER  
PRESIDENTIAL PRECEDENT**



**PRESIDENT  
ANDREW JOHNSON**



Signed Resolution to Impeach President Johnson, adopted February 24, 1868



**SLIDE 239.** S. Doc. 116–18 Vol. II, Pg. 876; 166 Cong. Rec. S490


**IMPEACHABLE ABUSES OF POWER:  
CATEGORY 2**

**Corrupt Motives**

The exercise of official power to obtain an improper personal benefit, while ignoring or injuring the national interest.

**SLIDE 240.** S. Doc. 116–18 Vol. II, Pg. 876; 166 Cong. Rec. S490

**THE ELEMENTS OF  
IMPEACHABLE ABUSE OF POWER**



A President commits the “High Crime and Misdemeanor” of abuse of power where he:


1. Exercises official power
2. Corruptly to obtain a personal benefit
3. While ignoring or injuring the national interest

**SLIDE 241.** S. Doc. 116–18 Vol. II, Pg. 877; 166 Cong. Rec. S490

**PRESIDENT TRUMP'S ALLEGED CONDUCT IS IMPEACHABLE**

**Professor Jonathan Turley:**


As I have stressed, it is possible to establish a case for impeachment based on a non-criminal allegation of abuse of power



Written Statement of Prof. Jonathan Turley at 24, The Impeachment Inquiry into President Donald J. Trump: Constitutional Grounds for Presidential Impeachment Before the H. Comm. on the Judiciary, 116th Cong. (Dec. 4, 2019).

**SLIDE 242.** S. Doc. 116–18 Vol. II, Pg. 877; 166 Cong. Rec. S490

**WILLIAM P. BARR ON ABUSE OF POWER**



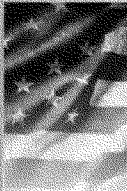
The fact that President is answerable for any abuses of discretion and is ultimately subject to the judgment of Congress through the impeachment process means that the President is *not* the judge in his own cause. See *Nixon v. Harlow*, 457 U.S. 731, 757-58 n.41 (1982) ("The remedy of impeachment demonstrates that the President remains accountable under law for his misdeeds in office.")

~ Memo by Bill Barr (June 8, 2018)



**SLIDE 243.** S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491

**BIPARTISAN CONSENSUS:  
ABUSE OF POWER IS IMPEACHABLE**



"We, professors of constitutional law, write to clarify that the abuse of power by a president counts as an instance of impeachable high crimes and misdemeanors under the Constitution. That was clearly the view of the Constitution's framers ..."

**Signed by 17 of the Nation's  
Leading Experts on the Constitution**

**SLIDE 244.** S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491

**"CONSTITUTIONAL NONSENSE"**

**The New York Times**

NEWS ANALYSIS

***'Constitutional Nonsense':  
Trump's Impeachment Defense  
Defies Legal Consensus***

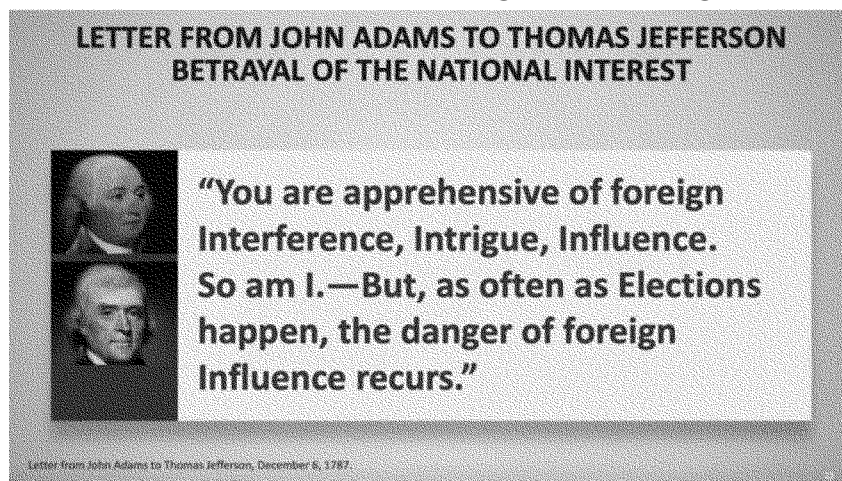
The president's legal case would negate any need for witnesses. But constitutional scholars say that it's wrong.

Charlie Savage, New York Times (January 26, 2020)

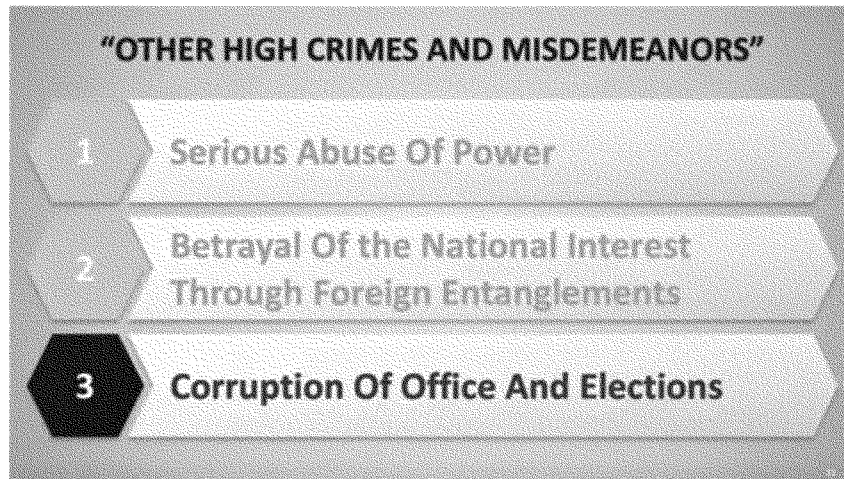
**SLIDE 245.** S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491



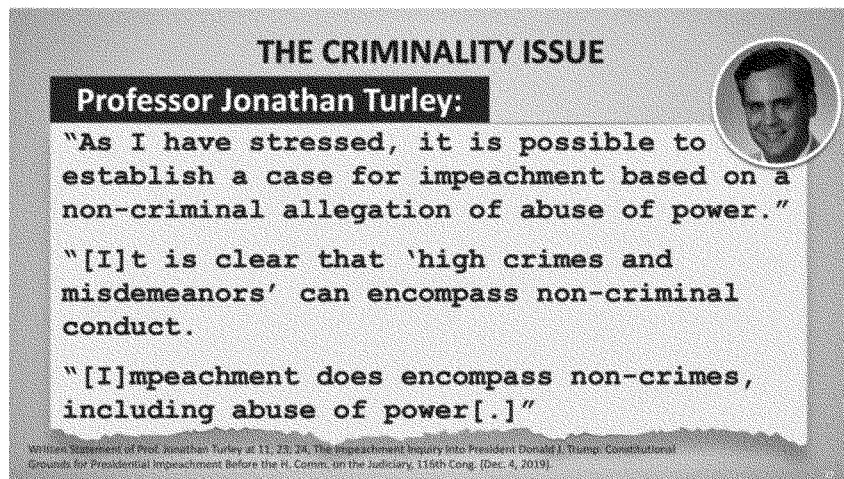
**SLIDE 246.** S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491



**SLIDE 247.** S. Doc. 116–18 Vol. II, Pg. 879; 166 Cong. Rec. S491



**SLIDE 248.** S. Doc. 116–18 Vol. II, Pg. 881; 166 Cong. Rec. S492



**SLIDE 249.** S. Doc. 116–18 Vol. II, Pg. 881/883; 166 Cong. Rec. S492/S493

**IMPEACHMENT DOES NOT REQUIRE A CRIME**

**A “criminality” requirement:**

- ▶ Rejected by the text of the Constitution
- ▶ Rejected by Framers of the Constitution
- ▶ Rejected by multiple Supreme Court justices
- ▶ Rejected in numerous judicial impeachments
- ▶ Rejected in the Nixon and Clinton cases

**SLIDE 250.** S. Doc. 116–18 Vol. II, Pg. 884/884; 166 Cong. Rec. S493/S493

**ADDITIONAL ASPECTS OF OTHER HIGH CRIMES AND MISDEMEANORS**

- 1. Impeachment Is Not For Petty Offenses**
- 2. President Trump’s Conduct Reveals He Is A Continuing Threat**
- 3. Conduct That Is Recognizably Wrong**

**SLIDE 251.** S. Doc. 116–18 Vol. II, Pg. 885; 166 Cong. Rec. S493

**PRESIDENT TRUMP COMMITTED  
IMPEACHABLE OFFENSES**

► **President Trump Committed “High  
Crimes And Misdemeanors”**

- Abuse Of Power
- Betrayal Of National Interest Through Foreign  
Entanglements
- Corruption Of Office And Elections

**President Trump Is A Continuing Threat**

**SLIDE 252.** S. Doc. 116–18 Vol. II, Pg. 885/885; 166 Cong. Rec.  
S493/S493

**ARTICLE I:  
PRESIDENT TRUMP’S ABUSE OF POWER**

<b>1</b>	<b>Corrupt Object Of The Scheme: Political Investigations to Benefit Reelection</b>
<b>2</b>	<b>Three Official Acts</b>
<b>3</b>	<b>Attempted Cover-Up &amp; Exposure</b>
<b>4</b>	<b>Injury To Our Nation &amp; Continuing Threat</b>

**SLIDE 253.** S. Doc. 116–18 Vol. II, Pg. 885/886; 166 Cong. Rec. S493/S495

**PRESIDENT TRUMP'S  
CORRUPT OBJECT OF THE SCHEME:**

**TWO POLITICAL INVESTIGATIONS  
SOLELY TO BENEFIT RE-ELECTION**

- 1 Biden's Removal of Corrupt Prosecutor
- 2 Alleged Ukraine Interference in 2016 Election

**SLIDE 254.** S. Doc. 116–18 Vol. II, Pg. 885; 166 Cong. Rec. S493

**REASONS YOU KNOW PRESIDENT TRUMP PUT HIMSELF FIRST**

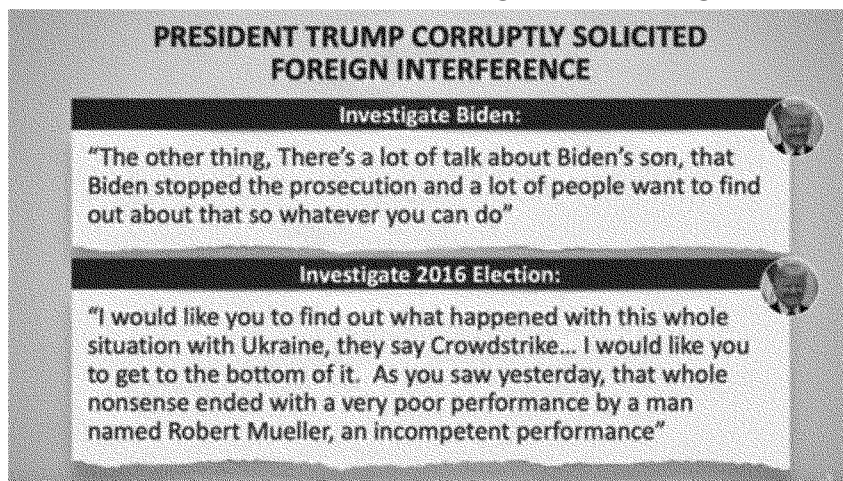
- 1 President Cared Only About Announcement Of Investigations
- 2 President Cared Only About "Big Stuff": Investigating Biden
- 3 President Used Personal Attorney: This Isn't "Foreign Policy"
- 4 Investigations Never Part Of U.S. Official Policy
- 5 Investigations Outside Official Channels
- 6 Multiple Administration Officials Reported Concerns
- 7 Ukraine Expressed Concerns: Investigations Political
- 8 The White House Attempted To Bury The Call
- 9 President Told Us In His Own Statements
- 10 President Did Not Care About Anti-Corruption Efforts In Ukraine



**SLIDE 255.** S. Doc. 116–18 Vol. II, Pg. 886; 166 Cong. Rec. S494

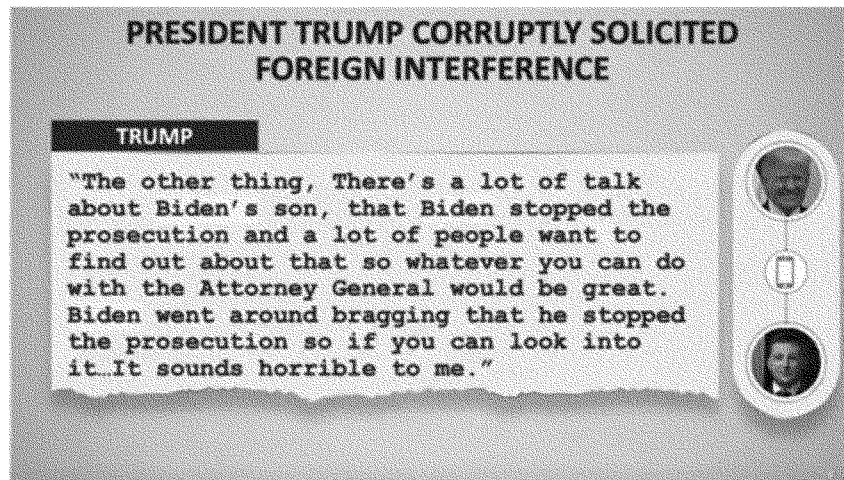


**SLIDE 256.** S. Doc. 116–18 Vol. II, Pg. 886; 166 Cong. Rec. S494

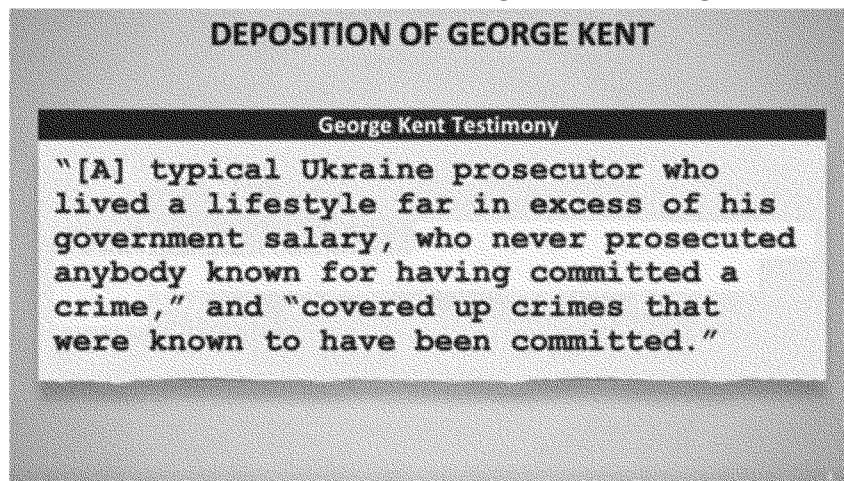




**SLIDE 257.** S. Doc. 116–18 Vol. II, Pg. 886/890; 166 Cong. Rec. S494/S495



**SLIDE 258.** S. Doc. 116–18 Vol. II, Pg. 887; 166 Cong. Rec. S494



**SLIDE 259.** S. Doc. 116–18 Vol. II, Pg. 888; 166 Cong. Rec. S494

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Biden Removed Ukraine Prosecutor to Protect His Son</b>
	<ul style="list-style-type: none"><li>▶ <b>No Witness Supports Allegation</b></li><li>▶ <b>Corrupt</b> Prosecutor Removed Consistent With U.S. Policy</li><li>▶ Ukraine Prosecutor <b>Admitted</b> Allegation False</li><li>▶ President Trump Supported Ukraine <b>Until</b> Biden Political Became a Rival</li></ul>

**SLIDE 260.** S. Doc. 116–18 Vol. II, Pg. 888; 166 Cong. Rec. S495

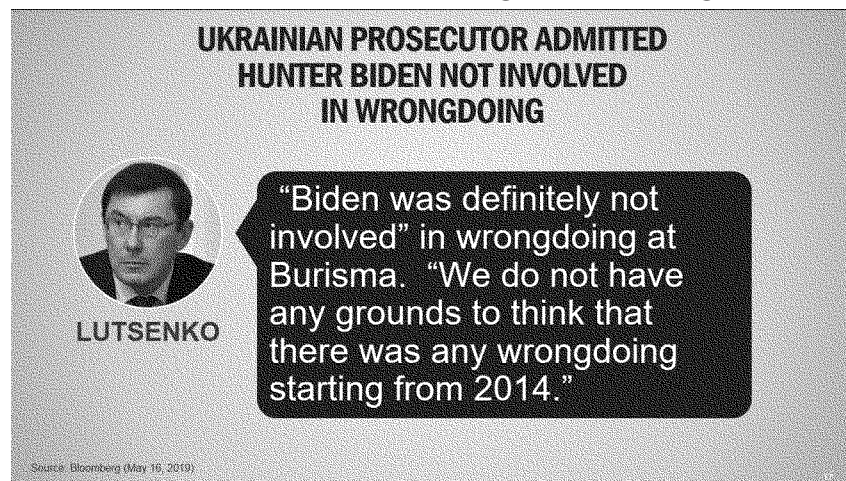
**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

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	<ul style="list-style-type: none"><li>▶ <b>No Witness Supports Allegation</b></li><li>▶ <b>Corrupt</b> Prosecutor Removed Consistent With U.S. Policy</li></ul>

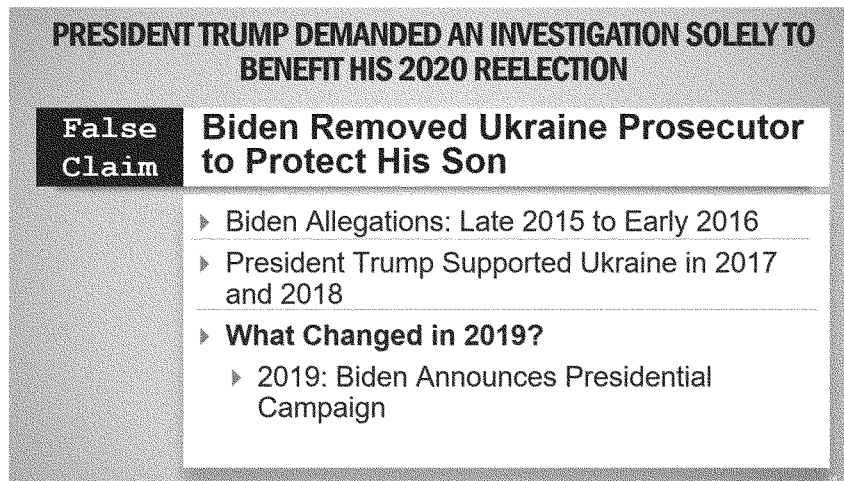
**SLIDE 261.** S. Doc. 116–18 Vol. II, Pg. 889; 166 Cong. Rec. S495



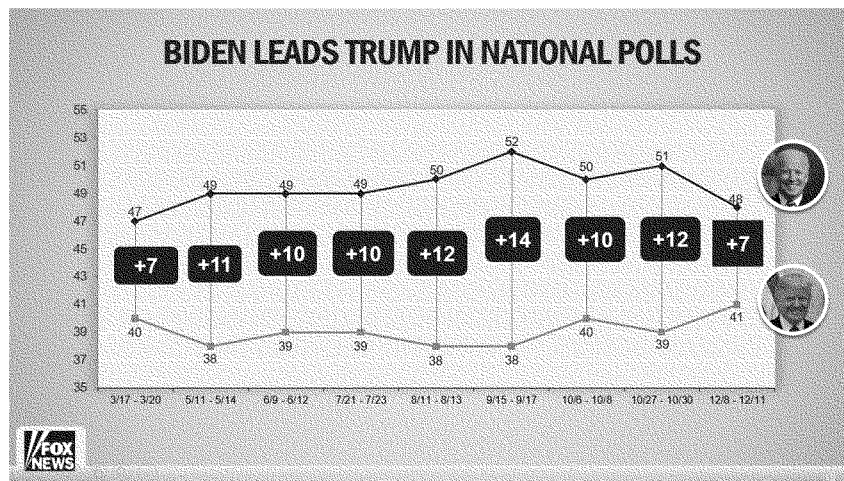
**SLIDE 262.** S. Doc. 116–18 Vol. II, Pg. 891; 166 Cong. Rec. S496



**SLIDE 263.** S. Doc. 116–18 Vol. II, Pg. 891; 166 Cong. Rec. S496



**SLIDE 264.** S. Doc. 116–18 Vol. II, Pg. 891/921; 166 Cong. Rec. S496/S507



**SLIDE 265.** S. Doc. 116–18 Vol. II, Pg. 892/892; 166 Cong. Rec. S496/S496

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Biden Removed Ukraine Prosecutor to Protect His Son</b>
<b>What Changed in 2019?</b>	
<ul style="list-style-type: none"><li>‣ <u>Late 2015/Early 2016</u>: Biden Removes Prosecutor</li><li>‣ <u>2017 and 2018</u>: President Supports Ukraine</li><li>‣ <u>March 2019</u>: Biden Beating President In Polls</li><li>‣ <u>April 2019</u>: Biden Announces Candidacy</li><li>‣ <u>May 2019</u>: Mr. Giuliani: Investigate Biden</li><li>‣ <u>July 25, 2019</u>: President To Ukraine: Investigate Biden</li></ul>	

**SLIDE 266.** S. Doc. 116–18 Vol. II, Pg. 892; 166 Cong. Rec. S496

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

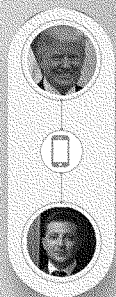
<b>False Claim</b>	<b>Ukraine Interfered in the 2016 Election</b>
<ul style="list-style-type: none"><li>‣ <i><b>Russia</b></i> Attacked Our Elections And Then Blamed Ukraine</li><li>‣ <i><b>No Witness</b></i> Supports Allegation</li><li>‣ President Trump's Advisors <b>Told Him</b> Allegation Was False</li></ul>	

**SLIDE 267.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S496

**PRESIDENT TRUMP AND PRESIDENT ZELENSKY DISCUSS  
UKRAINIAN INVESTIGATION**

**TRUMP**

"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."



**SLIDE 268.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S496


**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO  
BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Ukraine Interfered in the 2016 Election</b>
	► Unanimous Conclusion: <b>Russia</b> Attacked Our 2016 Election, <b>Not</b> <b>Ukraine</b>



**SLIDE 269.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S496

**INTELLIGENCE COMMUNITY ASSESSMENT**




“Assessing Russian Activities and Intentions in Recent US Elections”: The Analytic Process and Cyber Incident Attribution

“We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election. Russia’s goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump. We have high confidence in these judgments.”

**SLIDE 270.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S497

**SENATE SELECT COMMITTEE ON INTELLIGENCE**




“Russian Active Measures Campaigns and Interference in the 2016 Election”

“The Committee found that the [Russian-based Internet Research Agency] sought to influence the 2016 U.S. presidential election by harming Hillary Clinton’s chances of success and supporting Donald Trump at the direction of the Kremlin ... The Committee found that the Russian government tasked and supported the IRA’s interference in the 2016 U.S. election.”



**SLIDE 271.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S497

**THE SPECIAL COUNSEL'S REPORT**



Report On The Investigation Into  
Russian Interference In The  
2016 Presidential Election

“As set forth in detail in this report, the Special Counsel's investigation established that Russia interfered in the 2016 presidential election principally through two operations. First, a Russian entity carried out a social media campaign that favored presidential candidate Donald J. Trump and disparaged presidential candidate Hillary Clinton. Second, a Russian intelligence service conducted computer-intrusion operations against entities, employees, and volunteers working on the Clinton Campaign and then released stolen documents.”

**SLIDE 272.** S. Doc. 116–18 Vol. II, Pg. 894/894; 166 Cong. Rec. S497/S497

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO  
BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Ukraine Interfered in the 2016 Election</b>
------------------------	--

► Allegation Promoted by **Russia** to  
Deflect Blame From Their Attacks

**SLIDE 273.** S. Doc. 116–18 Vol. II, Pg. 895; 166 Cong. Rec. S497

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO  
BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Ukraine Interfered in the 2016 Election</b>
------------------------	--


► President Trump's Own Advisors  
Told Him Allegation Was False

**SLIDE 274.** S. Doc. 116–18 Vol. II, Pg. 896; 166 Cong. Rec. S498

**RUSSIA BENEFITED FROM  
PRESIDENT TRUMP'S INVESTIGATIONS**

**NOVEMBER 20, 2019**

"Thank God nobody is accusing us  
anymore of interfering in U.S. elections.  
Now they're accusing Ukraine."



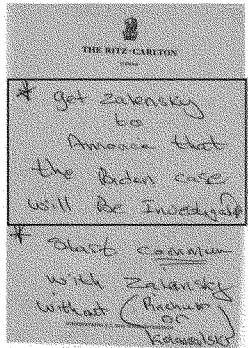
**- President Putin**

**SLIDE 275.** S. Doc. 116–18 Vol. II, Pg. 899/900; 166 Cong. Rec. S499/S499

INVESTIGATIONS SOLELY FOR PRESIDENT'S <u>PERSONAL GAIN</u>	
<b>1</b>	President Cared Only About <u>Announcement</u> Of Investigations
<b>2</b>	President Cared Only About "Big Stuff": Investigating Biden
<b>3</b>	President Used <u>Personal</u> Attorney: This Isn't "Foreign Policy"
<b>4</b>	Investigations <u>Never</u> Part Of Official U.S. Policy
<b>5</b>	Investigations <u>Outside</u> Official Channels
<b>6</b>	Multiple Administration Officials <u>Reported</u> Concerns
<b>7</b>	Ukraine Expressed Concerns: Investigations <u>Political</u>
<b>8</b>	The White House Attempted To Bury The Call
<b>9</b>	President Told Us In His Own Statements
<b>10</b>	President Did Not Care About Anti-Corruption Efforts In Ukraine

**SLIDE 276.** S. Doc. 116–18 Vol. II, Pg. 900; 166 Cong. Rec. S499

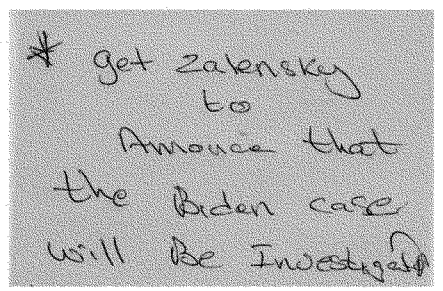
**PRESIDENT TRUMP ONLY CARED ABOUT ANNOUNCEMENT OF INVESTIGATIONS**



THE RITZ-CARLTON  
CARD

\* get Zelensky to  
Announce that  
the Biden case  
will be Investigated

\* Start conversation  
with Zelensky  
without (Rumsfeld  
or  
Kawasaki)

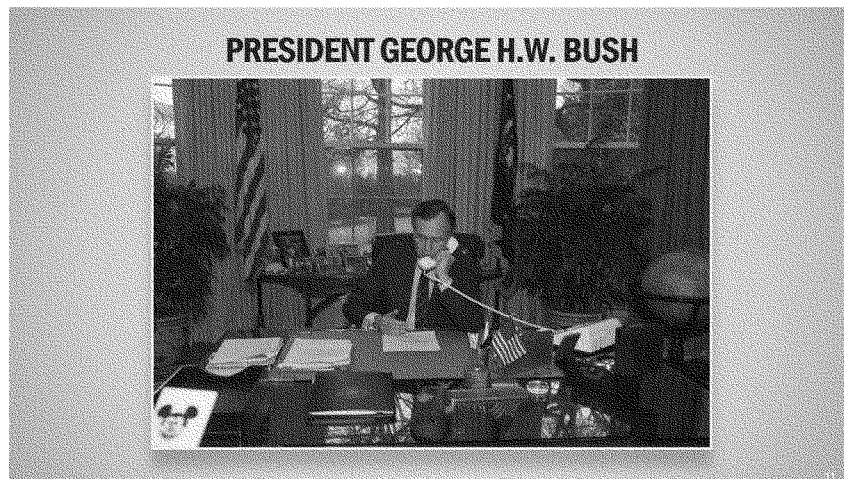


\* get Zelensky  
to  
Announce that  
the Biden case  
will be Investigated

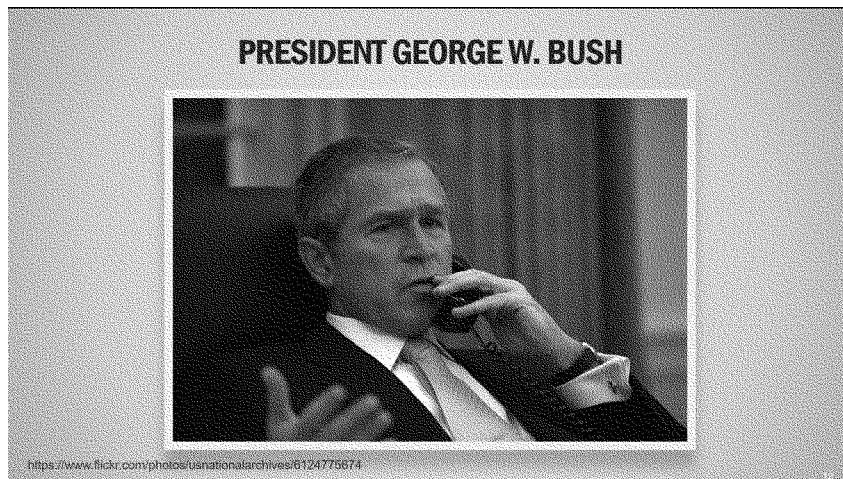
**SLIDE 277.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500



**SLIDE 278.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500



**SLIDE 279.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500




**SLIDE 280.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500



**SLIDE 281.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500

**GIULIANI'S INVOLVEMENT IN UKRAINE WAS  
TO FURTHER TRUMP'S PERSONAL INTERESTS**




**Giuliani May 10 Letter To President Zelensky**

**RUDOLPH W. GIULIANI**

Dear President-Elect Zelensky:

I am private counsel to President Donald J. Trump. Just to be precise, I represent him as a private citizen, not as President of the United States. This is quite common under American law because the duties and privileges of a President and a private citizen are not the same. Separate representation is usual process.

**SLIDE 282.** S. Doc. 116–18 Vol. II, Pg. 904; 166 Cong. Rec. S500



**The New York Times**

*Rudy Giuliani Plans Ukraine Trip to Push for Inquiries  
That Could Help Trump*

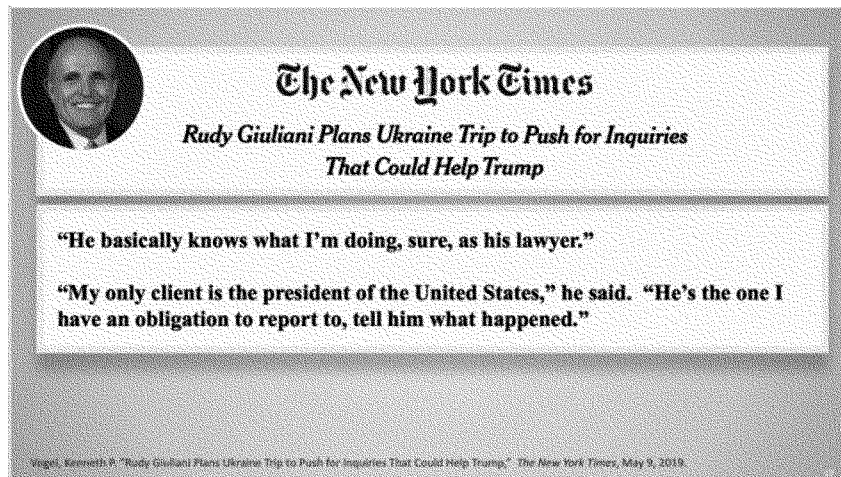
**"We're not meddling in an election, we're meddling in an investigation, which we have a right to do."**

**"There's nothing illegal about it," he said. "Somebody could say it's improper. And this isn't foreign policy – I'm asking them to do an investigation that they're doing already and that other people are telling them to stop. And I'm going to give them reasons why they shouldn't stop it because that information will be very, very helpful to my client, and may turn out to be helpful to my government."**

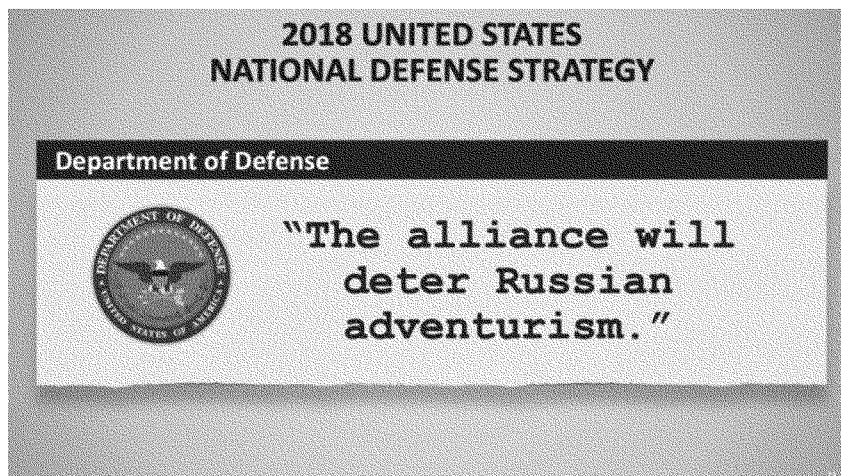
Source: The New York Times



**SLIDE 283.** S. Doc. 116–18 Vol. II, Pg. 904; 166 Cong. Rec. S500



**SLIDE 284.** S. Doc. 116–18 Vol. II, Pg. 905; 166 Cong. Rec. S501



**SLIDE 285.** S. Doc. 116–18 Vol. II, Pg. 905; 166 Cong. Rec. S501

**GENERAL McMASTER'S REMARKS ON RUSSIA APRIL 3, 2018**

**General H.R. McMaster**

"...[F]or too long, some nations have looked the other way in the face of these threats. Russia brazenly and implausibly denies its actions and we have failed to impose sufficient costs. the Kremlin's confidence is growing as its agents conduct their sustained campaigns to undermine our confidence in ourselves and in one another."

**SLIDE 286.** S. Doc. 116–18 Vol. II, Pg. 906; 166 Cong. Rec. S501

**PRESIDENT TRUMP'S INVESTIGATIONS  
DIVERGED FROM U.S. NATIONAL SECURITY**



HILL

"[Ambassador Sondland] was being involved in a domestic political errand, and we were being involved in national security foreign policy, and **those two things had just diverged.**"



TAYLOR

"[O]ur holding up of security assistance that would go to a country that is fighting aggression from Russia, for no good policy reason, no good substantive reason, **no good national security reason, is wrong**"

**SLIDE 287.** S. Doc. 116–18 Vol. II, Pg. 908; 166 Cong. Rec. S502

**DEPARTMENT OF JUSTICE  
SEPTEMBER 25, 2019 STATEMENT**

**Kerri Kupec, Department of Justice Spokesperson**

"The President has not spoken with the Attorney General about having Ukraine investigate anything relating to former Vice President Biden or his son. The President has not asked the Attorney General to contact Ukraine – on this or any matter. The Attorney General has not communicated with Ukraine – on this or any other subject. Nor has the Attorney General discussed this matter, or anything relating to Ukraine, with Rudy Giuliani."

**SLIDE 288.** S. Doc. 116–18 Vol. II, Pg. 909; 166 Cong. Rec. S503

**PRESIDENT TRUMP'S TOP OFFICIALS CONTEMPORANEOUSLY  
REPORTED HIS CONDUCT**

July 10, 2019		July 11, 2019	July 25, 2019		Sept. 1, 2019	Oct. 4, 2019
						
FIONA HILL	LT. COL. VINDMAN	FIONA HILL	TIM MORRISON	LT. COL. VINDMAN	TIM MORRISON	GEORGE KENT


**SLIDE 289.** S. Doc. 116–18 Vol. II, Pg. 910; 166 Cong. Rec. S503

**PRESIDENT TRUMP'S DEMAND WAS "IMPROPER,"  
"INAPPROPRIATE," "WRONG"**

 <b>HILL</b>  <b>VINDMAN</b>  <b>TAYLOR</b>	 <b>MORRISON</b>  <b>WILLIAMS</b>
<p>"It was improper, and it was inappropriate, and we said that in the time, in real-time"</p> <p>"[The July 25 call] was wrong" and he had a "duty to report it"</p> <p>"[H]olding up of security assistance...for no good policy reason, no good substantive reason, no good national security reason, is wrong"</p>	<p>Reported the July 25 call "pretty much right away" and "recommended that we restrict access to the package"</p> <p>"[The July 25 call] struck me as unusual and inappropriate," and "more political in nature"</p>

**SLIDE 290.** S. Doc. 116–18 Vol. II, Pg. 910; 166 Cong. Rec. S503


**JULY 21, 2019**

  
**TAYLOR**

1:45 AM

Gordon, one thing Kurt and I talked about yesterday was Sasha Danyliuk's point that **President Zelenskyy is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic, reelection politics.**

...

  
**SONDLAND**

**SLIDE 291.** S. Doc. 116–18 Vol. II, Pg. 910; 166 Cong. Rec. S503

**DEPOSITION OF AMBASSADOR BILL TAYLOR**

**Ambassador Bill Taylor Testimony**

"The whole thrust of this irregular channel was to get these investigations, which Danyliuk and presumably Zelensky were resisting because they didn't want to be seen to be interfering but also to be a pawn."

**SLIDE 292.** S. Doc. 116–18 Vol. II, Pg. 911; 166 Cong. Rec. S503

**UKRAINE EXPRESSED CONCERNS: INVESTIGATIONS  
POLITICAL**



**ZELENSKY**

"I'm sorry, but I don't want to be involved to democratic, open elections – elections of USA."



**SLIDE 293.** S. Doc. 116–18 Vol. II, Pg. 912; 166 Cong. Rec. S503

**WHITE HOUSE POOL REPORT  
FOR JULY 25, 2019 CALL**

**“Today, President Donald J. Trump spoke by telephone with President Volodymyr Zelenskyy of Ukraine to congratulate him on his recent election. President Trump and President Zelenskyy discussed ways to strengthen the relationship between the United States and Ukraine, including energy and economic cooperation. Both leaders also expressed that they look forward to the opportunity to meet.”**

**SLIDE 294.** S. Doc. 116–18 Vol. II, Pg. 914; 166 Cong. Rec. S504

**PRESIDENT TRUMP DID NOT CARE ABOUT  
ANTI-CORRUPTION EFFORTS IN UKRAINE**

<b>False Claim</b>	<b>Concerned About Corruption</b>
	▶ President Trump Made Clear That “Corruption” = Political Investigations



**SLIDE 295.** S. Doc. 116–18 Vol. II, Pg. 915; 166 Cong. Rec. S505

**PRESIDENT TRUMP DID NOT CARE ABOUT ANTI-CORRUPTION EFFORTS IN UKRAINE**

**False Claim**

**Concerned About Corruption**

- ▶ President Trump Only Cared in 2019 When Biden Was a Political Rival
- ▶ **2017:** Approved \$510 Million
- ▶ **2018:** Approved \$359 Million
- ▶ **2019:** No Aid Without Investigations

**SLIDE 296.** S. Doc. 116–18 Vol. II, Pg. 916/917; 166 Cong. Rec. S505/S505

**PRESIDENT TRUMP DID NOT CARE ABOUT ANTI-CORRUPTION EFFORTS IN UKRAINE**

**WHITE HOUSE READOUT – APRIL 21, 2019**

President Donald J. Trump spoke today with President-elect Volodymyr Zelenskyy to congratulate him on his victory in Ukraine's April 21 election. The President wished him success and called the election an important moment in Ukraine's history, noting the peaceful and democratic manner of the electoral process. President Trump underscored the unwavering support of the United States for Ukraine's sovereignty and territorial integrity – within its internationally recognized borders – and expressed his commitment to work together with President-elect Zelenskyy and the Ukrainian people to implement reforms that strengthen democracy, increase prosperity, and root out corruption.

**IMPEACHMENT INQUIRY HEARINGS**

**IMPEACHMENT INQUIRY UPDATES**

**CBSN**

**SLIDE 297.** S. Doc. 116–18 Vol. II, Pg. 917; 166 Cong. Rec. S506

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Concerned About Corruption</b>
	<ul style="list-style-type: none"><li>▶ <b>Trump Administration:</b> President Zelensky Was Anti-Corruption</li><li>▶ <b>DOD and State Department:</b> Ukraine Passed Anti-Corruption Benchmarks</li></ul>

**SLIDE 298.** S. Doc. 116–18 Vol. II, Pg. 918; 166 Cong. Rec. S506

**ARTICLE I:  
PRESIDENT TRUMP'S ABUSE OF POWER**

**THREE OFFICIAL ACTS**

<b>1</b>	<b>Soliciting Foreign Interference</b>
<b>2</b>	Conditioning White House Meeting On Investigations
<b>3</b>	Conditioning Military Aid On Investigations

**SLIDE 299.** S. Doc. 116–18 Vol. II, Pg. 918; 166 Cong. Rec. S506

**PRESIDENT TRUMP  
SOLICITED FOREIGN ELECTION INTERFERENCE**

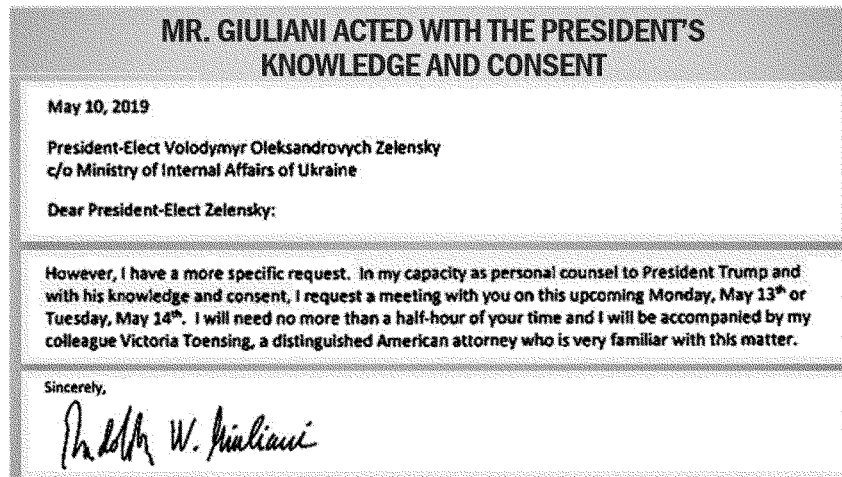
- 1** Mr. Giuliani and Associates Discussed Investigations With Corrupt Ukrainians
- 2** Zelensky Is Elected: Initial Roadblock
- 3** President Trump Removed Ambassador Yovanovitch
- 4** President Zelensky Rebuffed Mr. Giuliani
- 5** President Trump Directed Political Appointees And Mr. Giuliani To Solicit Foreign Interference

**SLIDE 300.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506

**PRESIDENT TRUMP USED HIS PERSONAL ATTORNEY  
TO SOLICIT FOREIGN ELECTION INTERFERENCE**

- 1** Represented The President In *Personal* Capacity
- 2** “With The Knowledge And Consent Of The President”
- 3** Evidence Reveals Mr. Giuliani And The President In Frequent Contact
- 4** Administration And Ukrainian Officials Knew Mr. Giuliani “Key” To Ukraine
- 5** Mr. Giuliani Had Singular Focus: Political Investigations

**SLIDE 301.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506



**SLIDE 302.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506



**SLIDE 303.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506

**POLITICO**

**WHITE HOUSE**  
**Giuliani cancels Ukraine trip amid political meddling charges**

By **ANDREW RESTUCCIA** and **DARREN SAMUELSON** | 05/11/2019 10:49 AM EDT

In a telephone interview with POLITICO on Friday, Trump said he didn't know much about Giuliani's planned trip to Ukraine, but wanted to speak with him about it. "I have not spoken to him at any great length, but I will," Trump said in the interview. "I will speak to him about it before he leaves."

**SLIDE 304.** S. Doc. 116–18 Vol. II, Pg. 920; 166 Cong. Rec. S507

**THE WALL STREET JOURNAL**

**'Just Having Fun': Giuliani Doubles Down on Ukraine Probes**

Trump's personal attorney escalates his push for investigations—the effort that helped spark impeachment inquiry

By Rebecca Ballhaus and Julia Rykiewicz in Washington and Thomas Crowe in Kyiv  
DEC. 13, 2019 5:30 AM ET

When he returned to New York last Saturday, the president called him as his plane was still taxiing down the runway, Mr. Giuliani said. "What did you get?" he said Mr. Trump asked. "More than you can imagine," Mr. Giuliani replied. He is putting his findings into a 20-page report.

**SLIDE 305.** S. Doc. 116–18 Vol. II, Pg. 920; 166 Cong. Rec. S507

GIULIANI PHONE RECORDS				
Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
04/24/19	7:49 am	4:53	Giuliani, Rudy	White House Phone Number
04/24/19	1:03 pm	13:44	OMB-Associated Phone Number	Giuliani, Rudy
04/24/19	6:42 pm	8:42	White House Phone Number	Giuliani, Rudy
04/24/19	8:12 pm	3:15	White House Phone Number	Giuliani, Rudy

**SLIDE 306.** S. Doc. 116–18 Vol. II, Pg. 920/921; 166 Cong. Rec. S507/S507

## PRESIDENT TRUMP'S PERSONAL LAWYER WAS THE "KEY" TO UKRAINE

### SONDLAND

"It was apparent to all of us that the key to changing the President's mind on Ukraine was Mr. Giuliani"

### HOLMES

"Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy"

### ANDERSON

"[Giuliani] would influence the President's thinking about Ukraine, and that would be problematic for our efforts to reenergize our relationship"

### ANDERSON

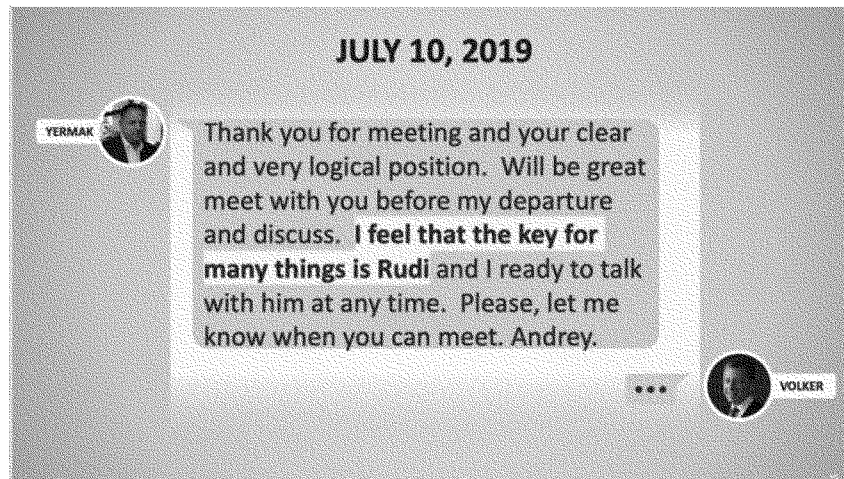
"[Bolton] joke[d] about every time Ukraine is mentioned, Giuliani pops up"

### HILL

"[Bolton said] Giuliani is a hand grenade that is going to blow everybody up"



**SLIDE 307.** S. Doc. 116–18 Vol. II, Pg. 921; 166 Cong. Rec. S507



**SLIDE 308.** S. Doc. 116–18 Vol. II, Pg. 921/921/922; 166 Cong. Rec. S507/S507/S507

MR. GIULIANI ACTED FOR PRESIDENT TRUMP'S PERSONAL INTERESTS TO BENEFIT HIS REELECTION	
April 25	Biden Announces Election Bid
May 9	NYTimes: Giuliani Traveling To Ukraine To Pursue Investigations Of "Intense Importance" To The President
May 9	Giuliani: "Biden Will Not Get To Election Day Without This Being Investigated"
June 21	Giuliani To President Zelensky: Conduct Investigations
September – Present	Giuliani Tweets About Biden Over <u>65</u> Times
Oct 2	President: "We've Been Investigating, On A Personal Basis – <i>Through Rudy And Others</i> "

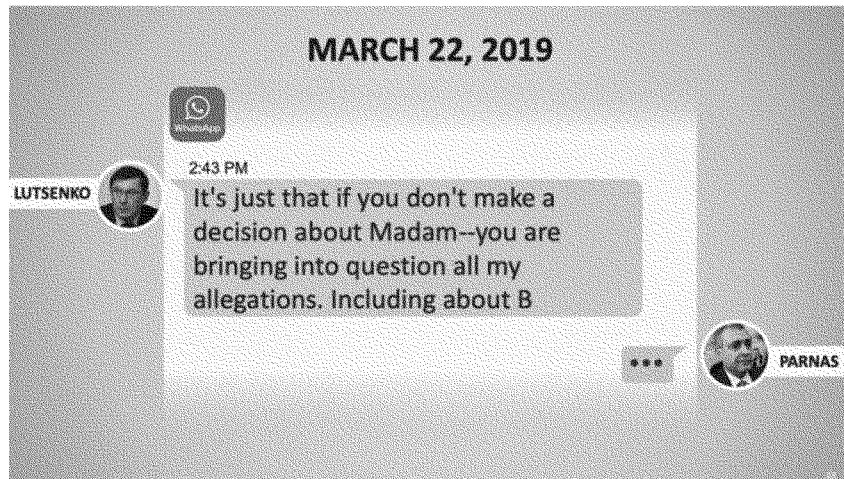
**SLIDE 309.** S. Doc. 116–18 Vol. II, Pg. 922; 166 Cong. Rec. S507



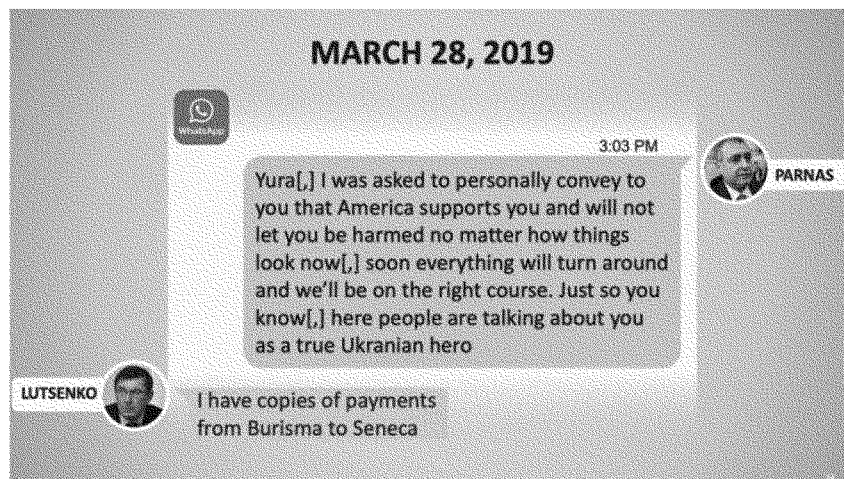
**SLIDE 310.** S. Doc. 116–18 Vol. II, Pg. 922; 166 Cong. Rec. S507



**SLIDE 311.** S. Doc. 116–18 Vol. II, Pg. 923; 166 Cong. Rec. S508



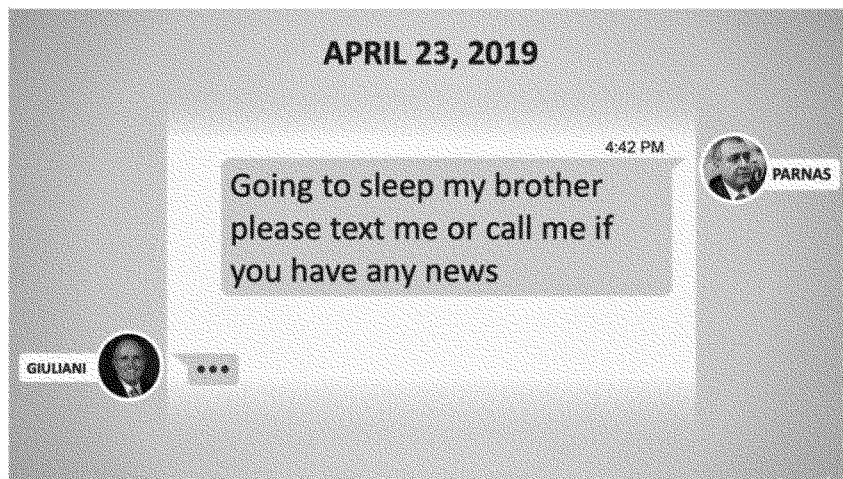
**SLIDE 312.** S. Doc. 116–18 Vol. II, Pg. 923; 166 Cong. Rec. S508



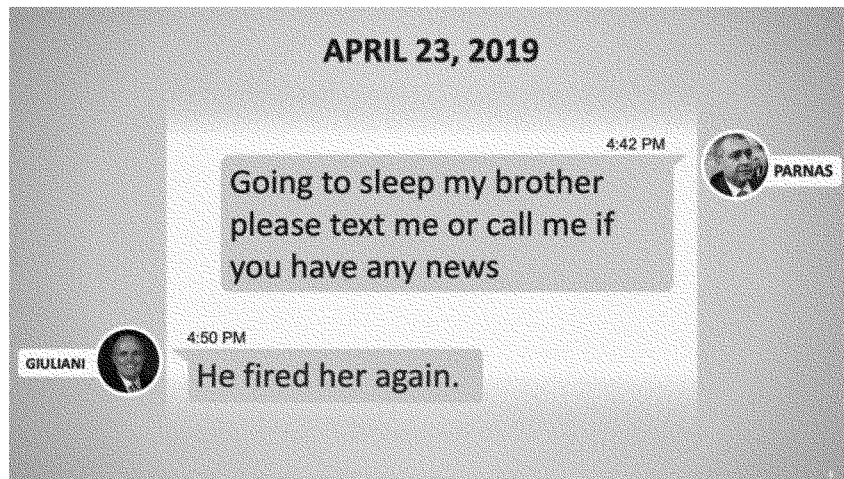
**SLIDE 313.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S508

Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
04/23/19	14:00:56	1:50	Giuliani, Rudy	Parnas, Lev
04/23/19	14:15:18	0:18	Giuliani, Rudy	White House Phone Number
04/23/19	14:15:43	0:11	Giuliani, Rudy	White House Phone Number
04/23/19	15:20:17	0:11	Giuliani, Rudy	White House Phone Number
04/23/19	15:50:23	8:28	White House Phone Number	Giuliani, Rudy

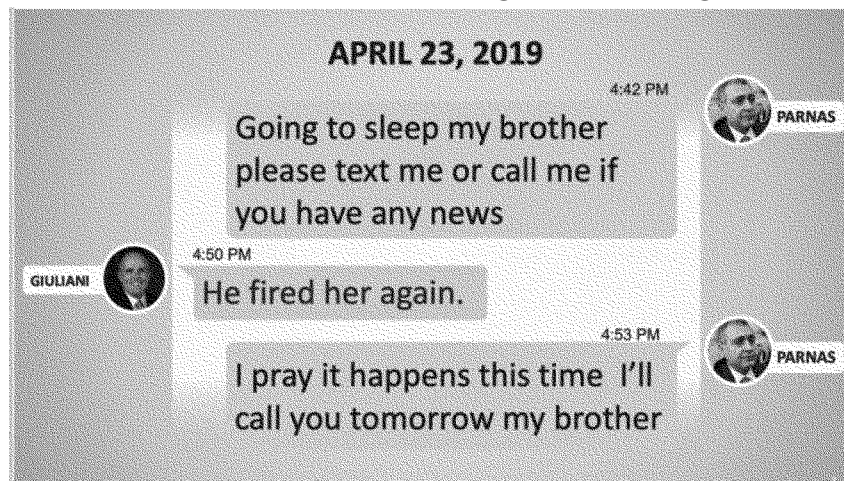
**SLIDE 314.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509



**SLIDE 315.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509



**SLIDE 316.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509





**SLIDE 317.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509

**Marie Yovanovitch Testimony**

"She said that there was a lot of concern for me, that I needed to be on the next plane home to Washington. And I was like, what? What happened? And she said, I don't know, but this is about your security. You need to come home immediately. You need to come home on the next plane. And I said, physical security? I mean, is there something going on here in the Ukraine? Because sometimes Washington has intel or something else that we don't necessarily know. And she said, no, I didn't get that impression, but you need to come back immediately."

**SLIDE 318.** S. Doc. 116–18 Vol. II, Pg. 926; 166 Cong. Rec. S509

**PRESIDENT TRUMP REMOVED  
AMBASSADOR YOVANOVITCH**

  
HALE

"I believe that [Ambassador Yovanovitch] should've been able to stay at post and continue to do the outstanding work that she was doing."

  
HILL

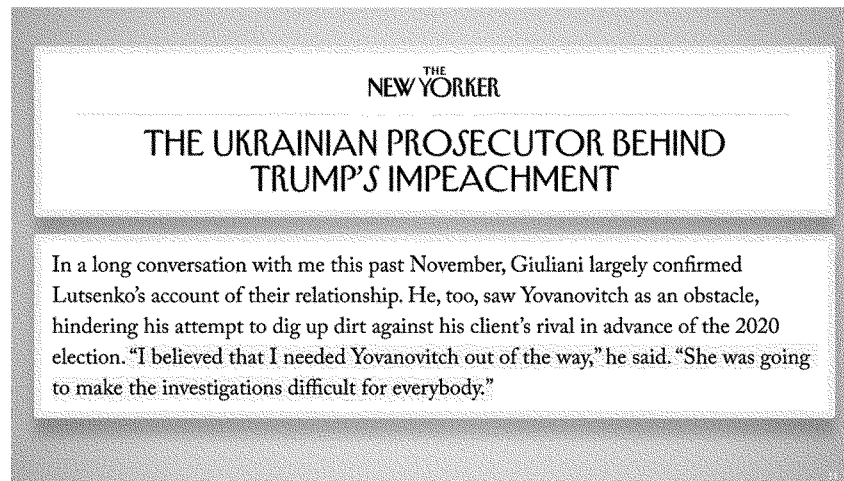
"[With removing Yovanovitch], we had just then lost the leadership ... a period of uncertainty [followed] as to how we were going to be conducting our Ukraine policy."

  
KENT

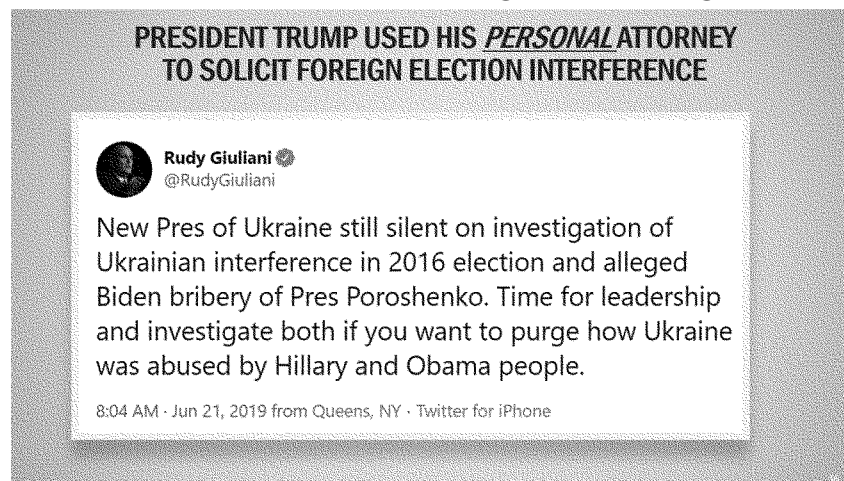
"[Removing Yovanovitch] hampered U.S. efforts to establish rapport with the new Zelensky administration in Ukraine."



**SLIDE 319.** S. Doc. 116–18 Vol. II, Pg. 927; 166 Cong. Rec. S509



**SLIDE 320.** S. Doc. 116–18 Vol. II, Pg. 928; 166 Cong. Rec. S510



**SLIDE 321.** S. Doc. 116–18 Vol. II, Pg. 931; 166 Cong. Rec. S511

**ARTICLE I:  
PRESIDENT TRUMP'S ABUSE OF POWER**

**THREE OFFICIAL ACTS**

<b>1</b>	Soliciting Foreign Interference
<b>2</b>	Conditioning White House Meeting On Investigations
<b>3</b>	Conditioning Military Aid On Investigations

**SLIDE 322.** S. Doc. 116–18 Vol. II, Pg. 931/951; 166 Cong. Rec. S511/S519

**PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE  
MEETING ON INVESTIGATIONS**

<b>1</b>	Why An Oval Office Meeting Was Critical To Ukraine
<b>2</b>	The President's Quid Pro Quo Scheme
<b>3</b>	Witnesses Confirmed The Quid Pro Quo
<b>4</b>	U.S. Officials' Reactions Confirm Misconduct
<b>5</b>	Ukraine's Reaction Confirms Misconduct

**SLIDE 323.** S. Doc. 116–18 Vol. II, Pg. 933; 166 Cong. Rec. S512

**IMPORTANCE OF  
OVAL OFFICE MEETING TO UKRAINE**

**Lt. Col. Vindman Testimony**

**Q:** So, from the ... end of May until July 25, when you spoke to your Ukrainian counterparts in any way, how frequently did they raise the issue or idea of a White House meeting...?

**VINDMAN:** Every meeting.

**SLIDE 324.** S. Doc. 116–18 Vol. II, Pg. 933; 166 Cong. Rec. S512

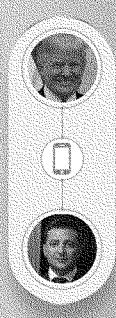
**PRESIDENT ZELENSKY ASKED THREE TIMES FOR PERSONAL  
VISIT ON APRIL 21 CALL**

**TRUMP**

"When you're 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**

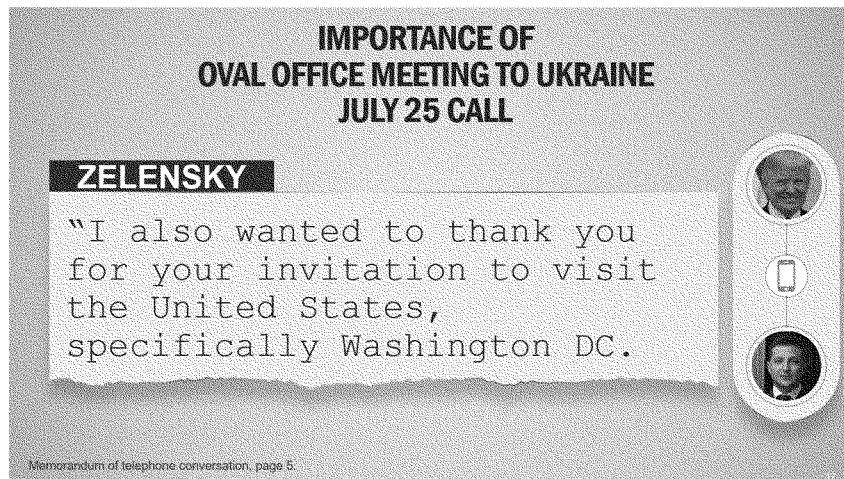
"Well thank you for the invitation. We accept the invitation and look forward to the visit."



**SLIDE 325.** S. Doc. 116–18 Vol. II, Pg. 935; 166 Cong. Rec. S512




**SLIDE 326.** S. Doc. 116–18 Vol. II, Pg. 936; 166 Cong. Rec. S513



**SLIDE 327.** S. Doc. 116–18 Vol. II, Pg. 937; 166 Cong. Rec. S513

**PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE MEETING ON INVESTIGATIONS**



**TAYLOR**

“Kurt told me that he had discussed [with Zelensky’s Chief of Staff] how President Zelensky could prepare for the phone call with President Trump...and Kurt suggested to President Zelensky that President Trump would like to hear about the investigations.”

Taylor Dep. Tr. at 64-65

**SLIDE 328.** S. Doc. 116–18 Vol. II, Pg. 937; 166 Cong. Rec. S513

**AMB. SONDLAND SOLICITS PRESIDENT TRUMP’S  
POLITICAL INVESTIGATIONS  
JULY 10, 2019**



Ambassador Gordon Sondland



National Security Advisor  
Ambassador John Bolton



Dr. Fiona Hill



Lt. Col. Alexander Vindman



Secretary Rick Perry



Ambassador Kurt Volker



Ukrainian Pres. Aide  
Andriy Yermak

**SLIDE 329.** S. Doc. 116–18 Vol. II, Pg. 939; 166 Cong. Rec. S514


**JULY 13, 2019**

**Exhibit 3 – Saturday, July 13, 2019**

<b>Email</b>	Timothy Morrison and Gordon Sondland	<p><b>Subject: Re: Three Items</b></p> <p><b>5:11 Gordon Sondland:</b> Tim, Three items for you:</p> <p>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.</p> <p>2. <b>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.</b></p> <p>3. Have a matter that is TS/SCI. Can we have a 5 min call this week?</p> <p>I think I will see you Friday with John 5 when you come to Brussels. Congrats on the new gig!</p> <p><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.</p>
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**SLIDE 330.** S. Doc. 116–18 Vol. II, Pg. 939; 166 Cong. Rec. S514


**JULY 19, 2019**



**SONDLAND**

**6:50 PM**

Looks like Potus call tomorrow. I spike [sic] directly to Zelensky and gave him a full briefing. He's got it.



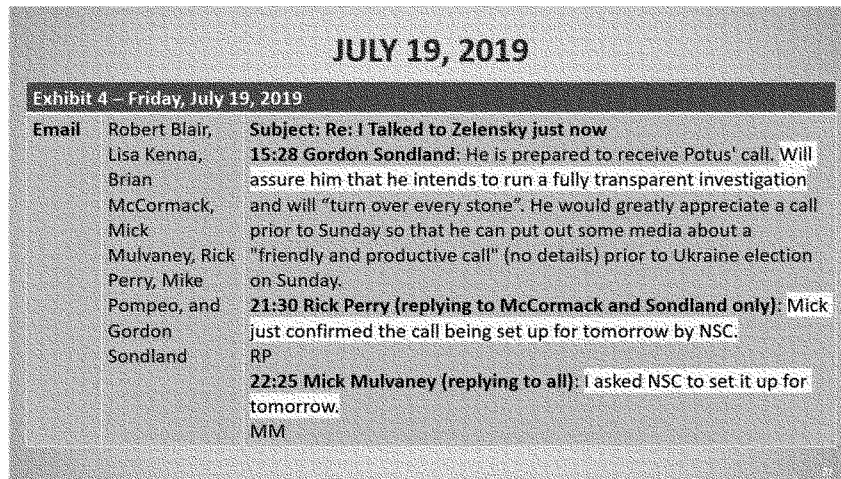
**VOLKER**

**7:01 PM**

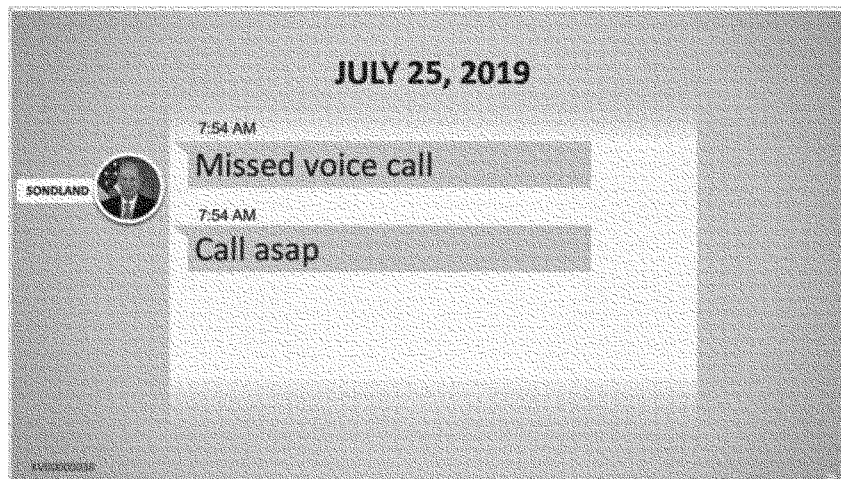
Good. Had breakfast with Rudy this morning-teeing up call w Yermak Monday. Must have helped. **Most imp't is for Zelensky to say that he will help investigation**—and address any specific personnel issues—if there are any.



**SLIDE 331.** S. Doc. 116–18 Vol. II, Pg. 939; 166 Cong. Rec. S514



**SLIDE 332.** S. Doc. 116–18 Vol. II, Pg. 940; 166 Cong. Rec. S514



**SLIDE 333.** S. Doc. 116–18 Vol. II, Pg. 940; 166 Cong. Rec. S514

### TESTIMONY OF AMBASSADOR VOLKER

**GOLDMAN:** Now what was the message that you had received?

**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— and 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.

**SLIDE 334.** S. Doc. 116–18 Vol. II, Pg. 940; 166 Cong. Rec. S514

**JULY 25, 2019**

8:36 AM

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



VOLKER

YERMAK



...

**SLIDE 335.** S. Doc. 116–18 Vol. II, Pg. 941; 166 Cong. Rec. S515

**PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE MEETING ON INVESTIGATIONS**

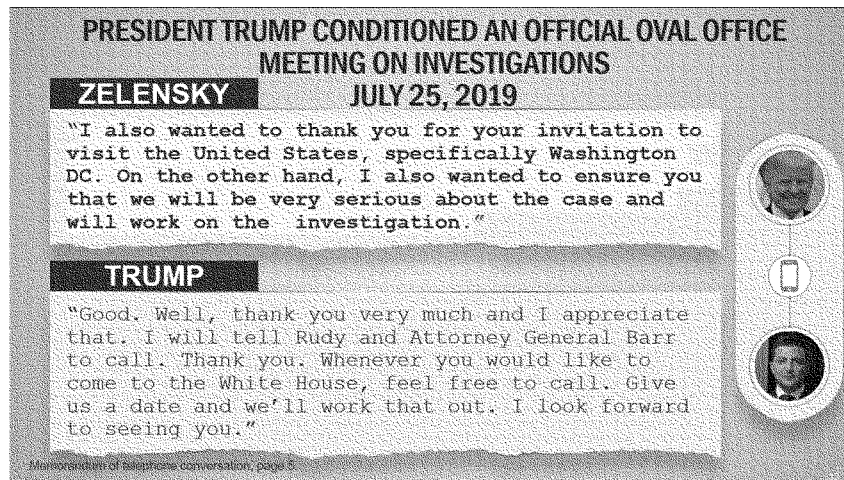
**ZELENSKY** JULY 25, 2019

"I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. 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."

**TRUMP**

"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."

Memorandum of telephone conversation, page 5



**SLIDE 336.** S. Doc. 116–18 Vol. II, Pg. 942; 166 Cong. Rec. S515

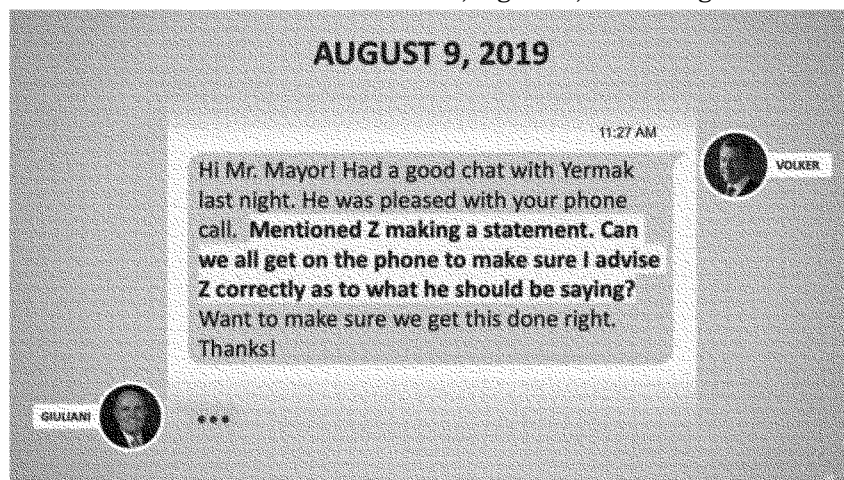
**AUGUST 9, 2019**

11:27 AM

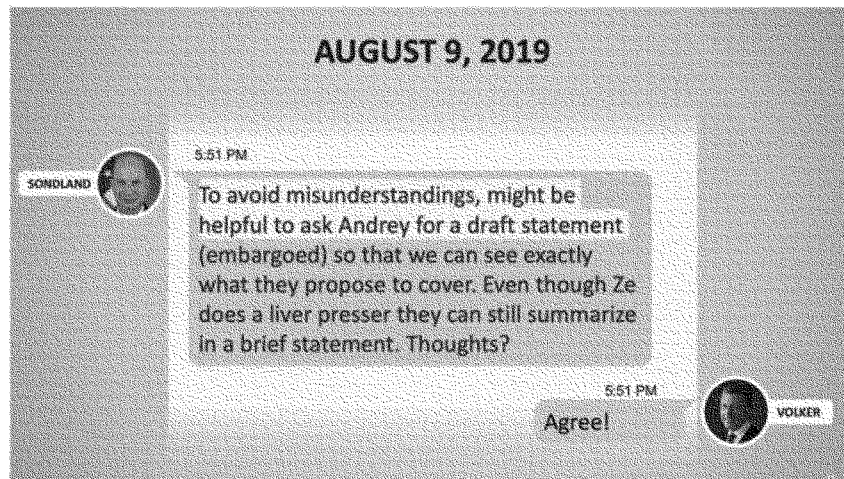
HI Mr. Mayor! Had a good chat with Yermak last night. He was pleased with your phone call. Mentioned Z making a statement. Can we all get on the phone to make sure I advise Z correctly as to what he should be saying? Want to make sure we get this done right. Thanks!

**GIULIANI** \*\*\*

**VOLKER**



**SLIDE 337.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S515



**SLIDE 338.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S515


Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
08/08/19	12:44:56	0:42	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	12:45:38	1:25	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	13:02:37	TEXT	Giuliani, Rudy	White House Number
08/08/19	13:02:37	TEXT	Giuliani, Rudy	White House Number
08/08/19	13:02:57	TEXT	Giuliani, Rudy	White House Number
08/08/19	14:14:53	TEXT	White House Number	Giuliani, Rudy
08/08/19	14:15:17	TEXT	Giuliani, Rudy	White House Number
08/08/19	14:21:13	TEXT	Giuliani, Rudy	White House Number
08/08/19	15:13:05	12:56	OMB Number	Giuliani, Rudy
08/08/19	15:56:44	0:00	Giuliani, Rudy	OMB-Associated Number
08/08/19	15:56:51	0:00	Giuliani, Rudy	OMB-Associated Number
08/08/19	15:57:05	0:00	Giuliani, Rudy	OMB-Associated Number
08/08/19	15:57:21	0:22	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	17:20:33	0:17	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	19:14:48	0:00	Giuliani, Rudy	White House Switchboard (Situation Room)

**SLIDE 339.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S515

EVENING OF AUGUST 8, 2019				
Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
08/08/19	20:53:13	TEXT	Giuliani, Rudy	White House Number
08/08/19	22:09:31	0:00	"-1"	Giuliani, Rudy
08/08/19	22:09:32	0:05	"-1"	Giuliani, Rudy
08/08/19	22:09:46	0:00	"-1"	Giuliani, Rudy (Cell 2)
08/08/19	22:09:47	0:02	"-1"	Giuliani, Rudy (Cell 2)
08/08/19	22:10:08	0:05	"-1"	Giuliani, Rudy
08/08/19	22:11:52	0:00	Giuliani, Rudy	OMB Number
08/08/19	22:12:16	0:00	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	22:12:25	0:47	Giuliani, Rudy	White House Switchboard
08/08/19	22:28:51	4:06	"-1"	Giuliani, Rudy

**SLIDE 340.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S516

**AUGUST 10, 2019**




YERMAK

4:56 PM


I think it's possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We inform about date of visit about our expectations and our guarantees for future visit. Let discuss it.

\*\*\*



YERMAK

5:02 PM



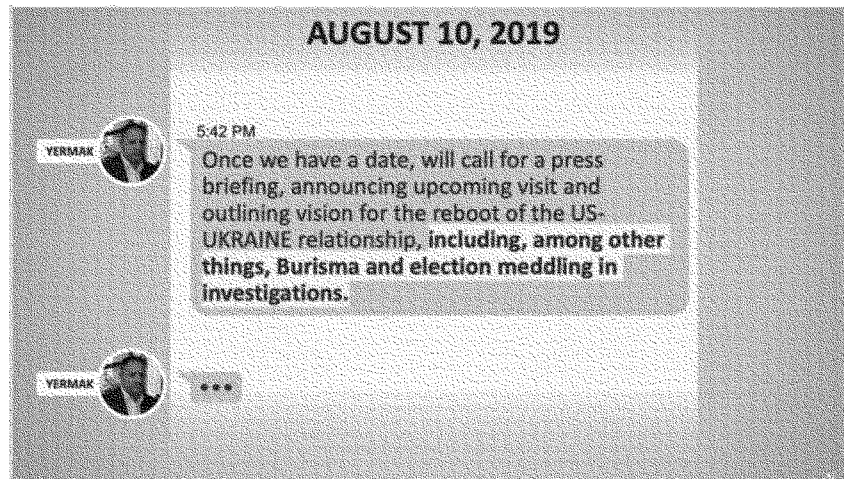
VOLKER

I agree with your approach. Let's iron out statement and use that to get date and then PreZ can go forward with it?

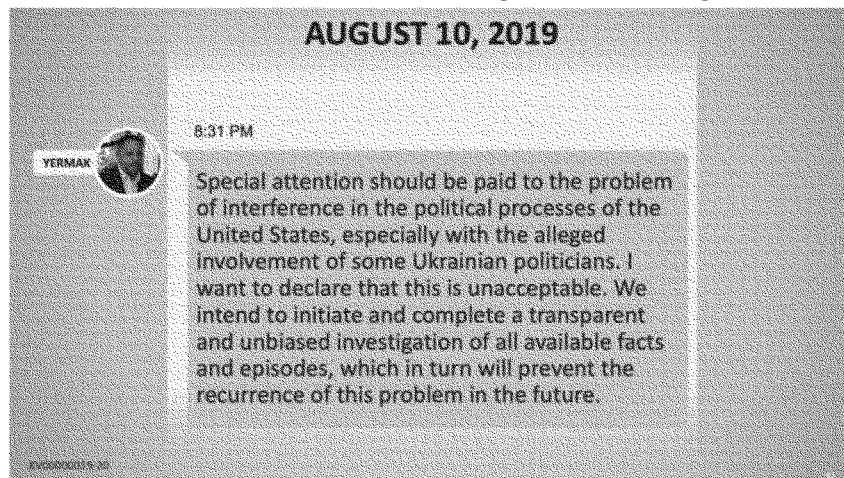
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**SLIDE 341.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516

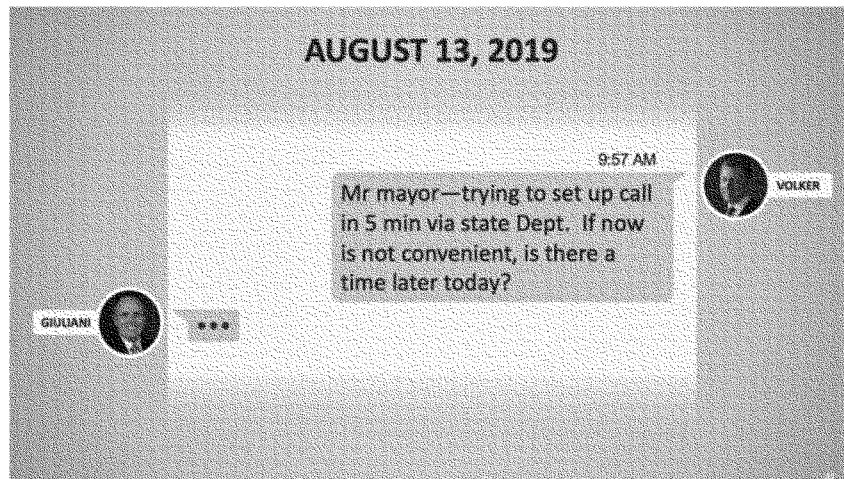


**SLIDE 342.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516

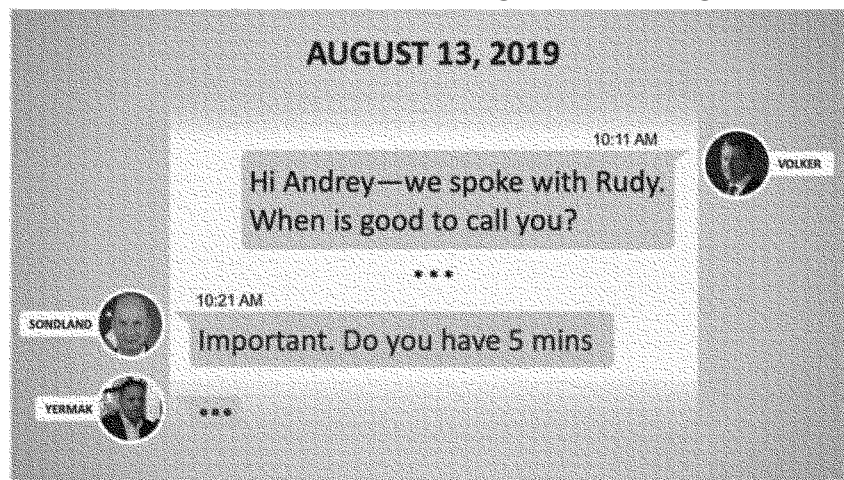




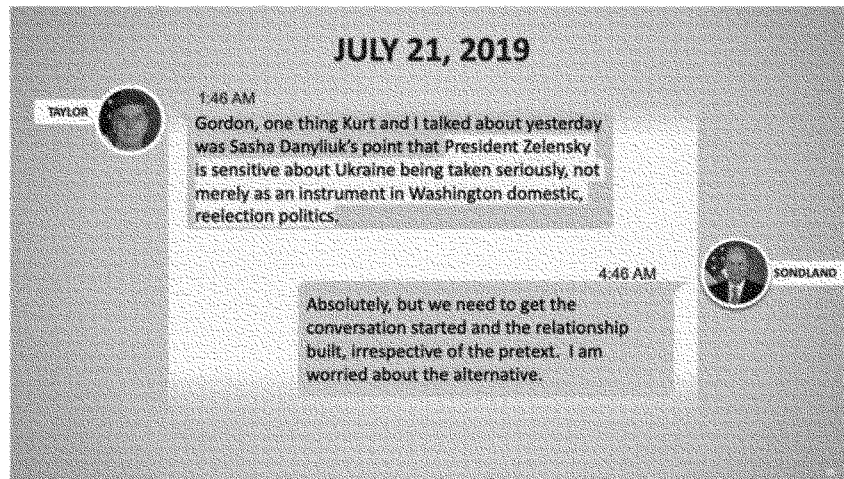
**SLIDE 343.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516



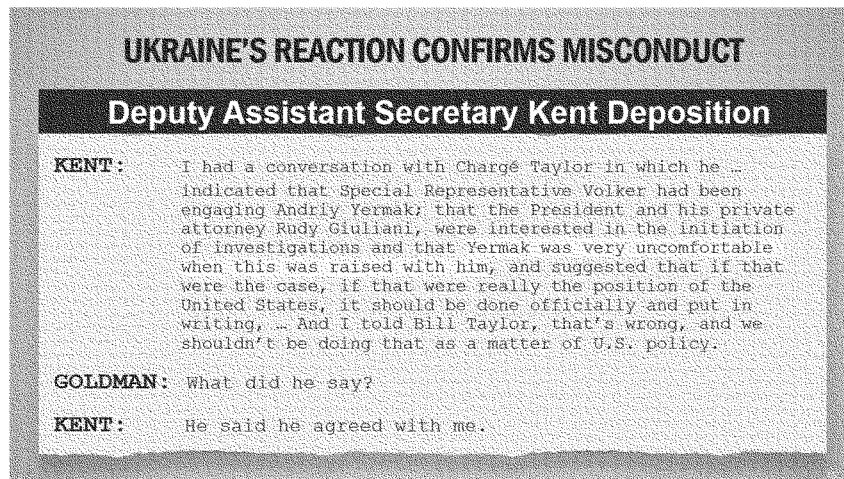
**SLIDE 344.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516



**SLIDE 345.** S. Doc. 116–18 Vol. II, Pg. 950; 166 Cong. Rec. S518



**SLIDE 346.** S. Doc. 116–18 Vol. II, Pg. 950; 166 Cong. Rec. S518



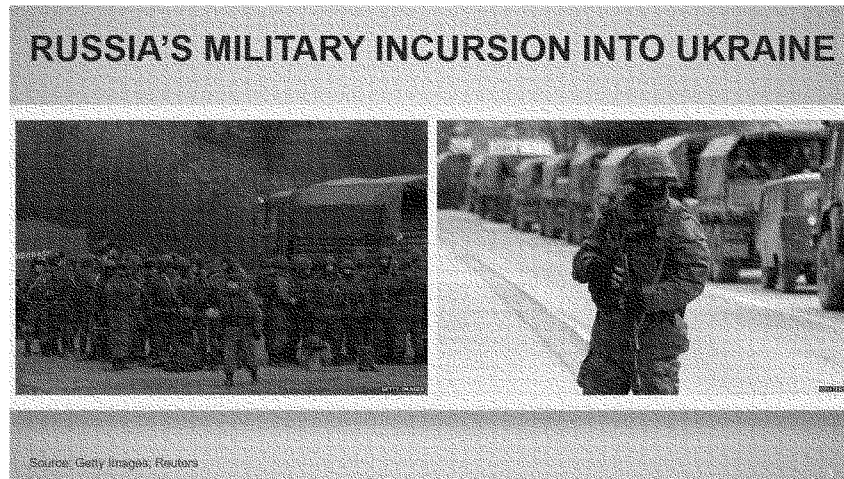
**SLIDE 347.** S. Doc. 116–18 Vol. II, Pg. 952; 166 Cong. Rec. S519

<b>ARTICLE I: PRESIDENT TRUMP’S ABUSE OF POWER</b>	
<b>THREE OFFICIAL ACTS</b>	
<b>1</b>	<i>Soliciting Foreign Interference</i>
<b>2</b>	<i>Conditioning White House Meeting On Investigations</i>
<b>3</b>	<b>Conditioning Military Aid On Investigations</b>

**SLIDE 348.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519

<b>PRESIDENT TRUMP FROZE CRITICAL MILITARY AID TO PRESSURE UKRAINE</b>	
<b>I</b>	Importance of Aid to National Security
<b>II</b>	President Trump Directed the Hold: Unsupported, Unwarranted, Illegal
<b>III</b>	President Trump Directed the Hold For Corrupt Purpose: To Pursue His Reelection

**SLIDE 349.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519



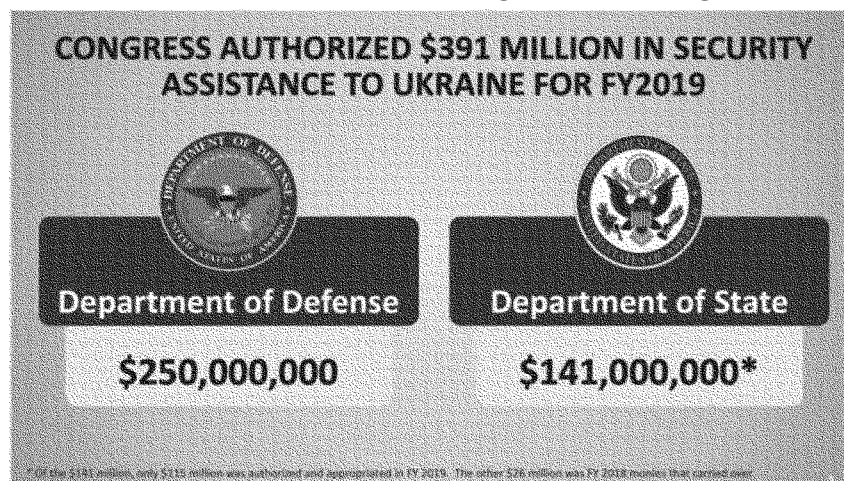
**SLIDE 350.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519



**SLIDE 351.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519



**SLIDE 352.** S. Doc. 116–18 Vol. II, Pg. 955; 166 Cong. Rec. S520



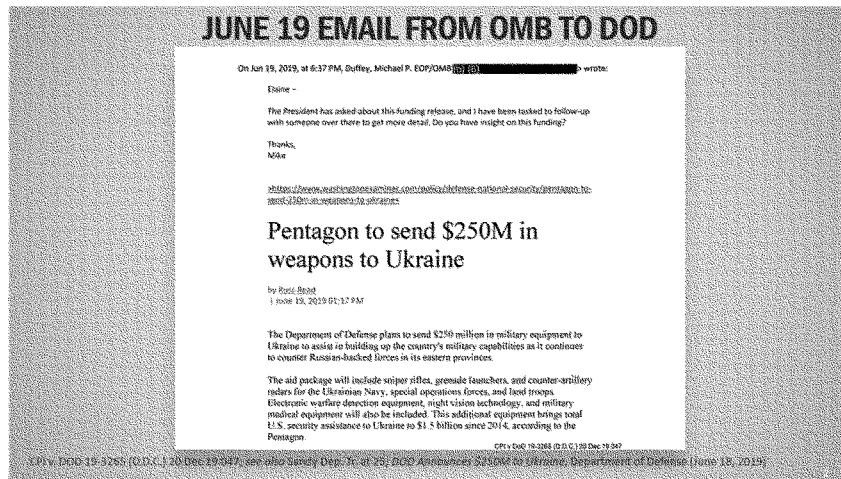
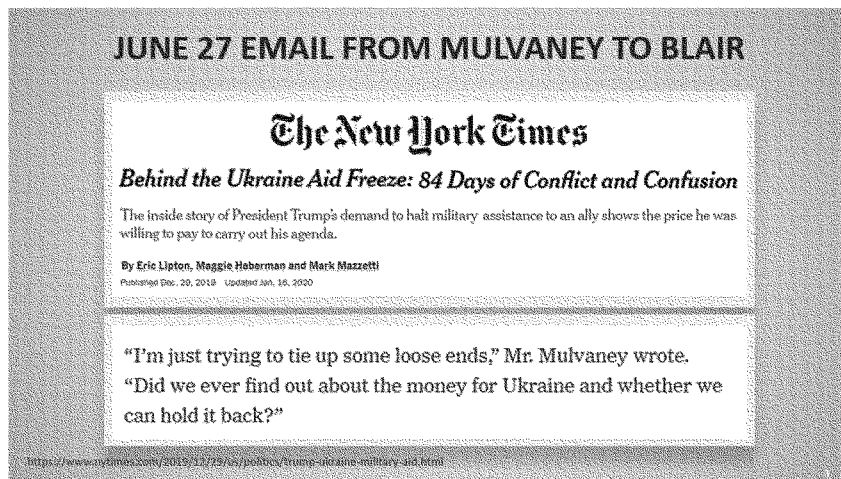
**SLIDE 353.** S. Doc. 116–18 Vol. II, Pg. 955; 166 Cong. Rec. S520



**SLIDE 354.** S. Doc. 116–18 Vol. II, Pg. 955; 166 Cong. Rec. S520





**SLIDE 355.** S. Doc. 116–18 Vol. II, Pg. 956; 166 Cong. Rec. S520**SLIDE 356.** S. Doc. 116–18 Vol. II, Pg. 956; 166 Cong. Rec. S521

**SLIDE 357.** S. Doc. 116–18 Vol. II, Pg. 956; 166 Cong. Rec. S521

**JUNE 27 EMAIL FROM BLAIR TO MULVANEY**

**The New York Times**

***Behind the Ukraine Aid Freeze: 84 Days of Conflict and Confusion***

The inside story of President Trump's demand to halt military assistance to an ally shows the price he was willing to pay to carry out his agenda.

By Eric Lipton, Maggie Haberman and Mark Mazzetti  
Published Dec. 29, 2019 Updated Jan. 16, 2020

The aide, Robert B. Blair, replied that it would be possible, but not pretty. "Expect Congress to become unhinged" if the White House tried to countermand spending passed by the House and Senate, he wrote in a previously undisclosed email. And, he wrote, it might

<https://www.nytimes.com/2019/12/29/us/politics/trump-ukraine-military-aid.html>

**SLIDE 358.** S. Doc. 116–18 Vol. II, Pg. 957; 166 Cong. Rec. S521

**BLAIR'S RESPONSE ABOUT THE HOLD**

**Mark Sandy Deposition**

"He [Blair] simply said, we need to let the hold take place -- and I'm Paraphrasing here -- and then revisit this issue with the President."

Mark Sandy Dep. Tr. at 142

**SLIDE 359.** S. Doc. 116–18 Vol. II, Pg. 958; 166 Cong. Rec. S521



**SLIDE 360.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S521



**SLIDE 361.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S521

**THE INTERAGENCY UNANIMOUSLY SUPPORTED AID**





**Timothy Morrison Testimony**

"all represented to Ambassador Bolton that **they were prepared to tell the President they endorsed the swift release and disbursement of the funding.**"

Morrison Dep. Tr. at 285-286 (emphasis added)

**SLIDE 362.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S521

**PRESIDENT TRUMP PROVIDES NO EXPLANATION FOR FREEZE ON MILITARY AID**

 <b>CROFT</b> "The only reason given was that the order came at the direction of the President."	 <b>SONDLAND</b> "I was never given a straight answer as to why it had been put in place to begin with."
 <b>HOLMES</b> "The order had come from the President ... without further explanation."	 <b>HILL</b> "No, there was no reason given."
 <b>KENT</b> "I do not recall any coherent explanation."	 <b>SEN. MCCONNELL</b> "I was not given an explanation" for the hold


**SLIDE 363.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S522

**OMB MEMORANDUM SUPPORTING  
RELEASE OF AID**

- 1** Consistent With National Security
- 2** Helps Counter Russian Aggression
- 3** Bipartisan Support for Aid

**SLIDE 364.** S. Doc. 116–18 Vol. II, Pg. 960; 166 Cong. Rec. S522

**EMAIL FROM DUFFEY TO MCCUSKER**

  
**Exclusive: Unredacted Ukraine Documents Reveal  
Extent of Pentagon's Legal Concerns**  
by Kate Brannen  
January 2, 2020

“Clear direction from POTUS to continue to hold.”

OPINION: 900019-1265 (D.O.C.), 20 Dec 19 959; Kate Brannen, Exclusive: Unredacted Ukraine Documents Reveal Extent of Pentagon's Legal Concerns, Just Security (Jan. 2, 2020), online at <https://www.justsecurity.org/67862/exclusive-unredacted-ukraine-documents-reveal-extent-of-pentagons-legal-concerns/>.

**SLIDE 365.** S. Doc. 116–18 Vol. II, Pg. 960; 166 Cong. Rec. S522

**NO REASON GIVEN FOR THE PRESIDENT'S HOLD**

**Mark Sandy Deposition**

**Q:** Can you recall another time in your duties at the Office of Management and Budget where a significant amount of assistance was being held up and you didn't have a rationale for as long as you didn't have a rationale in this case?

**SANDY:** Not that I can recall.

Sandy Dep. Tr. at 49

**SLIDE 366.** S. Doc. 116–18 Vol. II, Pg. 961; 166 Cong. Rec. S523

**THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
441 G St. N.W.  
Washington, DC 20548

**Decision**

**Matter of:** Office of Management and Budget—Withholding of Ukraine Security Assistance

**File:** B-331564

**Date:** January 16, 2020

The Constitution grants the President no unilateral authority to withhold funds from obligation. See B-135564, July 26, 1973. Instead, Congress has vested the President with strictly circumscribed authority to impound, or withhold, budget authority only in limited circumstances as expressly provided in the ICA. See

<https://www.gao.gov/assets/70/702969.pdf>



**SLIDE 367.** S. Doc. 116–18 Vol. II, Pg. 961; 166 Cong. Rec. S523

**THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
441 G St. N.W.  
Washington, DC 20548

**Decision**

**Matter of:** Office of Management and Budget—Withholding of Ukraine Security Assistance

**File:** B-331564

**Date:** January 16, 2020

“Faithful execution of the law does not permit the President to substitute his own policy priorities for those that Congress has enacted into law. OMB withheld funds for a policy reason, which is not permitted under the Impoundment Control Act (ICA). The withholding was not a programmatic delay. Therefore, we conclude that OMB violated the ICA.”

GAO: OIG-20-001 (GAO/IG-20-001) 7/16/2020

**SLIDE 368.** S. Doc. 116–18 Vol. II, Pg. 962; 166 Cong. Rec. S523

**THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW AND LIED ABOUT IT**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
441 G St. N.W.  
Washington, DC 20548

**Decision**

**Matter of:** Office of Management and Budget—Withholding of Ukraine Security Assistance

**File:** B-331564

**Date:** January 16, 2020

“Amounts apportioned, but not yet obligated as of the date of this reapportionment, for the Ukraine Security Assistance Initiative (Initiative) are not available for obligation until August 5, 2019, to allow for an interagency process to determine the best use of such funds.”

GAO: OIG-20-001 (GAO/IG-20-001) 7/16/2020

**SLIDE 369.** S. Doc. 116–18 Vol. II, Pg. 964; 166 Cong. Rec. S523

**PRESIDENT TRUMP'S CORRUPT INTENT:  
POLITICALLY MOTIVATED INVESTIGATIONS**

- 1 The July 25 Call
- 2 Confirmed By Multiple U.S. Officials
- 3 Hold Was Lifted Only After Scheme Was Exposed
- 4 No Other Legitimate Explanation
- 5 Chief of Staff Confessed: "Why We Held Up the Money"

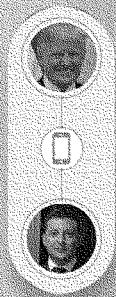
**SLIDE 370.** S. Doc. 116–18 Vol. II, Pg. 964; 166 Cong. Rec. S524

**TRUMP-ZELENSKY CALL RECORD  
JULY 25, 2019**

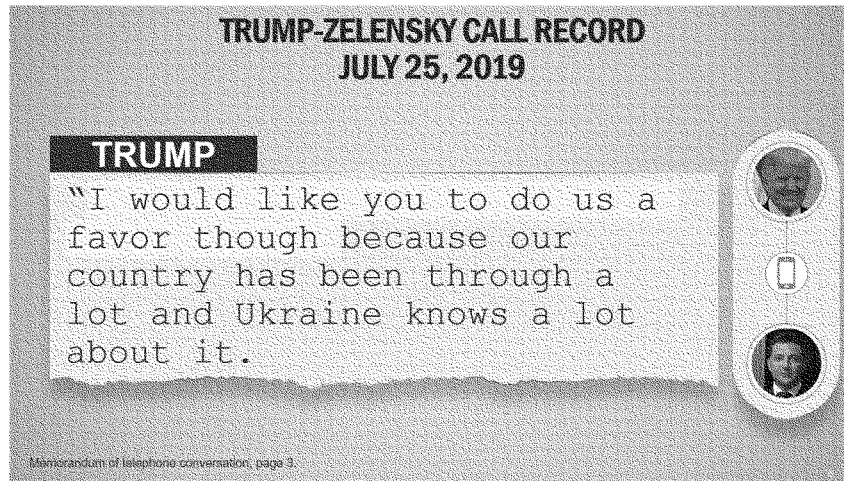
**ZELENSKY**

"I would also like to thank you for your **great support in the area of defense**. We are ready to continue to cooperate for the next steps specifically we are almost ready to buy more Javelins from the United States for defense purposes."

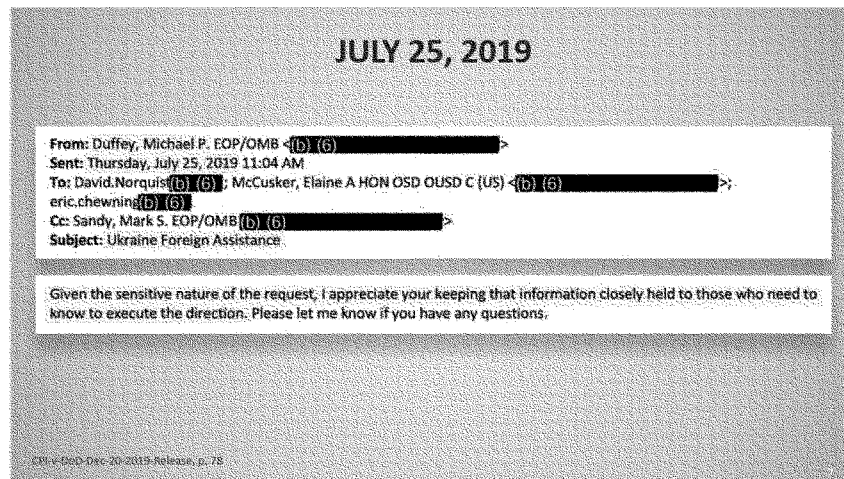
Memorandum of telephone conversation, page 2



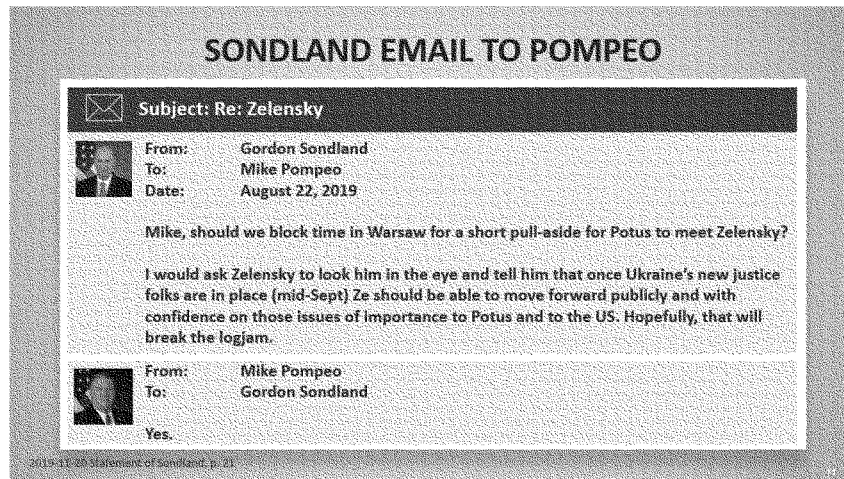
**SLIDE 371.** S. Doc. 116–18 Vol. II, Pg. 964; 166 Cong. Rec. S524



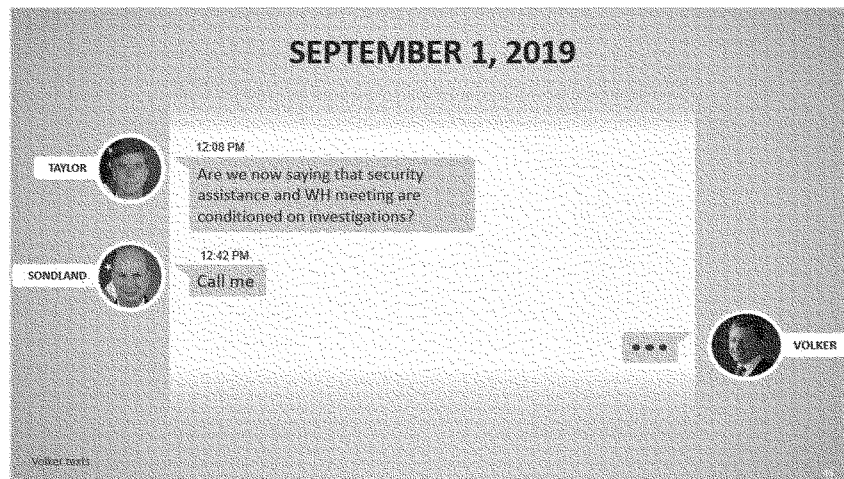
**SLIDE 372.** S. Doc. 116–18 Vol. II, Pg. 965; 166 Cong. Rec. S524



**SLIDE 373.** S. Doc. 116–18 Vol. II, Pg. 966; 166 Cong. Rec. S524



**SLIDE 374.** S. Doc. 116–18 Vol. II, Pg. 968; 166 Cong. Rec. S525



**SLIDE 375.** S. Doc. 116–18 Vol. II, Pg. 971; 166 Cong. Rec. S526


**4 SOURCES CONFIRMING SEPT 7 CALL  
WITH AMB SONDLAND AND THE PRESIDENT**

1. **Amb. Sondland:** Ambiguous, No Notes
2. **Mr. Morrison:** Received Readout From Sondland, Took Notes
3. **Amb. Taylor:** Received Readouts From Morrison (Sept 7) And Sondland (Sept 8), Took Notes
4. **Amb. Sondland and Taylor:** Sondland's Conversation With President Zelensky, Explaining Conversation With The President


**SLIDE 376.** S. Doc. 116–18 Vol. II, Pg. 971; 166 Cong. Rec. S526

**SEPTEMBER 8, 2019**

12:37 PM


**TAYLOR** 

The nightmare is they give the interview and don't get the security assistance. The Russians love it. (And I quit.)

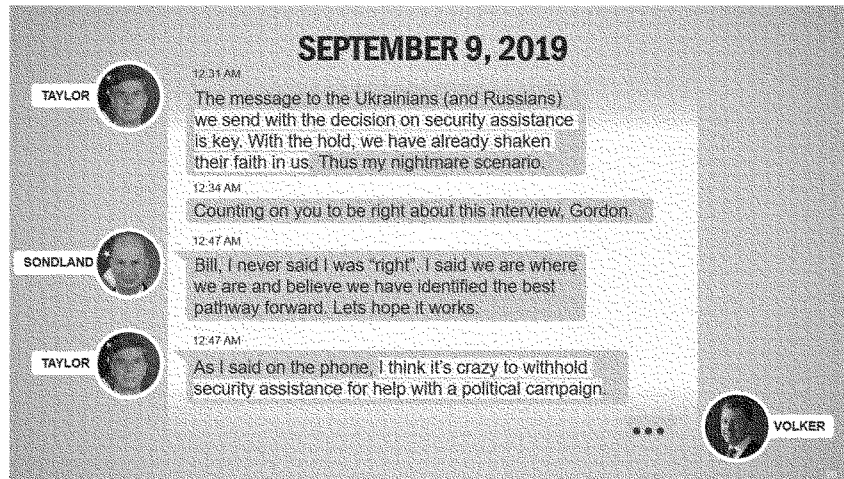
**SONDLAND** 

...

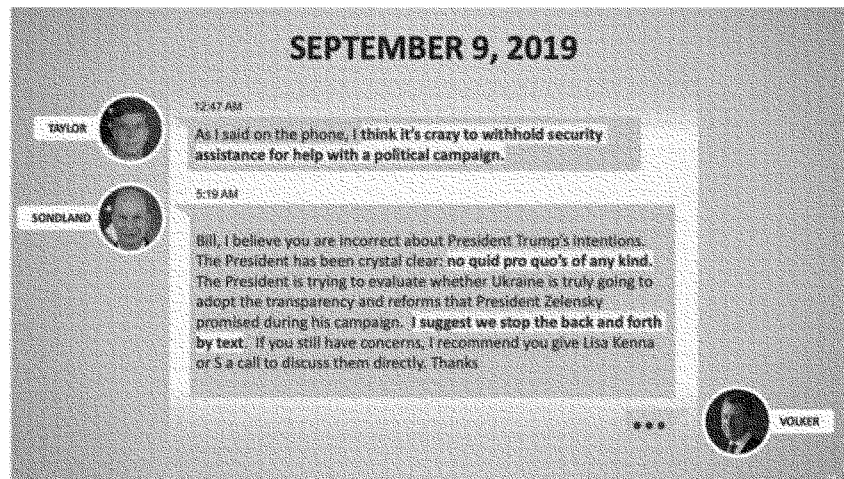
...

**VOLKER** 

**SLIDE 377.** S. Doc. 116–18 Vol. II, Pg. 972; 166 Cong. Rec. S526



**SLIDE 378.** S. Doc. 116–18 Vol. II, Pg. 973; 166 Cong. Rec. S527







SLIDES 379–480

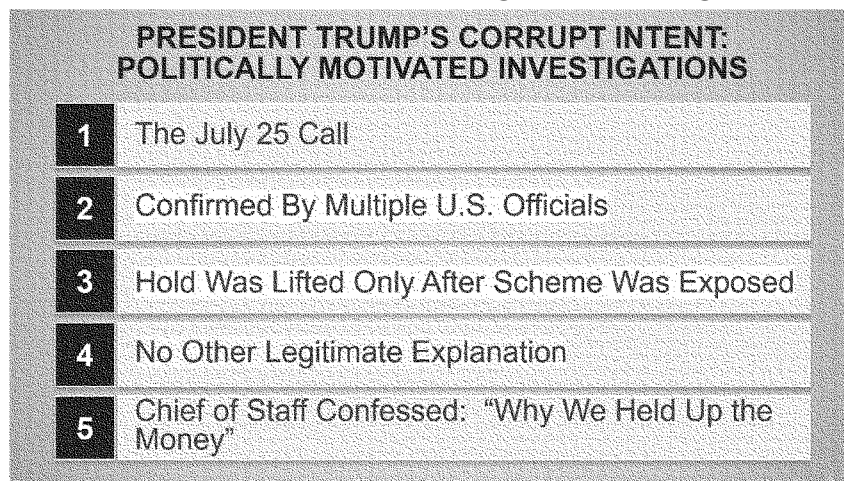
[166 CONG. REC. S531–559 (DAILY ED. JAN. 24, 2020)]

**SLIDE 379.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S531

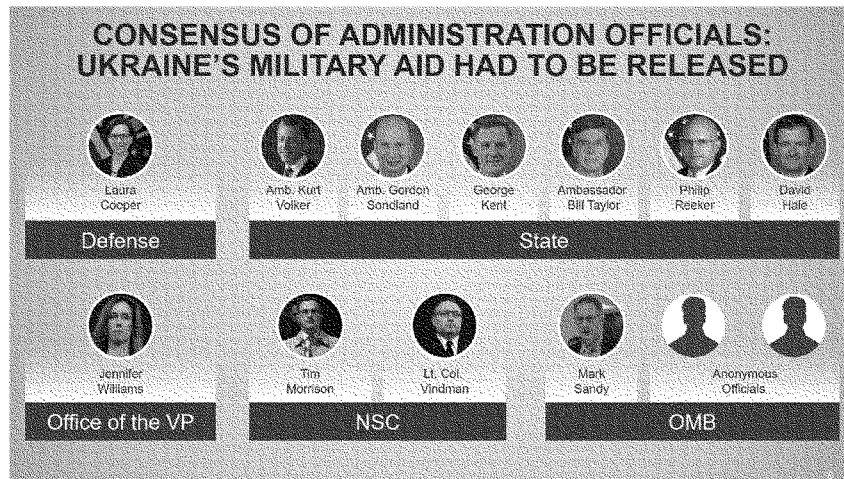
<b>PRESIDENT TRUMP’S CORRUPT INTENT: POLITICALLY MOTIVATED INVESTIGATIONS</b>	
<b>1</b>	The July 25 Call
<b>2</b>	Confirmed By Multiple U.S. Officials
<b>3</b>	Hold Was Lifted Only After Scheme Was Exposed
<b>4</b>	No Other Legitimate Explanation
<b>5</b>	Chief of Staff Confessed: “Why We Held Up the Money”

**SLIDE 380.** S. Doc. 116–18 Vol. II, Pg. 982/982; 166 Cong. Rec. S531/S531

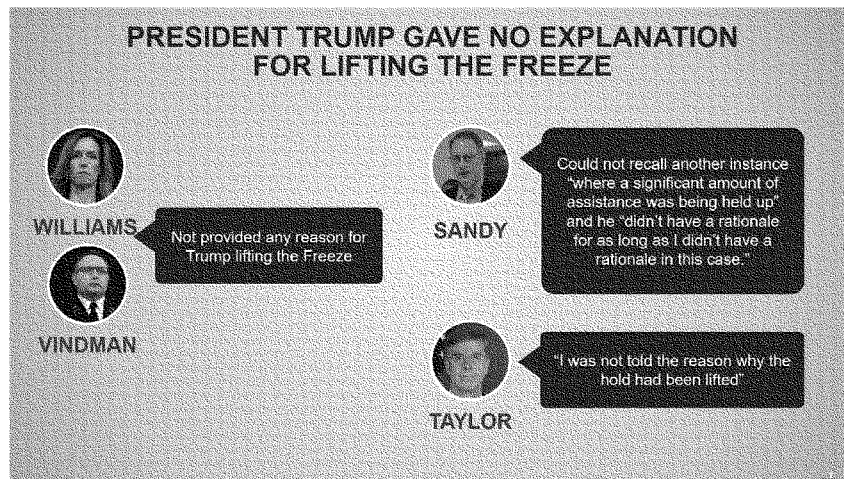
<b>PRESIDENT TRUMP RELEASED AID ONLY <u>AFTER</u> HIS SCHEME IS EXPOSED</b>	
<b>Aug. 26</b>	Whistleblower Complaint Transmitted To DNI
<b>Sept. 5</b>	<b>WashPo:</b> “Trump Tries To Force Ukraine To Meddle In The 2020 Election”
<b>Sept. 9</b>	House Announces Ukraine Investigation
<b>Sept. 11</b>	President Trump Releases Military Aid

**SLIDE 381.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S531**SLIDE 382.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S532

**SLIDE 383.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S532



**SLIDE 384.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S532



**SLIDE 385.** S. Doc. 116–18 Vol. II, Pg. 983; 166 Cong. Rec. S532



**SLIDE 386.** S. Doc. 116–18 Vol. II, Pg. 984; 166 Cong. Rec. S532



**SLIDE 387.** S. Doc. 116–18 Vol. II, Pg. 985; 166 Cong. Rec. S533

Bogus Explanation	Concerned About Burden-Sharing with Europe
	<ul style="list-style-type: none"><li>▶ EU Single Largest Contributor To Ukraine: €15 Billion</li><li>▶ Never Mentioned Burden Sharing In July Or August</li><li>▶ The President <i>Never Asked</i> EU Ambassador To Discuss Burden Sharing</li><li>▶ The President <i>Told</i> EU Ambassador That Aid Linked To Investigations</li><li>▶ Released Aid Without Further Contribution By Europe</li></ul>


**SLIDE 388.** S. Doc. 116–18 Vol. II, Pg. 986; 166 Cong. Rec. S533

Article I: President Trump's Abuse of Power	
1	Corrupt Object Of The Scheme: Political Investigations to Benefit Re-election
2	Three Official Acts
3	Attempted Cover-Up & Exposure
4	Injury To Our Nation & Continuing Threat



**SLIDE 389.** S. Doc. 116–18 Vol. II, Pg. 987; 166 Cong. Rec. S533

**EISENBERG CONCERNED ABOUT  
JULY 10 MEETING**




**Fiona Hill Testimony**

**Q:** What was Mr. Eisenberg's reaction to what you explained to him had and Mr. Griffith had explained to him had occurred the day before?

**HILL:** Yeah. He was also concerned. I mean, he wasn't aware that Sondland, Ambassador Sondland was... kind of running around doing a lot of these... meetings and independently. We talked about the fact that... Ambassador Sondland said he'd been meeting with Giuliani and he was very concerned about that. And he said he would follow up on this.

**SLIDE 390.** S. Doc. 116–18 Vol. II, Pg. 989; 166 Cong. Rec. S534

**TESTIMONY OF MR. MORRISON**



**Morrison Testimony**

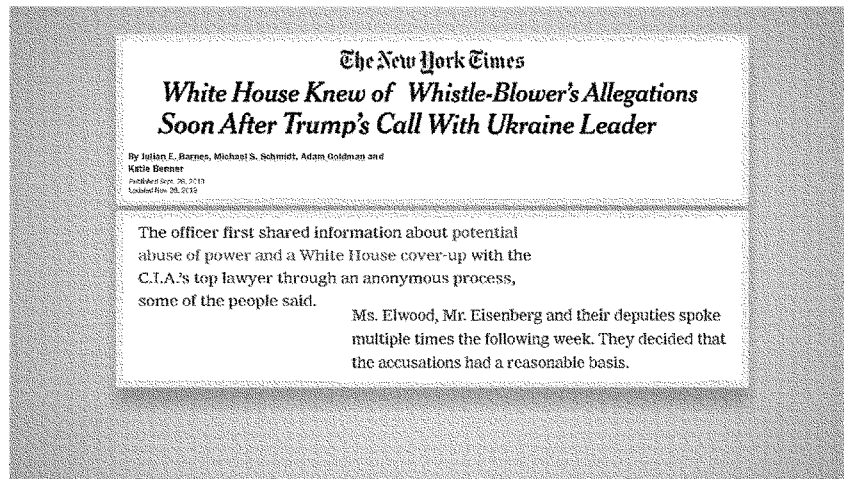
**Q:** You said earlier that he indicated that the transfer of the MEMCON to the highly classified system was a mistake. Do you know if it was taken off of that system after that discussion you had with him?

**MORRISON:** As of the third week of September, it was not—it had not been taken off.

**Q:** Do you know why?

**MORRISON:** No.

**SLIDE 391.** S. Doc. 116–18 Vol. II, Pg. 990; 166 Cong. Rec. S534



**The New York Times**  
***White House Knew of Whistle-Blower's Allegations  
Soon After Trump's Call With Ukraine Leader***  
By Julian E. Barnes, Michael S. Schmidt, Adam Goldman and  
Katie Benner  
Published Jan. 26, 2019  
Updated from 26, 2019

The officer first shared information about potential abuse of power and a White House cover-up with the C.I.A.'s top lawyer through an anonymous process, some of the people said.

Ms. Elwood, Mr. Eisenberg and their deputies spoke multiple times the following week. They decided that the accusations had a reasonable basis.

**SLIDE 392.** S. Doc. 116–18 Vol. II, Pg. 991; 166 Cong. Rec. S535



**The New York Times**  
***Trump Knew of Whistle-Blower Complaint When  
He Released Aid to Ukraine***  
By Michael S. Schmidt, Julian E. Barnes and Maggie Haberman  
Nov. 24, 2019

But the White House counsel, Pat A. Cipollone, and his deputy John A. Eisenberg disagreed. They decided that the administration could withhold from Congress the whistle-blower's accusations because they were protected by executive privilege. The lawyers told Mr. Trump they planned to ask the Justice Department's Office of Legal Counsel to determine whether they had to disclose the complaint to lawmakers.

**SLIDE 393.** S. Doc. 116–18 Vol. II, Pg. 992; 166 Cong. Rec. S535



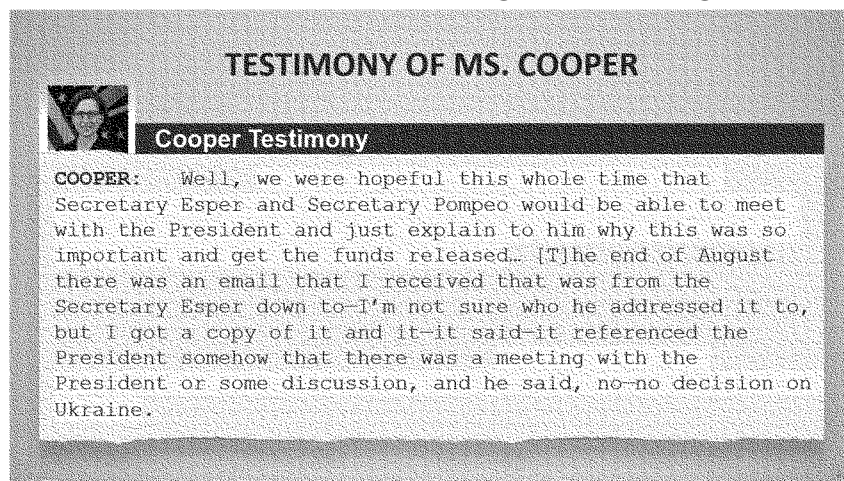
**POLITICO**

**Trump holds up Ukraine military aid meant to confront Russia**


By CAITLIN EMMA and CONNOR O'BRIEN | 08/28/2019 06:11 PM EDT | Updated 08/29/2019 03:40 PM EDT

The Trump administration is slow-walking \$250 million in military assistance to Ukraine, annoying lawmakers and advocates who argue the funding is critical to keeping Russia at bay.

**SLIDE 394.** S. Doc. 116–18 Vol. II, Pg. 992; 166 Cong. Rec. S536



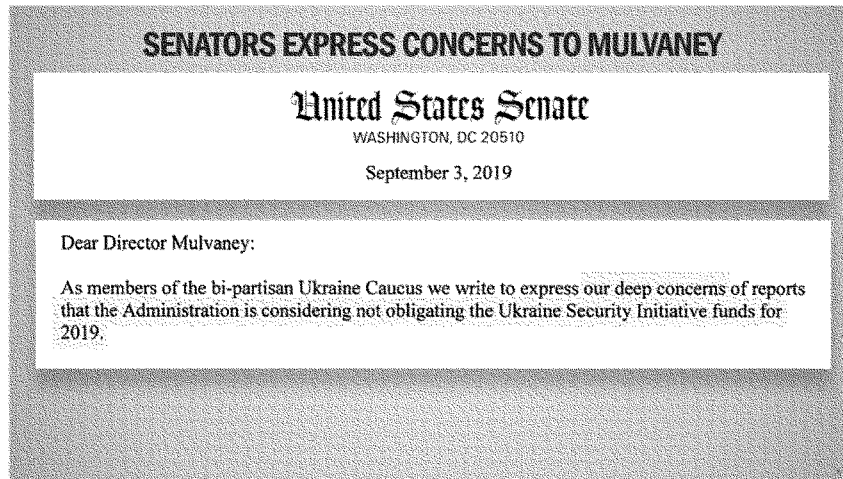
**TESTIMONY OF MS. COOPER**



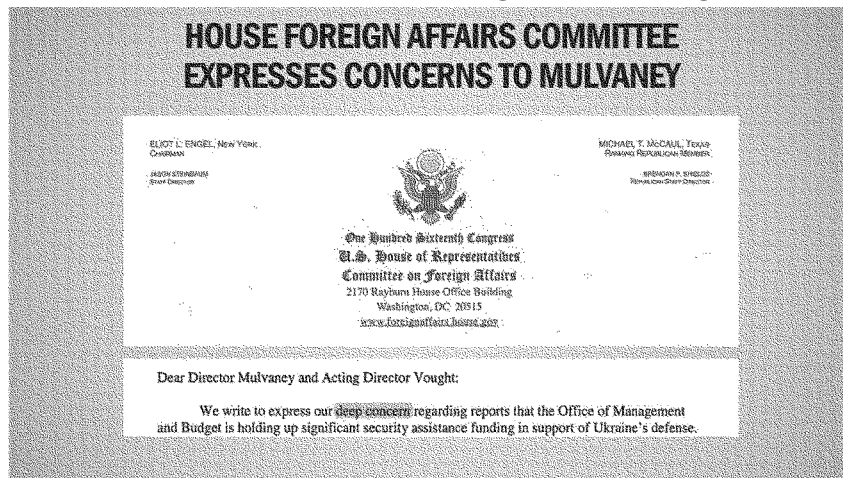
**Cooper Testimony**

**COOPER:** Well, we were hopeful this whole time that Secretary Esper and Secretary Pompeo would be able to meet with the President and just explain to him why this was so important and get the funds released... [T]he end of August there was an email that I received that was from the Secretary Esper down to—I'm not sure who he addressed it to, but I got a copy of it and it—it said—it referenced the President somehow that there was a meeting with the President or some discussion, and he said, no-no decision on Ukraine.

**SLIDE 395.** S. Doc. 116–18 Vol. II, Pg. 994; 166 Cong. Rec. S536



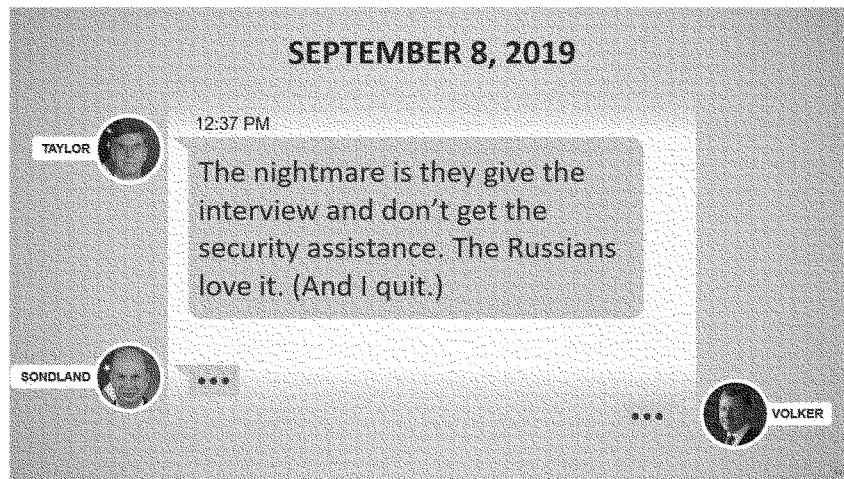
**SLIDE 396.** S. Doc. 116–18 Vol. II, Pg. 994; 166 Cong. Rec. S536



**SLIDE 397.** S. Doc. 116–18 Vol. II, Pg. 994; 166 Cong. Rec. S536



**SLIDE 398.** S. Doc. 116–18 Vol. II, Pg. 995; 166 Cong. Rec. S537



**SLIDE 399.** S. Doc. 116–18 Vol. II, Pg. 996; 166 Cong. Rec. S537

**THREE COMMITTEES PRESS RELEASE**

Press Releases  SHARE

Three House Committees Launch Wide-Ranging Investigation into Trump-Giuliani Ukraine Scheme  
*Engel, Schiff, and Cummings Demand Records about Efforts to Pressure Ukraine's Government to Assist Trump's Reelection Campaign*

Washington, September 9, 2019 

*Washington, DC—Today, three House Committees launched a wide-ranging investigation into reported efforts by President Trump, the President's personal lawyer Rudy Giuliani, and possibly others to pressure the government of Ukraine to assist the President's reelection campaign.*

**SLIDE 400.** S. Doc. 116–18 Vol. II, Pg. 996; 166 Cong. Rec. S537

**THREE COMMITTEES LETTER**

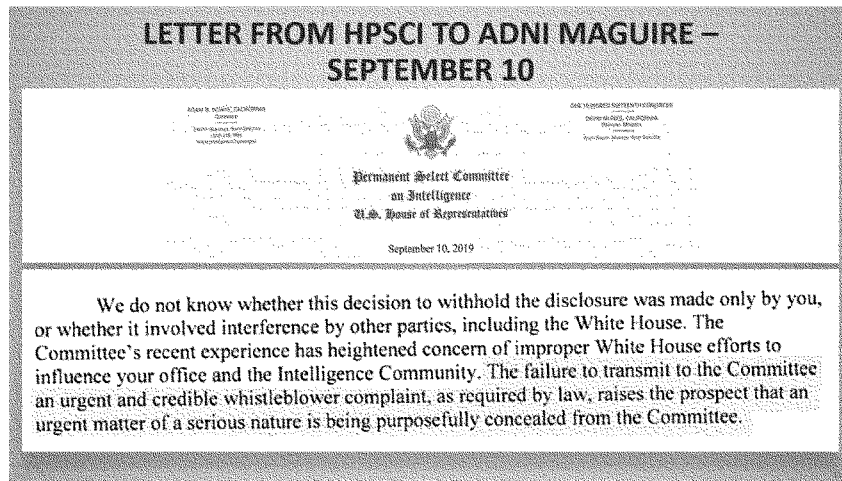
**Congress of the United States**  
Washington, DC 20515

September 9, 2019

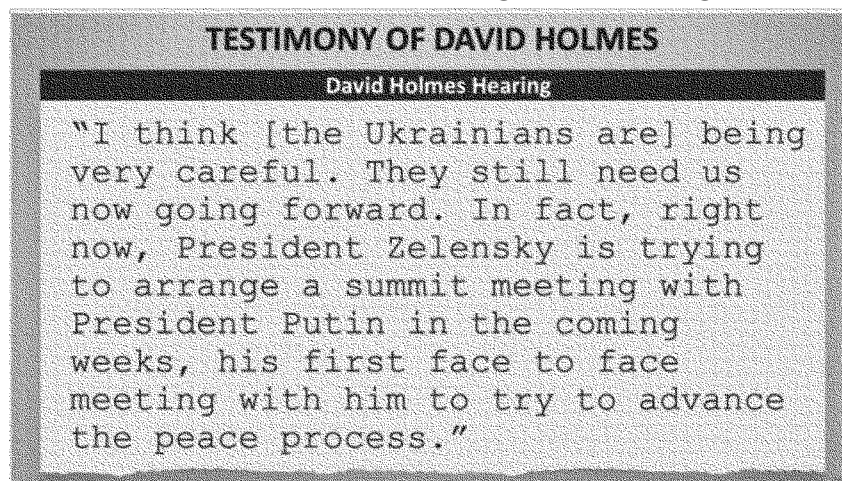
A growing public record indicates that, for nearly two years,<sup>1</sup> the President and his personal attorney, Rudy Giuliani,<sup>2</sup> appear to have acted outside legitimate law enforcement and diplomatic channels to coerce the Ukrainian government into pursuing two politically-motivated investigations under the guise of anti-corruption activity.



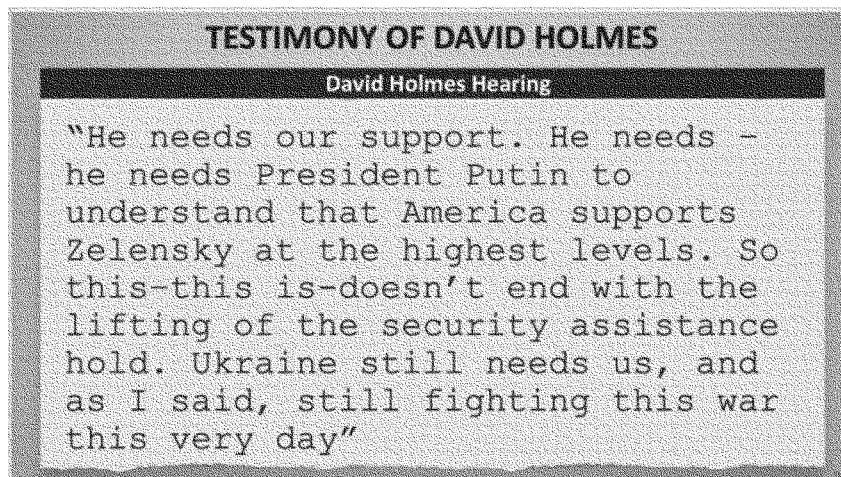
**SLIDE 401.** S. Doc. 116–18 Vol. II, Pg. 996; 166 Cong. Rec. S537



**SLIDE 402.** S. Doc. 116–18 Vol. II, Pg. 998; 166 Cong. Rec. S538



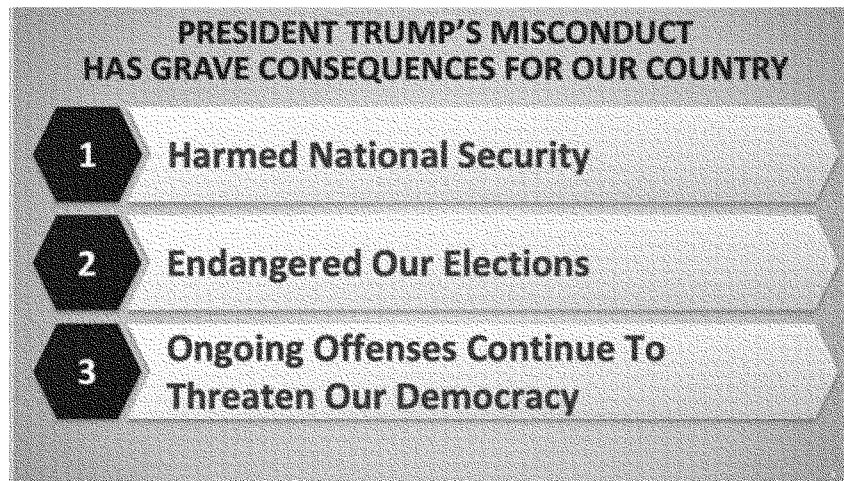
**SLIDE 403.** S. Doc. 116–18 Vol. II, Pg. 998; 166 Cong. Rec. S538



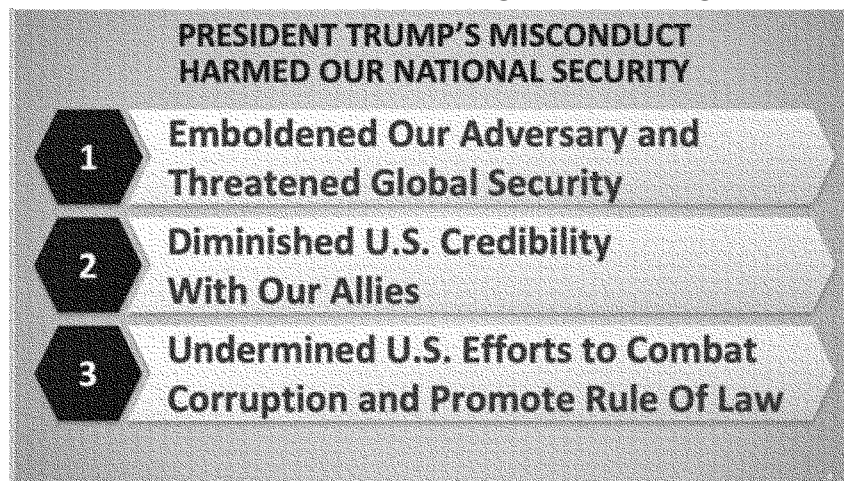
**SLIDE 404.** S. Doc. 116–18 Vol. II, Pg. 998; 166 Cong. Rec. S538



**SLIDE 405.** S. Doc. 116–18 Vol. II, Pg. 999; 166 Cong. Rec. S538



**SLIDE 406.** S. Doc. 116–18 Vol. II, Pg. 999; 166 Cong. Rec. S538



**SLIDE 407.** S. Doc. 116–18 Vol. II, Pg. 1000; 166 Cong. Rec. S538

**BUDAPEST MEMORANDUM - 1994**

- 1** “The United States of America, the Russian Federation, and the United Kingdom of Great Britain and Northern Ireland, reaffirm their commitment to Ukraine...to respect the Independence and Sovereignty and the existing borders of Ukraine.”
- 2** “The United States of America, the Russian Federation, and the United Kingdom of Great Britain and Northern Ireland, reaffirm their obligation to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine....”

<https://www.brookings.edu/blog/up-front/2014/01/13/getting-rid-of-nukes-the-trilateral-statement-at-20-years/>

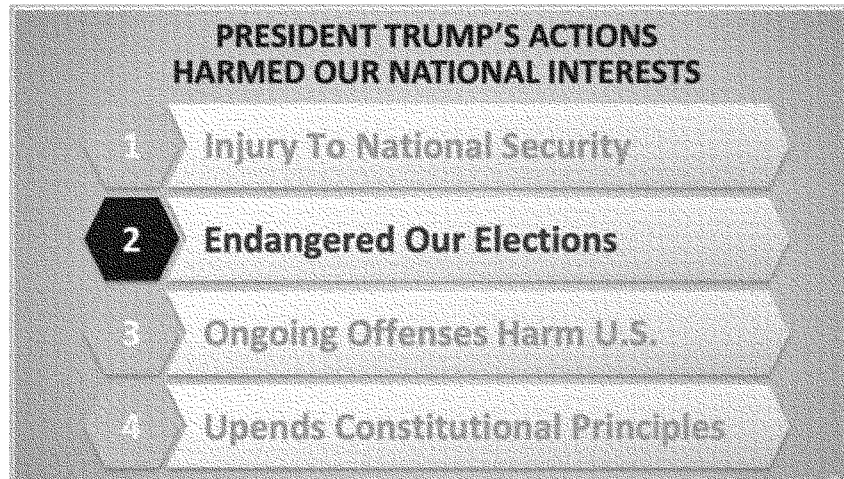
**SLIDE 408.** S. Doc. 116–18 Vol. II, Pg. 1001; 166 Cong. Rec. S539

**“WE ARE ALL UKRAINIANS.” – SEN. MCCAIN**



<https://www.theatlantic.com/sex/12015/dec/15/john-mccain-ukraine-protests-support-just-causes/>

**SLIDE 409.** S. Doc. 116–18 Vol. II, Pg. 1007; 166 Cong. Rec. S541



**SLIDE 410.** S. Doc. 116–18 Vol. II, Pg. 1008; 166 Cong. Rec. S542



**SLIDE 411.** S. Doc. 116–18 Vol. II, Pg. 1011; 166 Cong. Rec. S543

**PRESIDENT TRUMP’S PATTERN OF BEHAVIOR  
FORESHADOWS FUTURE HARM**

- 1 Russia’s Plot Is Ongoing
- 2 President Trump Refuses To Condemn Russian Attacks
- 3 President Trump’s Pattern Foreshadows Misconduct**
- 4 President Trump’s Ongoing Offenses Leaves Our Elections Vulnerable

**SLIDE 412.** S. Doc. 116–18 Vol. II, Pg. 1011; 166 Cong. Rec. S543

**The Washington Post**

**‘Very much counter to the plan’: Trump defies advisers in embrace of Putin**

In the end, Trump’s performance alongside Putin in the Finnish capital seemed like a tour through his most controversial conspiracy theories, tweets and off-the-cuff musings on Russia — except he did it all while abroad, standing just feet from Putin, the leader of one of America’s greatest geopolitical foes.

The spectacle in Helsinki also underscored Trump’s eagerness to disregard his own advisers, his willingness to flout the conclusions of his own intelligence community — that Russia interfered in the 2016 U.S. elections — and his apparent fear that pressing Putin on the subject might cast doubt on his electoral victory.

July 16, 2018



**SLIDE 413.** S. Doc. 116–18 Vol. II, Pg. 1015; 166 Cong. Rec. S544

**President Trump's  
Unprecedented Obstruction**

COMPREHENSIVE	APPLIED TO THE <u>ENTIRE</u> EXECUTIVE BRANCH
CATEGORICAL	PROHIBITED <u>ALL</u> COOPERATION
INDISCRIMINATE	<u>NO</u> CASE-BY-CASE CONSIDERATION <u>NO</u> NEGOTIATION

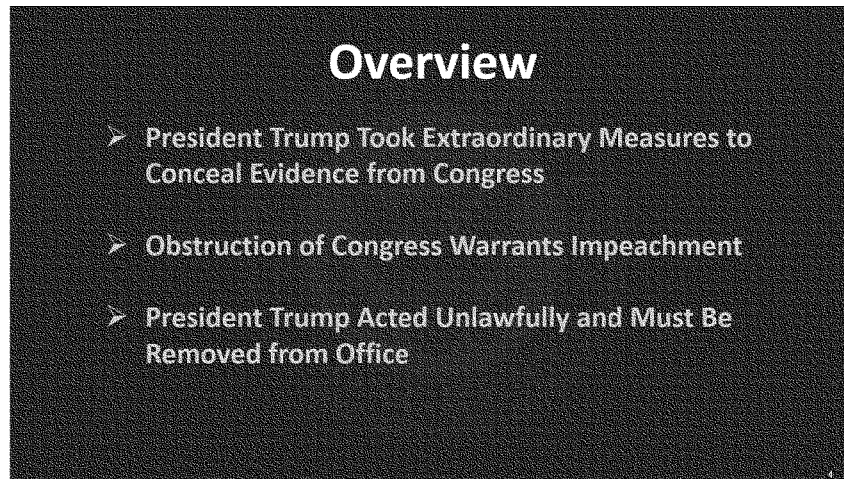
2

**SLIDE 414.** S. Doc. 116–18 Vol. II, Pg. 1016; 166 Cong. Rec. S545

**PRESIDENT TRUMP ORDERED HIS ADMINISTRATION  
TO REFUSE ALL DOCUMENT REQUESTS**

		
White House	Office of the Vice President	Office of Management and Budget
		
Department of State	Department of Defense	Department of Energy

**SLIDE 415.** S. Doc. 116–18 Vol. II, Pg. 1018; 166 Cong. Rec. S545

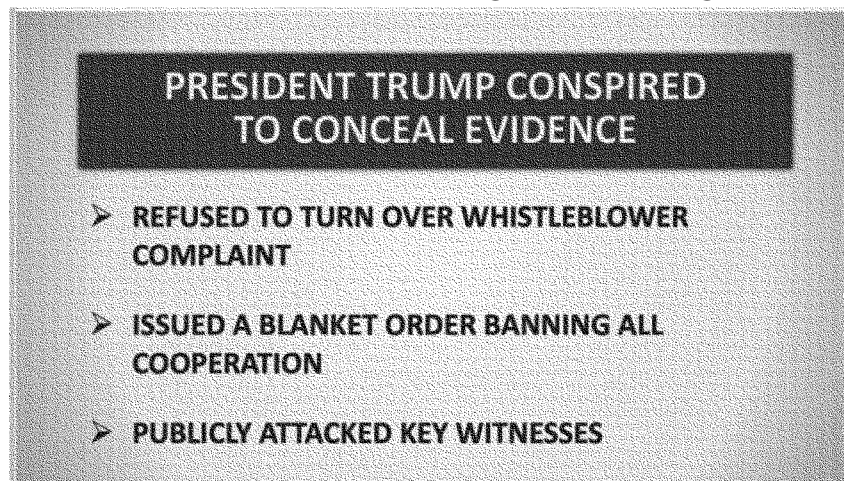


**Overview**

- President Trump Took Extraordinary Measures to Conceal Evidence from Congress
- Obstruction of Congress Warrants Impeachment
- President Trump Acted Unlawfully and Must Be Removed from Office

4

**SLIDE 416.** S. Doc. 116–18 Vol. II, Pg. 1018; 166 Cong. Rec. S546



**PRESIDENT TRUMP CONSPIRED TO CONCEAL EVIDENCE**

- REFUSED TO TURN OVER WHISTLEBLOWER COMPLAINT
- ISSUED A BLANKET ORDER BANNING ALL COOPERATION
- PUBLICLY ATTACKED KEY WITNESSES

**SLIDE 417.** S. Doc. 116–18 Vol. II, Pg. 1019; 166 Cong. Rec. S546

**PRESIDENT TRUMP'S  
COVER-UP BEGAN EARLY**

- **JULY 25<sup>TH</sup> CALL RECORD PLACED ON HIGHLY CLASSIFIED COMPUTER SYSTEM**
- **INITIALLY KEPT FREEZE CONFIDENTIAL**
- **UNLAWFULLY WITHHELD WHISTLEBLOWER COMPLAINT FROM CONGRESS**

**SLIDE 418.** S. Doc. 116–18 Vol. II, Pg. 1020; 166 Cong. Rec. S546

**PRESIDENT TRUMP PUBLICLY ATTACKED THE HOUSE INVESTIGATION**

Donald J. Trump @realDonaldTrump

As I learn more and more each day, I am coming to the conclusion that what is taking place is not an impeachment, it is a COUP, intended to take away the Power of the....

4:47 PM - 1 Oct 2019

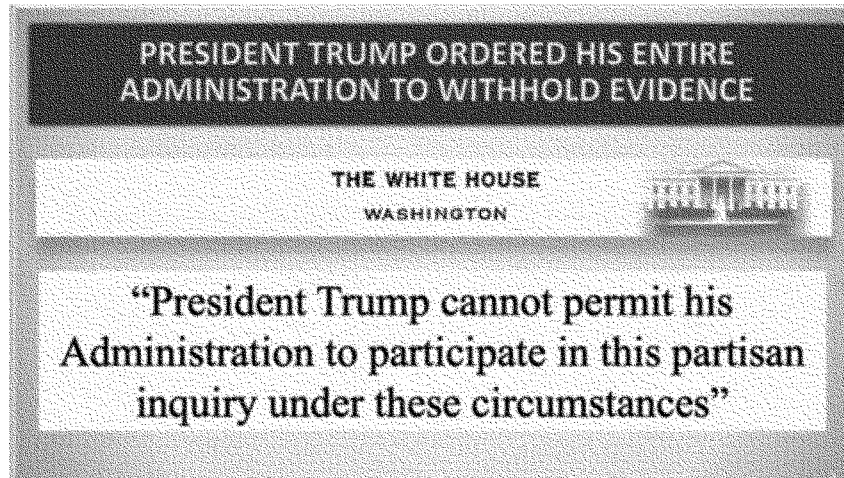
Donald J. Trump @realDonaldTrump

...You will see it was a very friendly and totally appropriate call. No pressure and, unlike Joe Biden and his son, NO quid pro quo! This is nothing more than a continuation of the Greatest and most Destructive Witch Hunt of all time!

11:12 AM - 24 Sep 2019

Twitter

**SLIDE 419.** S. Doc. 116–18 Vol. II, Pg. 1020/1025; 166 Cong. Rec. S546/S548



**SLIDE 420.** S. Doc. 116–18 Vol. II, Pg. 1021; 166 Cong. Rec. S546



**SLIDE 421.** S. Doc. 116–18 Vol. II, Pg. 1021; 166 Cong. Rec. S547


<i><b>DULY AUTHORIZED SUBPOENAS</b></i>	
<b>SEPT 27<sup>th</sup></b>	<b>DEPARTMENT OF STATE</b>
<b>OCT 4<sup>th</sup></b>	<b>THE WHITE HOUSE</b>
<b>OCT 7<sup>th</sup></b>	<b>OFFICE OF MANAGEMENT AND BUDGET</b>
<b>OCT 7<sup>th</sup></b>	<b>DEPARTMENT OF DEFENSE</b>
<b>OCT 10<sup>th</sup></b>	<b>DEPARTMENT OF ENERGY</b>

**SLIDE 422.** S. Doc. 116–18 Vol. II, Pg. 1022; 166 Cong. Rec. S547

<i><b>DULY AUTHORIZED SUBPOENAS</b></i>		
<b>SEPT 27<sup>th</sup></b>	<b>DEPARTMENT OF STATE</b>	<i><u>NO DOCUMENTS</u></i>
<b>OCT 4<sup>th</sup></b>	<b>THE WHITE HOUSE</b>	<i><u>NO DOCUMENTS</u></i>
<b>OCT 7<sup>th</sup></b>	<b>OFFICE OF MANAGEMENT AND BUDGET</b>	<i><u>NO DOCUMENTS</u></i>
<b>OCT 7<sup>th</sup></b>	<b>DEPARTMENT OF DEFENSE</b>	<i><u>NO DOCUMENTS</u></i>
<b>OCT 10<sup>th</sup></b>	<b>DEPARTMENT OF ENERGY</b>	<i><u>NO DOCUMENTS</u></i>

**SLIDE 423.** S. Doc. 116–18 Vol. II, Pg. 1022; 166 Cong. Rec. S547

**DEPARTMENT OF DEFENSE RESPONSE**




OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON, DC 20301-1300

“In light of these concerns, and in view of the President’s position as expressed in the White House Counsel’s October 8 letter, and without waiving any other objections to the subpoena that the Department may have, the Department is unable to comply with your request for documents at this time.”

**SLIDE 424.** S. Doc. 116–18 Vol. II, Pg. 1023; 166 Cong. Rec. S547

**STATE DEPARTMENT OFFICIAL DENIED SECRETARY POMPEO’S ALLEGATIONS**



**George Kent Deposition**


**A:** “Well, there was a line in there that the committees had been attempting to bully, intimidate, and threaten career foreign service officers. And I was one of two career foreign service officers which had received letters from the committees, and I had not felt bullied, threatened, and intimidated.”

**A:** “I pointed out to him that I thought the language he had then drafted, since he said was the drafter, was inaccurate.”



**SLIDE 425.** S. Doc. 116–18 Vol. II, Pg. 1023; 166 Cong. Rec. S547


**STATE DEPARTMENT ORDERED WITNESSES TO  
WITHHOLD DOCUMENTS FROM CONGRESS**

 United States Department of State  
Washington, D.C. 20520

Finally, with respect to the Committees' request to your client for documents that constitute official State Department records, we appreciate the acknowledgement that you have provided that, in the absence of an opportunity for the Department to review such documents, your client is not authorized to disclose to Congress any records relating to official duties for the reasons set forth in the letter of October 10.

**SLIDE 426.** S. Doc. 116–18 Vol. II, Pg. 1024; 166 Cong. Rec. S548

**PRESIDENT NIXON DIRECTED SENIOR OFFICIALS TO  
TESTIFY VOLUNTARILY**

 ***"staff will appear voluntarily"***

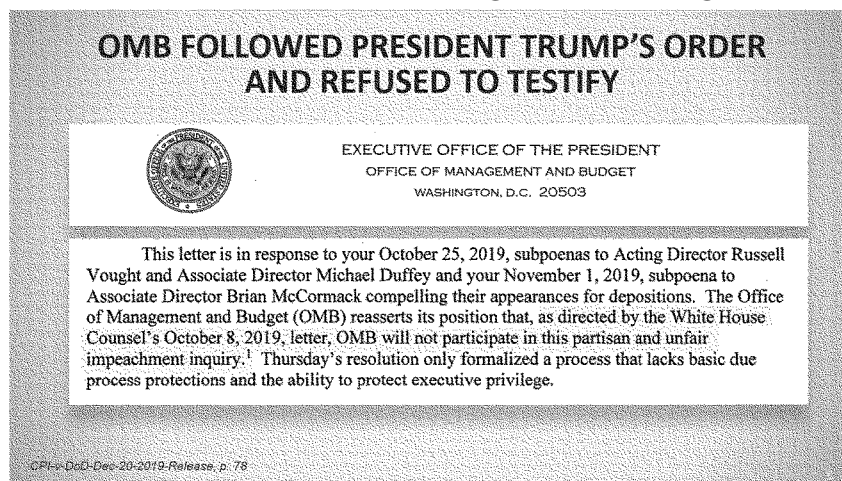
All members of the White House staff will appear voluntarily when requested by the committee. They will testify under oath and they will answer fully all proper questions.

***"they will testify under oath"***

**SLIDE 427.** S. Doc. 116–18 Vol. II, Pg. 1025; 166 Cong. Rec. S548



**SLIDE 428.** S. Doc. 116–18 Vol. II, Pg. 1025; 166 Cong. Rec. S548



**SLIDE 429.** S. Doc. 116–18 Vol. II, Pg. 1025; 166 Cong. Rec. S548

**OMB ADMITTED KEY FACTS**

- 1 Oct. 8<sup>th</sup> letter was an **official order** from President Trump
- 2 President Trump's order applied to OMB and the three officials subpoenaed by the House
- 3 President Trump's order **required officials to defy lawful subpoenas**
- 4 President Trump's order **directly prevented 3 OMB witnesses from testifying**

**SLIDE 430.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S548

**PRESIDENT TRUMP ORDERED HIS OWN CHIEF OF STAFF TO DEFY A LAWFUL SUBPOENA**

**Mick Mulvaney**

- ACTING WHITE HOUSE CHIEF OF STAFF
- ADMITTED UKRAINE QUID PRO QUO
- PRESIDENT TRUMP DIRECTLY BLOCKED HIS TESTIMONY



**SLIDE 431.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S549



**PRESIDENT TRUMP ORDERED HIS CHIEF OF STAFF NOT TO TESTIFY**

THE WHITE HOUSE  
WASHINGTON

Accordingly, in order to protect the prerogatives of the Office of President today and in the future, and in response to your request, the President directs Mr. Mulvaney not to appear at the Committee's scheduled deposition on November 8, 2019. This long-standing principle is firmly rooted in the Constitution's separation of powers and protects the core functions of the Presidency, and this office is adhering to this well-established precedent in order to allow future Presidents to effectively execute the responsibilities of the Office of President. I also attach the letter opinion provided by the Department regarding Mr. Mulvaney's immunity.

*"the President directs Mr. Mulvaney not to appear ..."*

**SLIDE 432.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S548



**ROBERT B. BLAIR**

Assistant to the President and  
Senior Advisor to the Chief of  
Staff,  
The White House

**SLIDE 433.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S549

**PRESIDENT TRUMP FORCED SENIOR WHITE HOUSE OFFICIALS TO DEFY LAWFUL SUBPOENAS**





**ROBERT B. BLAIR**  
ASST. TO THE PRESIDENT AND SENIOR ADVISOR TO THE CHIEF OF STAFF

Mr. Blair has been directed by the White House not to appear and testify at the Committees' proposed deposition, based on the Department of Justice's advice that the Committees may not validly require an executive branch witness to appear at such a deposition without the assistance of agency counsel. In light of the clear direction he has been given by the Executive Branch, Mr. Blair must respectfully decline to testify, as you propose, on Monday, November 4, 2019.

***"Mr. Blair has been directed by the White House not to appear and testify..."***

2019-11-02 letter from Blair. Courtesy to Engel, Maloney, Schiff. Reduced 1

**SLIDE 434.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S549



**JOHN A. EISENBERG**

- Head Attorney on President Trump's National Security Council
- Deputy Counsel to the President for National Security Affairs

**SLIDE 435.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549

**PRESIDENT TRUMP FORCED NSC ATTORNEY JOHN EISENBERG TO DEFY A LAWFUL SUBPOENA**



**JOHN A. EISENBERG**  
Deputy Counsel to the President and NSC Legal Advisor

THE WHITE HOUSE  
WASHINGTON


Accordingly, in order to protect the prerogatives of the Office of President today and in the future, and in response to your request, the President directs Mr. Eisenberg not to appear at the Committee's deposition on Monday, November 4, 2019.

***"the President directs Mr. Eisenberg not to appear..."***

2019-11-03 Letter from Cichrowski to Eisenberg Counsel

**SLIDE 436.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549

**EISENBERG'S PERSONAL ATTORNEY CONFIRMED PRESIDENT TRUMP'S ORDER**



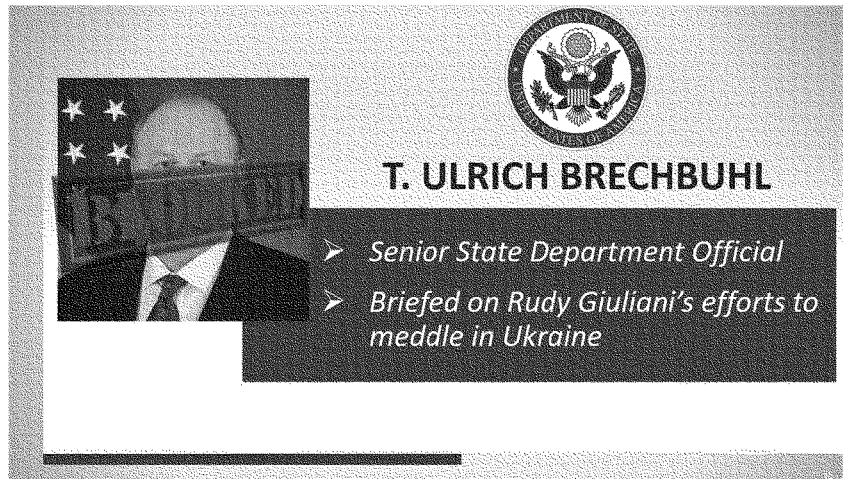
**JOHN A. EISENBERG**  
Deputy Counsel to the President and NSC Legal Advisor

Even if Mr. Eisenberg had been afforded a reasonable amount of time to prepare, the President has instructed Mr. Eisenberg not to appear at the deposition. Enclosed with this letter is the President's instruction as relayed by Pat A. Cipollone, Counsel to the President, in a letter dated November 3, 2019. We also enclose a letter, also dated November 3, 2019, from Steven A. Engel, Assistant Attorney General for the Office of Legal Counsel at the Department of Justice, to Mr. Cipollone advising that Mr. Eisenberg is "absolutely immune from compelled congressional testimony in his capacity as a senior advisor to the President." Under these circumstances, Mr. Eisenberg has no other option that is consistent with his legal and ethical obligations except to follow the direction of his client and employer, the President of the United States. Accordingly, Mr. Eisenberg will not be appearing for a deposition at this time.

2019-11-04 Letter from Eisenberg Counsel to Engel, Maloney, Schiff, Redacted



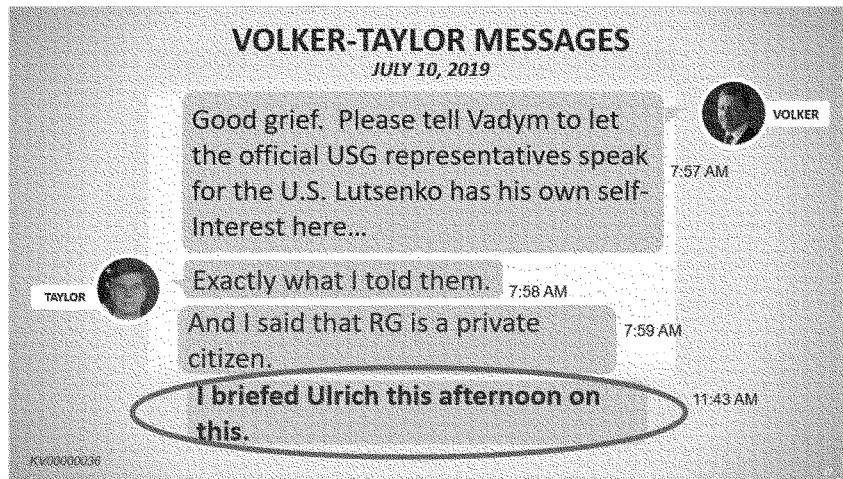
**SLIDE 437.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549



Slide 437 features a portrait of T. Ulrich Brechbuhl on the left, with an American flag in the background. To the right of the portrait is the Department of State seal. Below the seal, the name "T. ULRICH BRECHBUHL" is displayed in bold. Underneath the name, two bullet points are listed:

- Senior State Department Official
- Briefed on Rudy Giuliani's efforts to meddle in Ukraine

**SLIDE 438.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549



Slide 438 displays a screenshot of a text message conversation titled "VOLKER-TAYLOR MESSAGES" with the date "JULY 10, 2019". The messages are as follows:

- VOLKER** (7:57 AM): Good grief. Please tell Vadym to let the official USG representatives speak for the U.S. Lutsenko has his own self-Interest here...
- TAYLOR** (7:58 AM): Exactly what I told them.
- TAYLOR** (7:59 AM): And I said that RG is a private citizen.
- TAYLOR** (11:43 AM): I briefed Ulrich this afternoon on this.

The final message, "I briefed Ulrich this afternoon on this.", is circled in red. A small identifier "KV00000038" is visible in the bottom left corner of the slide.

**SLIDE 439.** S. Doc. 116–18 Vol. II, Pg. 1028; 166 Cong. Rec. S549



**SLIDE 440.** S. Doc. 116–18 Vol. II, Pg. 1029; 166 Cong. Rec. S550



**SLIDE 441.** S. Doc. 116–18 Vol. II, Pg. 1029; 166 Cong. Rec. S550

**PRESIDENT TRUMP PUBLICLY MALIGNED HIS OWN AMBASSADORS**



**Ambassador Marie Yovanovitch**

- 33 year veteran Foreign Service officer
- Fought foreign corruption
- Forced out after Giuliani's smear campaign

**SLIDE 442.** S. Doc. 116–18 Vol. II, Pg. 1029; 166 Cong. Rec. S550

**PRESIDENT TRUMP PUBLICLY ATTACKED YOVANOVITCH DURING HER TESTIMONY**



Donald J. Trump  
@realDonaldTrump

Follow

Everywhere Marie Yovanovitch went turned bad. She started off in Somalia, how did that go? Then fast forward to Ukraine, where the new Ukrainian President spoke unfavorably about her in my second phone call with him. It is a U.S. President's absolute right to appoint ambassadors.

7:01 AM - 15 Nov 2019

**SLIDE 443.** S. Doc. 116–18 Vol. II, Pg. 1030; 166 Cong. Rec. S550

**PRESIDENT TRUMP PUBLICLY MALIGNED HIS OWN AMBASSADORS**



**Ambassador William "Bill" Taylor**

- *West Point graduate*
- *Awarded Bronze Star for service in Vietnam*
- *Publicly maligned by President Trump*

**SLIDE 444.** S. Doc. 116–18 Vol. II, Pg. 1030; 166 Cong. Rec. S550

**PRESIDENT TRUMP'S ATTACKS ON THE WHISTLEBLOWER**

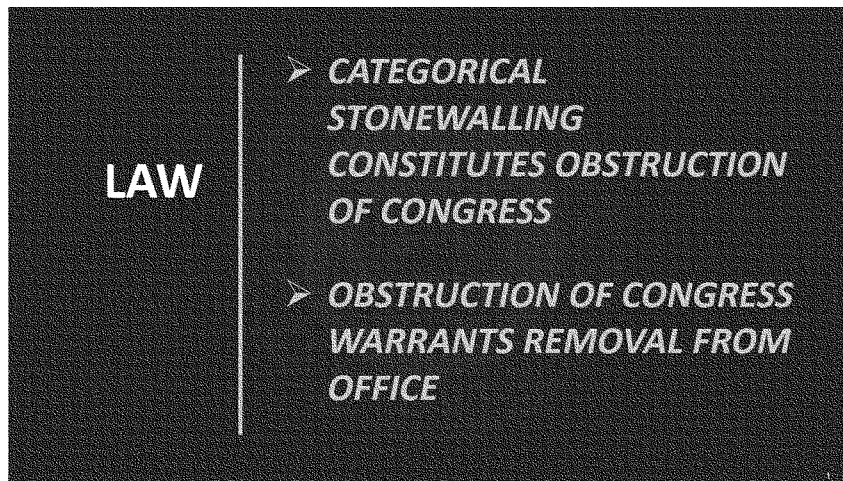


*"The whistleblower is not a whistleblower. He's a fake."*

**SLIDE 445.** S. Doc. 116–18 Vol. II, Pg. 1030; 166 Cong. Rec. S550





**SLIDE 446.** S. Doc. 116–18 Vol. II, Pg. 1031; 166 Cong. Rec. S550



**SLIDE 447.** S. Doc. 116–18 Vol. II, Pg. 1032; 166 Cong. Rec. S551

**THE FRAMERS V. DONALD TRUMP**

<p><b>GEORGE MASON</b></p> <p>“Shall any man be above justice?”</p>	
<p><b>PRESIDENT TRUMP</b></p> <p>“I have the right to do whatever I want as President”</p>	

**SLIDE 448.** S. Doc. 116–18 Vol. II, Pg. 1033; 166 Cong. Rec. S551

**NIXON OBSTRUCTION**


“Unless the defiance of the [House] subpoenas ... is considered grounds for impeachment, it is difficult to conceive of any President acknowledging that he is obligated to supply the relevant evidence necessary for Congress to exercise its constitutional responsibility in an impeachment proceeding.”



**SLIDE 449.** S. Doc. 116–18 Vol. II, Pg. 1033; 166 Cong. Rec. S551

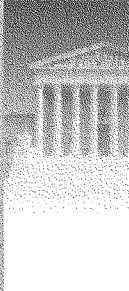
PRESIDENTS NIXON & TRUMP	
PRESIDENT NIXON	PRESIDENT TRUMP
<ul style="list-style-type: none"><li>• Allowed White House officials to testify</li><li>• Allowed senior Executive Branch officials to testify</li><li>• Allowed Executive Branch agencies to turn over documents</li><li>• Turned over many of his own White House documents</li></ul>	<ul style="list-style-type: none"><li>• Prohibited all testimony</li><li>• Concealed all documents</li></ul>

**SLIDE 450.** S. Doc. 116–18 Vol. II, Pg. 1034; 166 Cong. Rec. S552

ARTICLE I OF THE CONSTITUTION	
	<p><b>"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."</b></p> <p><b>"Each House may determine the Rules of its Proceedings"</b></p>
<small>U.S. Const., art. I, § 1, § 5</small>	

**SLIDE 451.** S. Doc. 116–18 Vol. II, Pg. 1034; 166 Cong. Rec. S552

**SUPREME COURT**




**“It is unquestionably the duty of all citizens to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action. It is their unremitting obligation to respond to subpoenas, to respect the dignity of the Congress and its committees and to testify fully with respect to matters within the province of proper investigation.”**

*Watkins v. United States, 354 U.S. 178 (1957)*

**SLIDE 452.** S. Doc. 116–18 Vol. II, Pg. 1035; 166 Cong. Rec. S552

**JUDGE JACKSON**



**“[B]latant defiance of Congress’ centuries-old power to compel the performance of witnesses is not an abstract injury, nor is it a mere banal insult to our democracy. It is an affront to the mechanism for curbing abuses of power that the Framers carefully crafted for our protection, and, thereby, recalcitrant witnesses actually undermine the broader interests of the People of the United States.”**

*Committee on the Judiciary v. McGahn, 46 (D.D.C. Nov. 25, 2019)*

**SLIDE 453.** S. Doc. 116–18 Vol. II, Pg. 1035; 166 Cong. Rec. S552

**CONGRESSIONAL POWER  
TO INVESTIGATE PRESIDENTS**

- Claims that President Lincoln mishandled Civil War military strategy
- The infamous Teapot Dome scandal under President Harding
- President Nixon's involvement in the Watergate scandal
- President Reagan's involvement in the Iran-Contra Affair
- President Clinton's real estate dealings and the Monica Lewinsky scandal
- Warrantless wiretapping under President George W. Bush
- Attacks on American personnel in Benghazi under President Obama


**SLIDE 454.** S. Doc. 116–18 Vol. II, Pg. 1035; 166 Cong. Rec. S552

**PRESIDENTS' COMPLIANCE  
WITH CONGRESSIONAL SUBPEONAS**

President Reagan – Iran-Contra	President Obama Benghazi Investigation
<ul style="list-style-type: none"><li>• Testimony by former National Security Advisor</li><li>• Testimony by former Assistant to the President</li><li>• Reagan produced excerpts of his personal diaries</li></ul>	<ul style="list-style-type: none"><li>• Testimony by National Security Advisor and her Deputy</li><li>• Produced over 75,000 pages of documents</li><li>• Including 1,450 pages of White House e-mails</li></ul>
President Clinton	President Trump
<ul style="list-style-type: none"><li>• Testimony by Chief of Staff and White House counsel</li></ul>	<ul style="list-style-type: none"><li>• No Testimony</li><li>• No Documents</li></ul>

**SLIDE 455.** S. Doc. 116–18 Vol. II, Pg. 1036; 166 Cong. Rec. S552

**ARTICLE I OF THE CONSTITUTION**




**“The House of Representatives ... shall have the sole Power of Impeachment.”**

U.S. Const. art. II, § 4

**SLIDE 456.** S. Doc. 116–18 Vol. II, Pg. 1036; 166 Cong. Rec. S552

**PRESIDENT JAMES POLK**



**In an impeachment inquiry:**

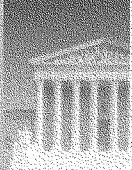
**“All the archives and papers of the Executive Departments, public or private, would be subject to . . . inspection”**

**“Every facility in the power of the Executive [would] be afforded to enable [the House] to prosecute the investigation.”**

H.R. Report, p. 141. Citing Report of the Committee on the Judiciary, Impeachment of Richard M. Nixon, President of the United States, H.R. Rep. No. 95-1305, at 207 (1974) (quoting President Polk) (citations omitted).

**SLIDE 457.** S. Doc. 116–18 Vol. II, Pg. 1036; 166 Cong. Rec. S552

**SUPREME COURT**




**“Long settled and established practice is a consideration of great weight in a proper interpretation of constitutional provisions regulating the relationship between Congress and the President.”**

N. L. R. B. v. Noel Canning, 573 U.S. 513, 524 (2014) (quotation marks and citation omitted)

**SLIDE 458.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**1796: GEORGE WASHINGTON**




**Responding to President George Washington, a Member of Congress observed that he had admitted “that where the House expresses an intention to impeach, the right to demand from the Executive all papers and information in his possession belongs to it.”**

*Frauds Upon Indians—Right of the President to Withhold Papers*, H.R. Rep. No. 27-271, at 12 (1843); see also Message on Jay Treaty (“it does not occur that the inspection of the papers asked for can be relative to any purpose under the cognizance of the House of Representatives, except that of an impeachment, which the resolution has not expressed”).

**SLIDE 459.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**1833: SUPREME COURT JUSTICE JOSEPH STORY**




**"The power of impeachment will generally be applied to persons holding high offices under the government; and *it is of great consequence that the President should not have the power of preventing a thorough investigation of their conduct.*"**

© Joseph Story, *Commentaries on the Constitution of the United States* § 1495, at 952 (1833) (emphasis added).

**SLIDE 460.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**PRESIDENT JAMES POLK**




**"It may be alleged that the power of impeachment belongs to the House of Representatives, and that with a view to the exercise of this power, that House has the right to investigate the conduct of all public officers under the government. This is cheerfully admitted."**

Nixon Impeachment Report (1974), at 207.



**SLIDE 461.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**IMPEACHMENT OF  
PRESIDENT ANDREW JOHNSON**




**“There is no evidence that Johnson ever asserted any privilege to prevent disclosure of presidential conversations to the Committee, or failed to comply with any of the Committee’s requests.”**

When asked to disclose a conversation between himself and President Johnson regarding the preparation of a veto message, an advisor named Jeremiah Black thus agreed he was “bound in conscience to answer a question which that tribunal declares he ought to answer; that he is himself not the judge of what he ought to answer and what he ought not.” *Nixon Impeachment Report* (1974), at 207.

**SLIDE 462.** S. Doc. 116–18 Vol. II, Pg. 1038; 166 Cong. Rec. S553

**IMPEACHMENT OF  
PRESIDENT RICHARD NIXON**




**President Nixon:** “All members of the White House Staff will appear voluntarily when requested by the committee. They will testify under oath, and they will answer fully all proper questions.”

Staff of H. Comm. on the Judiciary, 116th Cong., *Constitutional Grounds for Presidential Impeachment* (December 2019), pp. 42–43. See *The President’s Remarks Announcing Developments and Procedures to be Followed in Connection with the Investigation*, THE WHITE HOUSE Apr. 17, 1973.

**SLIDE 463.** S. Doc. 116–18 Vol. II, Pg. 1038; 166 Cong. Rec. S553

**HISTORY OF IMPEACHMENT INQUIRIES  
AS OF 1974**



**“With the possible exception of one minor official who invoked the privilege against self-incrimination, not one of them challenged the power of the committee conducting the investigation to compel the production of evidence it deemed necessary.”**

House Committee on the Judiciary, HJC Report, p. 148. *Id.* at 208 (footnote omitted)

**SLIDE 464.** S. Doc. 116–18 Vol. II, Pg. 1039; 166 Cong. Rec. S553

**TRUMP ADMINISTRATION’S  
OFFICE OF LEGAL COUNSEL REPORT**


**A Sitting President’s Amenability to Indictment and Criminal Prosecution**

Moreover, the constitutionally specified impeachment process ensures that the immunity would not place the President “above the law.” A sitting President who engages in criminal behavior falling into the category of “high Crimes and Misdemeanors,” U.S. Const. art. II, § 4, is always subject to removal from office upon impeachment by the House and conviction by the Senate, and is thereafter subject to criminal prosecution.

A Sitting President’s Amenability to Indictment and Criminal Prosecution, 24 Op. O.L.C. 257 (2000)

**SLIDE 465.** S. Doc. 116–18 Vol. II, Pg. 1039; 166 Cong. Rec. S553

**SUPREME COURT ON IMPEACHMENT**



**“Where the question of such impeachment is before either [House of Congress] acting in its appropriate sphere on that subject, we see no reason to doubt the right to compel the attendance of witnesses, and their answer to proper questions, in the same manner and by the use of the same means that courts of justice can in like cases.”**

*Willam v. Thompson, 103 U.S. 168, 290, 194 (1880)*

**SLIDE 466.** S. Doc. 116–18 Vol. II, Pg. 1039; 166 Cong. Rec. S554


**JUDGE SIRICA ON IMPEACHMENT**

**“[I]t should not be forgotten that we deal in a matter of the most critical moment to the Nation, an impeachment investigation involving the President of the United States. It would be difficult to conceive of a more compelling need than that of this country for an unswervingly fair inquiry based on all the pertinent information”**

*In re Report & Recommendation of June 5, 1972 Grand Jury Concerning Transmission of Evidence to House of Representatives, 370 F. Supp. 1219, 1230 (D.D.C. 1974)*

**SLIDE 467.** S. Doc. 116–18 Vol. II, Pg. 1041; 166 Cong. Rec. S554

**REPRESENTATIVE LINDSEY GRAHAM (1998)**



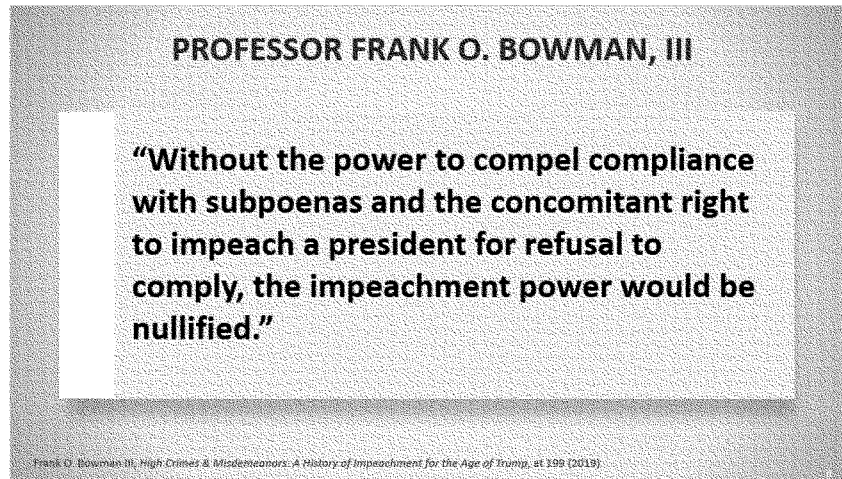
**“The day Richard Nixon failed to answer that subpoena is the day he was subject to impeachment because he took the power from Congress over the impeachment process away from Congress, and he became the judge and jury.”**

Representative Lindsey Graham (1998)

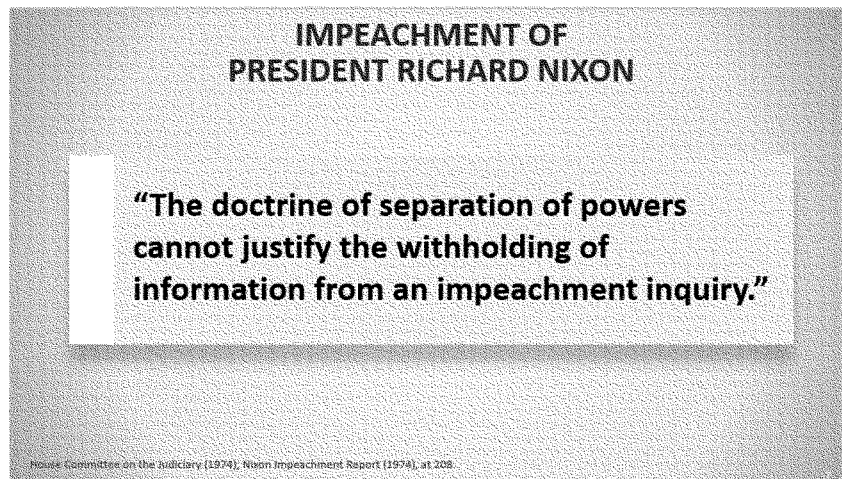
**SLIDE 468.** S. Doc. 116–18 Vol. II, Pg. 1041/1041; 166 Cong. Rec. S554/S554

<b>CHRONOLOGY OF SUBPOENA ENFORCEMENT LAWSUITS</b>		
<b>Judiciary Committee v. Miers</b>	<b>Oversight Committee v. Holder</b>	<b>Judiciary Committee v. McGahn</b>
• Subpoena: June 2007	• Subpoena: October 2011	• Subpoena: April 2019
• Lawsuit: March 2008	• Lawsuit: August 2012	• Lawsuit: August 2019
• Testimony: June 2009	• Documents: August 2014	• Testimony: ???

**SLIDE 469.** S. Doc. 116–18 Vol. II, Pg. 1042; 166 Cong. Rec. S555



**SLIDE 470.** S. Doc. 116–18 Vol. II, Pg. 1042; 166 Cong. Rec. S555



**SLIDE 471.** S. Doc. 116–18 Vol. II, Pg. 1043; 166 Cong. Rec. S555

**IMPEACHMENT OF  
PRESIDENT RICHARD NIXON: ARTICLE III**

**“In refusing to produce these papers and things, Richard M. Nixon, substituting his judgment as to what materials were necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.”**

**SLIDE 472.** S. Doc. 116–18 Vol. II, Pg. 1044; 166 Cong. Rec. S555

**WHY PRESIDENT TRUMP’S EXCUSES FAIL**


- 1 The House, not the President, sets its own procedures
- 2 A House impeachment inquiry is not a full-blown trial
- 3 No basis in history or past practice
- 4 Ignores a key resolution approved by the House



**SLIDE 473.** S. Doc. 116–18 Vol. II, Pg. 1045; 166 Cong. Rec. S556

**PRESIDENT'S TRUMP REASONING FOR DEFYING  
SUBPOENAS**

**THE WHITE HOUSE  
WASHINGTON**




That record clearly established that the call was completely appropriate, that the President did nothing wrong, and that there is no basis for an impeachment inquiry.

President Trump and his Administration cannot participate in your partisan and unconstitutional inquiry under these circumstances.

The effort to impeach President Trump—without regard to any evidence of his actions in office—is a naked political strategy that began the day he was inaugurated, and perhaps even before.<sup>17</sup> In fact, your transparent rush to judgment, lack of democratically accountable

**SLIDE 474.** S. Doc. 116–18 Vol. II, Pg. 1045; 166 Cong. Rec. S556

**PRESIDENT RICHARD NIXON**



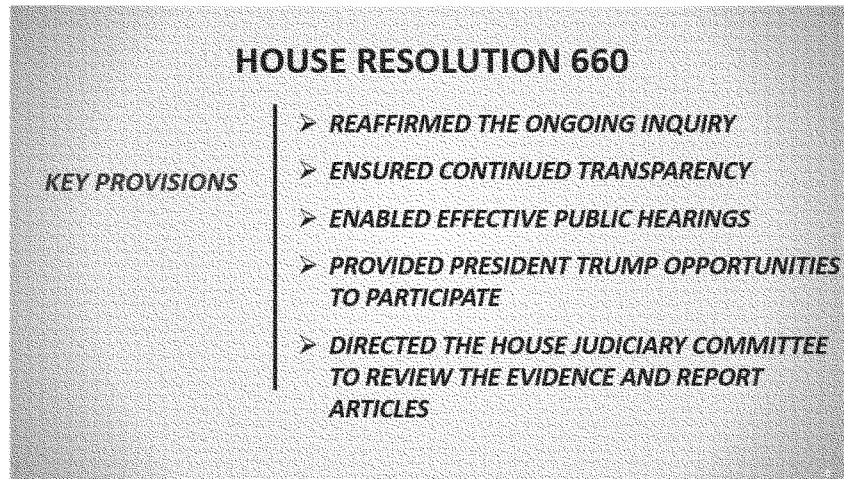
"People have got to know whether or not their President is a crook.

Well, I'm not a crook.

I've earned everything I've got."

Lord Edward Coke (1628)

**SLIDE 475.** S. Doc. 116–18 Vol. II, Pg. 1049; 166 Cong. Rec. S557

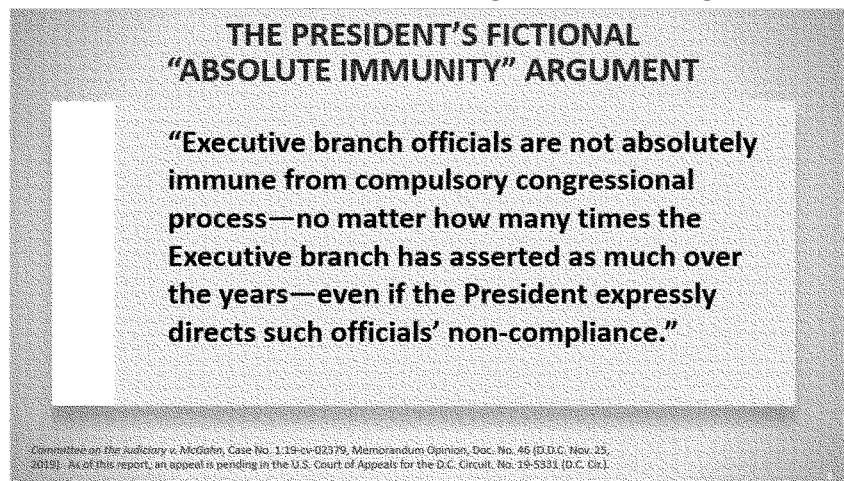


**HOUSE RESOLUTION 660**

**KEY PROVISIONS**

- *REAFFIRMED THE ONGOING INQUIRY*
- *ENSURED CONTINUED TRANSPARENCY*
- *ENABLED EFFECTIVE PUBLIC HEARINGS*
- *PROVIDED PRESIDENT TRUMP OPPORTUNITIES TO PARTICIPATE*
- *DIRECTED THE HOUSE JUDICIARY COMMITTEE TO REVIEW THE EVIDENCE AND REPORT ARTICLES*

**SLIDE 476.** S. Doc. 116–18 Vol. II, Pg. 1051; 166 Cong. Rec. S558



**THE PRESIDENT'S FICTIONAL  
"ABSOLUTE IMMUNITY" ARGUMENT**

**"Executive branch officials are not absolutely immune from compulsory congressional process—no matter how many times the Executive branch has asserted as much over the years—even if the President expressly directs such officials' non-compliance."**

Committee on the Judiciary v. McGahn, Case No. 1:19-cv-02379, Memorandum Opinion, Doc. No. 49 (D.D.C. Nov. 25, 2019). As of this report, an appeal is pending in the U.S. Court of Appeals for the D.C. Circuit, No. 19-5331 (D.C. Cir.).

**SLIDE 477.** S. Doc. 116–18 Vol. II, Pg. 1051; 166 Cong. Rec. S558

**THE PRESIDENT’S FICTIONAL  
“ABSOLUTE IMMUNITY” ARGUMENT**

**“The primary takeaway from the past 250  
years of recorded American history is that  
Presidents are not kings.”**

Committee on the Judiciary v. M. Donald Trump, Case No. 1:19-cv-02379, Memorandum Opinion, Doc. No. 46 (D.D.C. Nov. 25, 2019). As of this report, an appeal is pending in the U.S. Court of Appeals for the D.C. Circuit. No. 19-5331 (D.C. Cir.)

**SLIDE 478.** S. Doc. 116–18 Vol. II, Pg. 1052; 166 Cong. Rec. S559

**PRESIDENT TRUMP’S VIEW  
OF THE IMPEACHMENT POWER**

**“The President . . . shall be removed from  
Office on Impeachment for, and Conviction of,  
Treason, Bribery, or other high Crimes and  
Misdemeanors.”\***

**\*Only if the President feels like cooperating.**

U.S. Const. Art. II, Sec. 4

**SLIDE 479.** S. Doc. 116–18 Vol. II, Pg. 1054; 166 Cong. Rec. S559


**H. RES. 755**

“[President Trump’s] actions were consistent with President Trump’s previous efforts to undermine United States Government investigations into foreign interference in United States elections.”

H. Res. 755, 116th Cong. Art. II (2019)

**SLIDE 480.** S. Doc. 116–18 Vol. II, Pg. 1054; 166 Cong. Rec. S559

**GERHARDT TESTIMONY**



“The power to impeach includes the power to investigate, but, if the president can stymie this House’s impeachment inquiry, he can eliminate the impeachment power as a means for holding him and future presidents accountable for serious misconduct. If left unchecked, the president will likely continue his pattern of soliciting foreign interference on his behalf in the next election.”

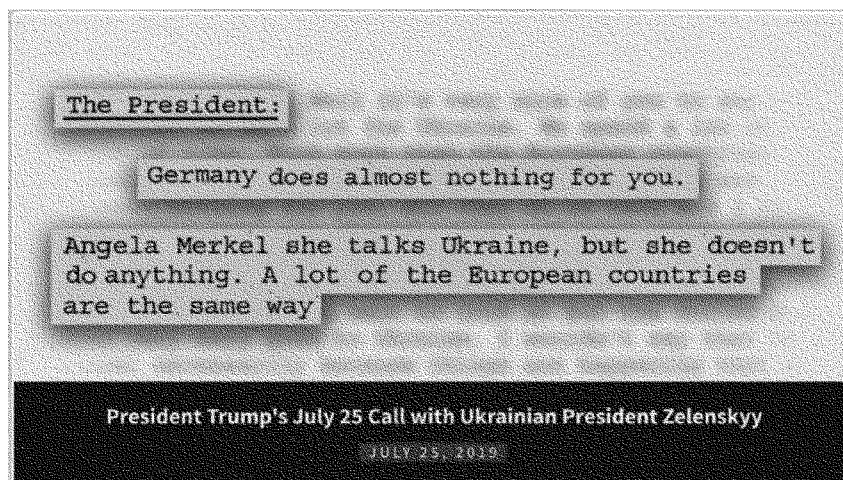
Written Statement of Michael Gerhardt before the House Judiciary Committee, December 4, 2019



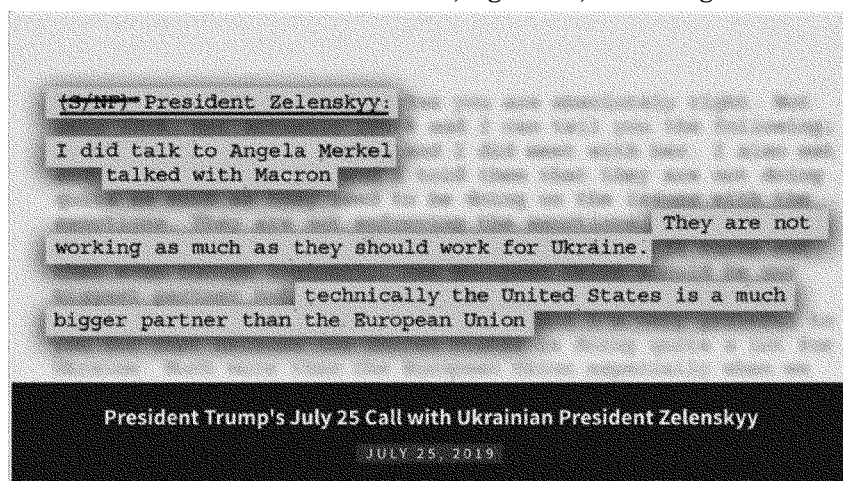
SLIDES 481–504

[166 CONG. REC. S568–578 (DAILY ED. JAN. 25, 2020)]

**SLIDE 481.** S. Doc. 116–18 Vol. II, Pg. 1073/1077; 166 Cong. Rec. S568/S569



**SLIDE 482.** S. Doc. 116–18 Vol. II, Pg. 1073; 166 Cong. Rec. S568





**SLIDE 483.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S568

The call transcript shows **NO LINK** between investigations and security assistance or a presidential meeting.

**SLIDE 484.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S568

Ukrainians **REPEATEDLY** have said there was **NO QUID PRO QUO**, and they felt **NO PRESSURE**.

**SLIDE 485.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569

Ukraine **DID NOT KNOW** security assistance was paused until more than a month after the call.

**SLIDE 486.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569

**NONE** of the Democrats' witnesses say President Trump linked investigations to security assistance or a meeting.

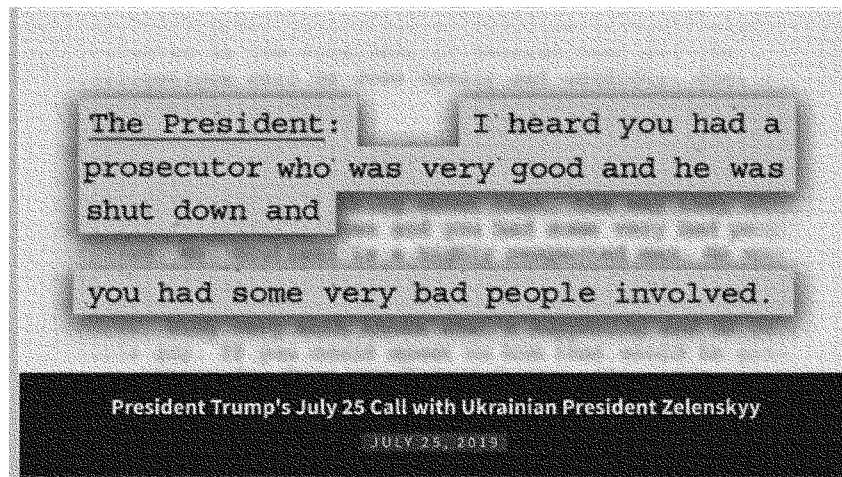
**SLIDE 487.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569



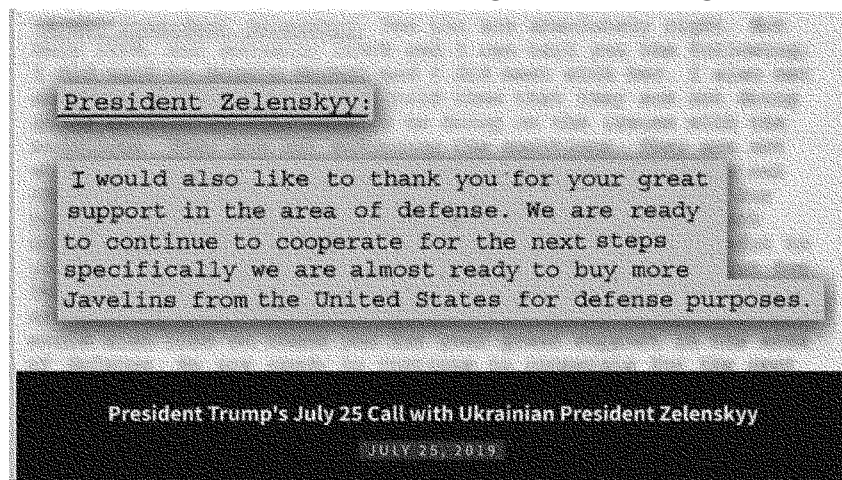
**SLIDE 488.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569



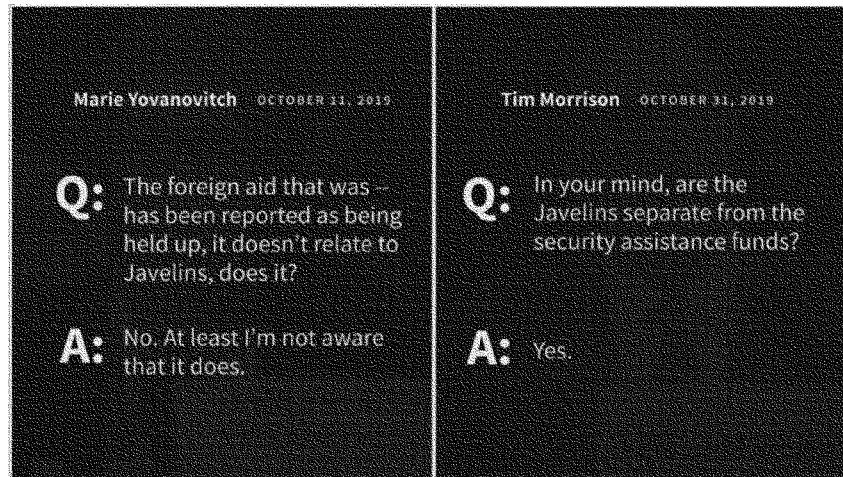
**SLIDE 489.** S. Doc. 116–18 Vol. II, Pg. 1077; 166 Cong. Rec. S569



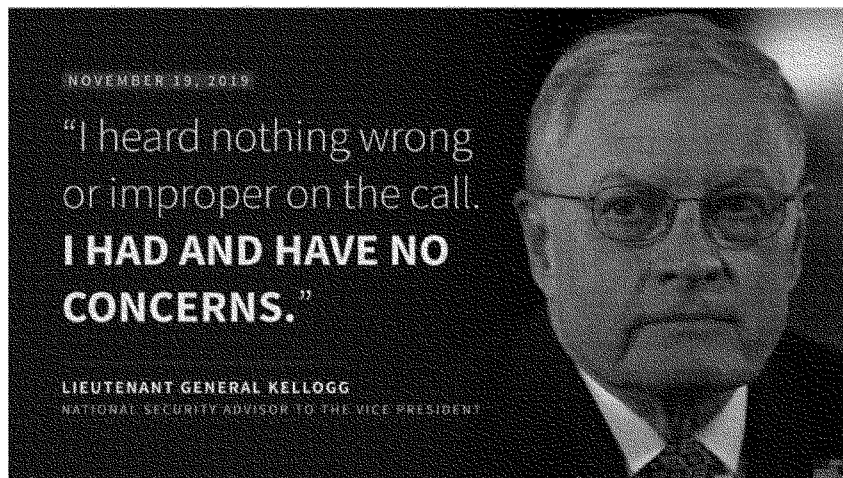
**SLIDE 490.** S. Doc. 116–18 Vol. II, Pg. 1077; 166 Cong. Rec. S569



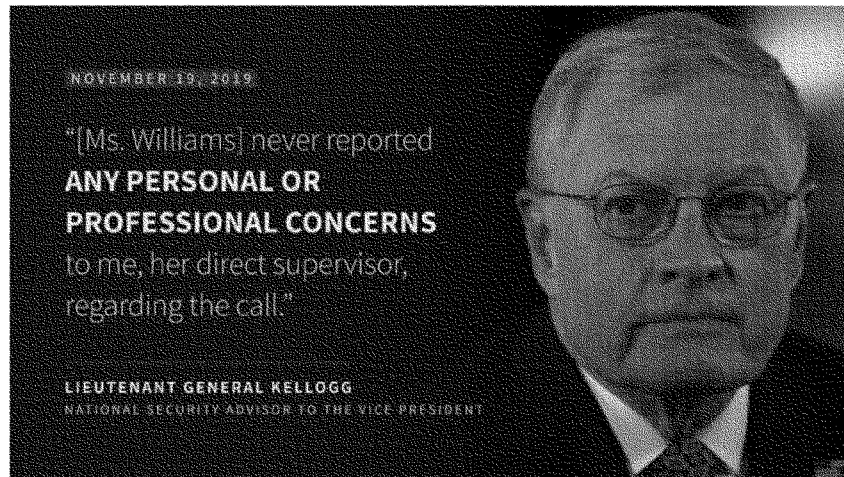
**SLIDE 491.** S. Doc. 116–18 Vol. II, Pg. 1077; 166 Cong. Rec. S569



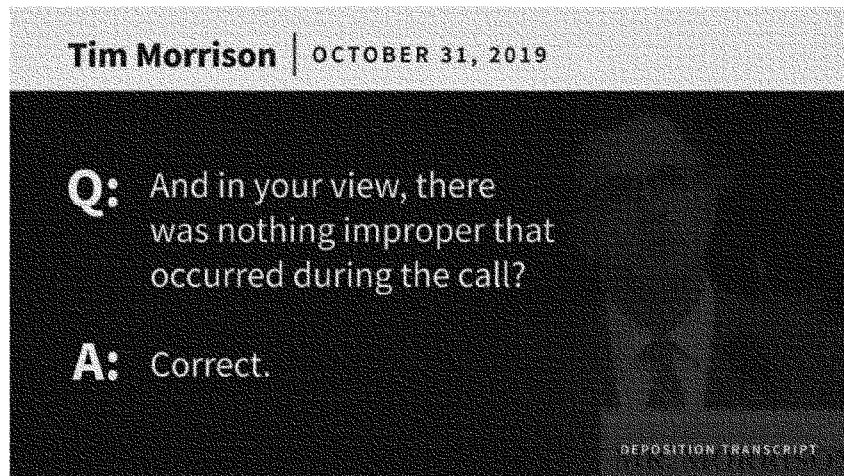
**SLIDE 492.** S. Doc. 116–18 Vol. II, Pg. 1078; 166 Cong. Rec. S570



**SLIDE 493.** S. Doc. 116–18 Vol. II, Pg. 1078; 166 Cong. Rec. S570

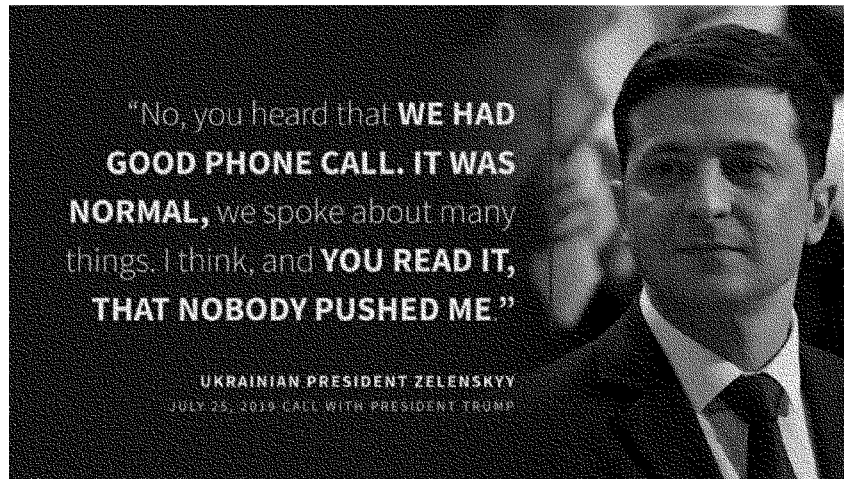


**SLIDE 494.** S. Doc. 116–18 Vol. II, Pg. 1079; 166 Cong. Rec. S570

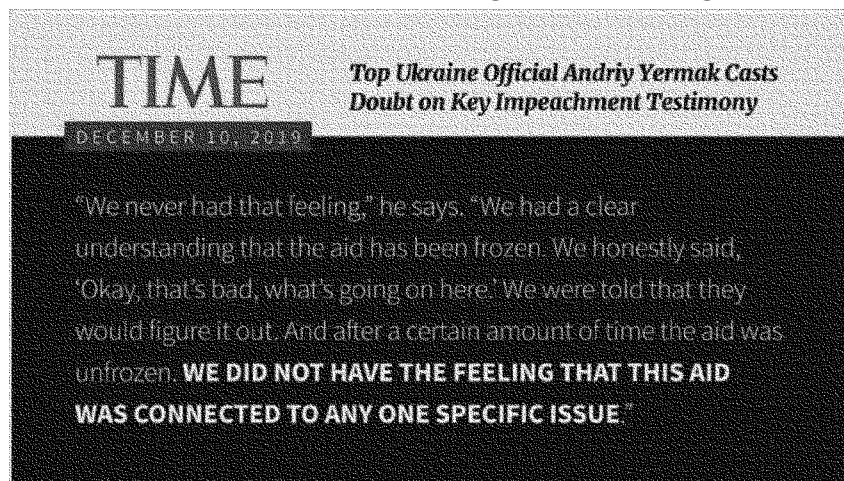




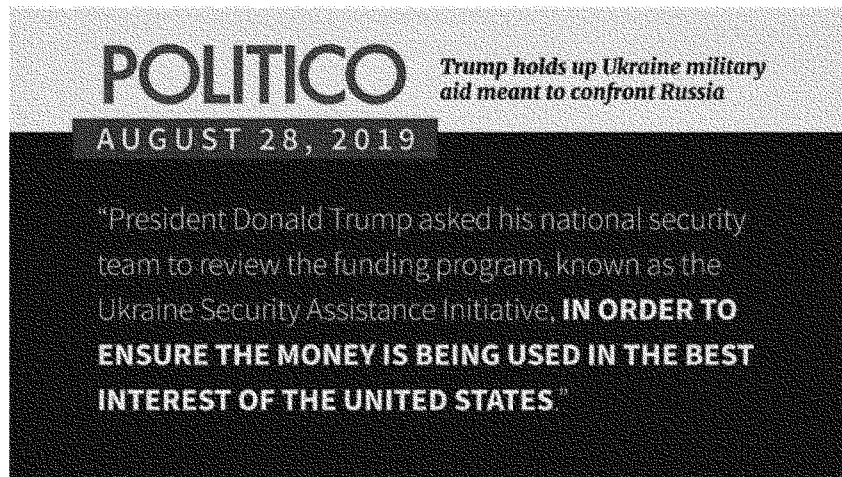
**SLIDE 495.** S. Doc. 116–18 Vol. II, Pg. 1080; 166 Cong. Rec. S570



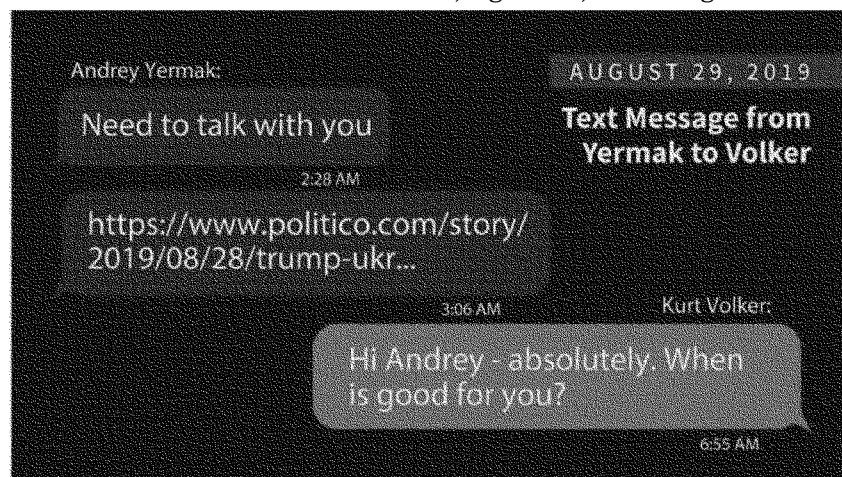
**SLIDE 496.** S. Doc. 116–18 Vol. II, Pg. 1080; 166 Cong. Rec. S570



**SLIDE 497.** S. Doc. 116–18 Vol. II, Pg. 1080; 166 Cong. Rec. S570



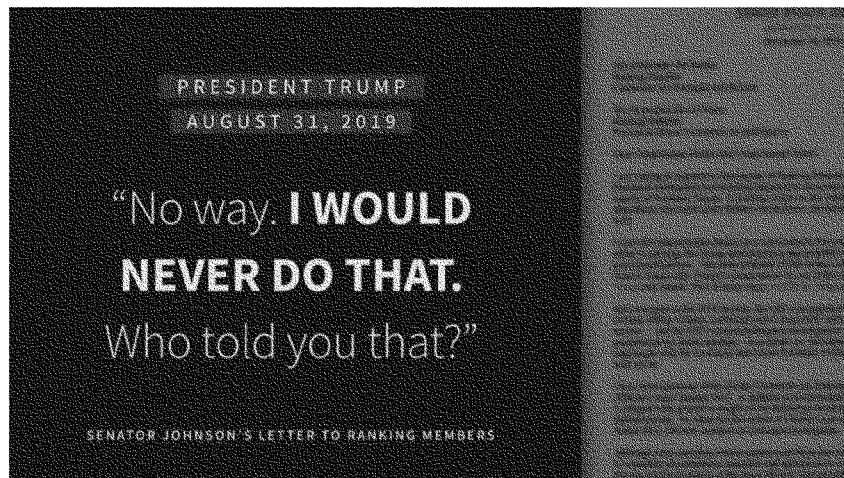
**SLIDE 498.** S. Doc. 116–18 Vol. II, Pg. 1081; 166 Cong. Rec. S571



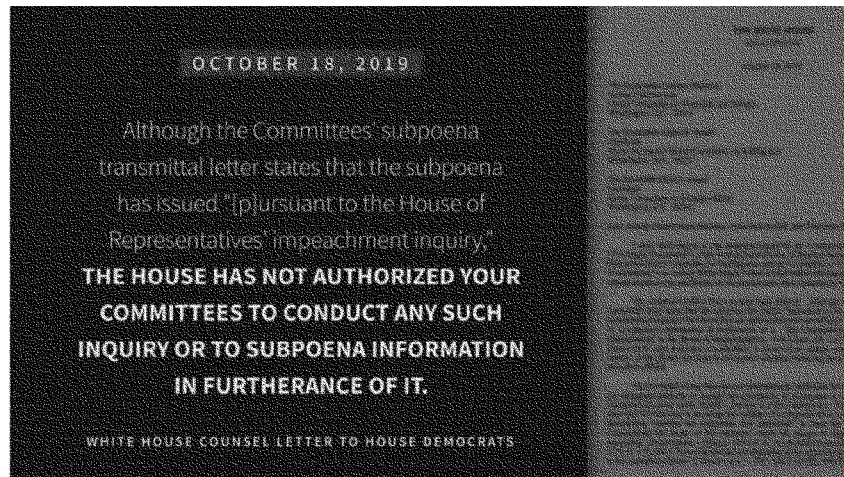
**SLIDE 499.** S. Doc. 116–18 Vol. II, Pg. 1082; 166 Cong. Rec. S571



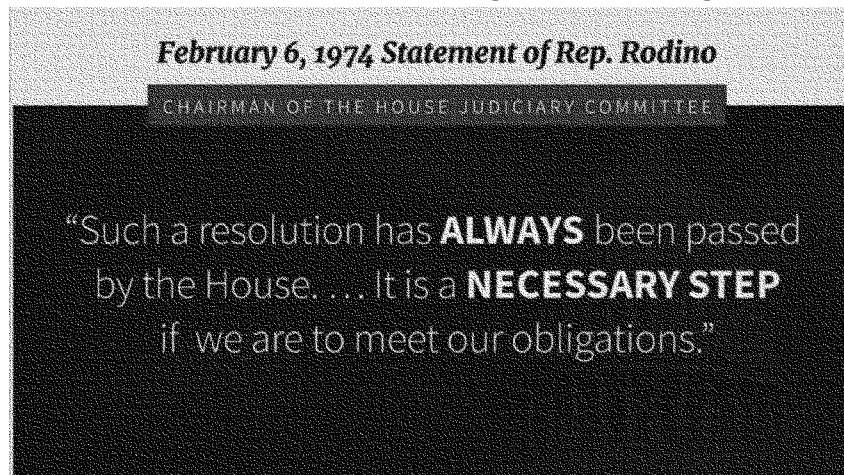
**SLIDE 500.** S. Doc. 116–18 Vol. II, Pg. 1084; 166 Cong. Rec. S572



**SLIDE 501.** S. Doc. 116–18 Vol. II, Pg. 1092; 166 Cong. Rec. S575



**SLIDE 502.** S. Doc. 116–18 Vol. II, Pg. 1094; 166 Cong. Rec. S576



**SLIDE 503.** S. Doc. 116–18 Vol. II, Pg. 1099; 166 Cong. Rec. S577

**THREE WHITE HOUSE INVITATIONS**

<b>APRIL 21</b> <i>Call with Ukrainian President Zelenskyy</i>	When you're settled in and ready, I'd like to invite you to the White House.
<b>MAY 29</b> <i>Letter to Ukrainian President Zelenskyy</i>	I would like to invite you to meet with me at the White House in Washington, D.C., as soon as we can find a mutually convenient time.
<b>JULY 25</b> <i>Call with Ukrainian President Zelenskyy</i>	Whenever you would like to come to the White House, feel free to call.

**SLIDE 504.** S. Doc. 116–18 Vol. II, Pg. 1099; 166 Cong. Rec. S578

President Zelenskyy:

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.

On the other hand, I believe that on September 1 we will be in Poland and we can meet in Poland hopefully.

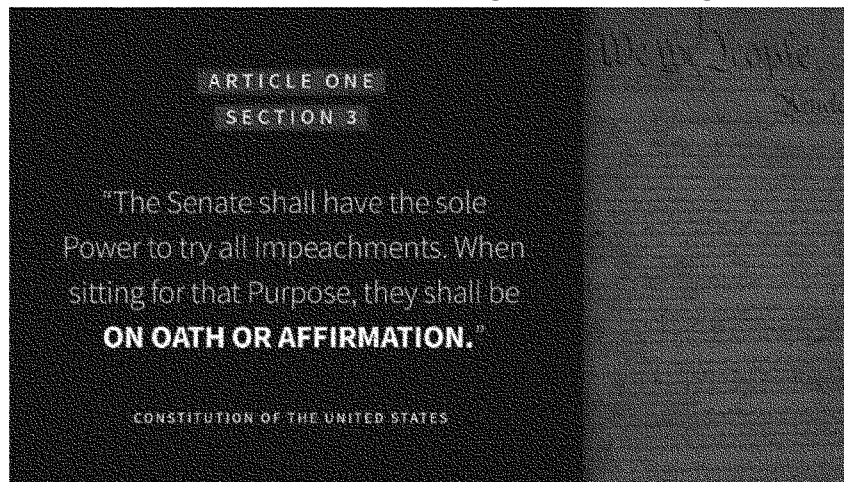
President Trump's July 25 Call with Ukrainian President Zelenskyy

JULY 25, 2019

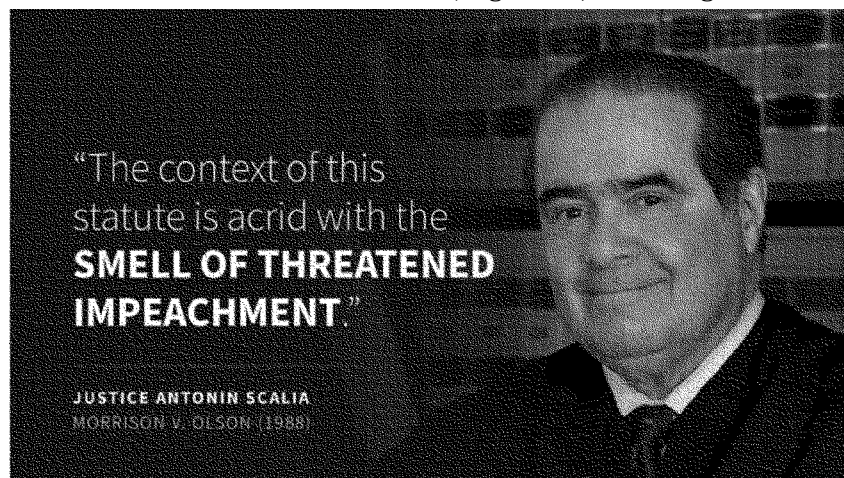
SLIDES 505–555

[166 CONG. REC. S580–613 (DAILY ED. JAN. 27, 2020)]

**SLIDE 505.** S. Doc. 116–18 Vol. II, Pg. 1103; 166 Cong. Rec. S580

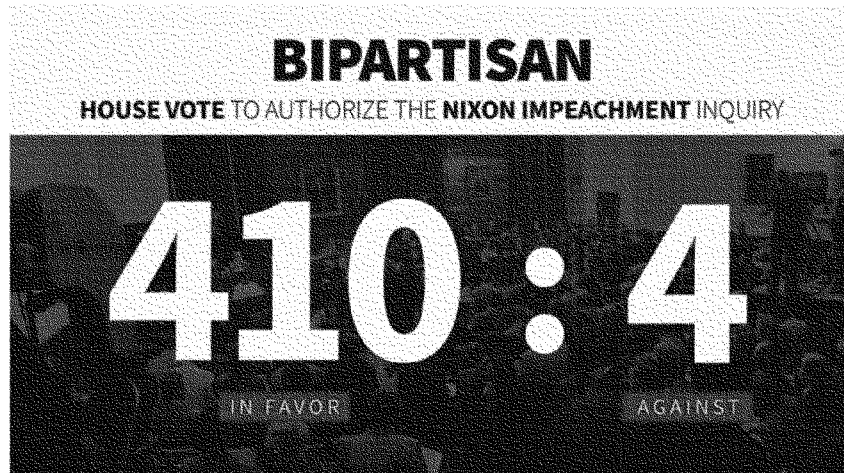


**SLIDE 506.** S. Doc. 116–18 Vol. II, Pg. 1104; 166 Cong. Rec. S580





**SLIDE 507.** S. Doc. 116–18 Vol. II, Pg. 1106; 166 Cong. Rec. S581



**SLIDE 508.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584

The call transcript shows **NO LINK** between investigations and security assistance or a presidential meeting.

**SLIDE 509.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584

Ukrainians **REPEATEDLY** have said  
there was **NO QUID PRO QUO**, and  
they felt **NO PRESSURE**.

**SLIDE 510.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584

Ukraine **DID NOT KNOW** security  
assistance was paused until more  
than a month after the call.

**SLIDE 511.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584

**NONE** of the Democrats' witnesses  
say President Trump linked investigations  
to security assistance or a meeting.

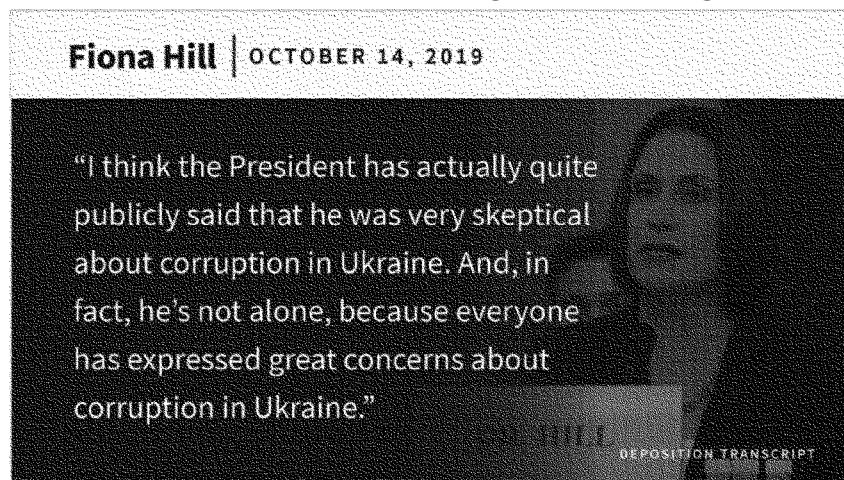
**SLIDE 512.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584

Ukraine announced no investigations  
and **STILL RECEIVED** security assistance  
and a presidential meeting.

**SLIDE 513.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584



**SLIDE 514.** S. Doc. 116–18 Vol. II, Pg. 1116; 166 Cong. Rec. S585



**SLIDE 515.** S. Doc. 116–18 Vol. II, Pg. 1116; 166 Cong. Rec. S585

**Marie Yovanovitch** | OCTOBER 11, 2019

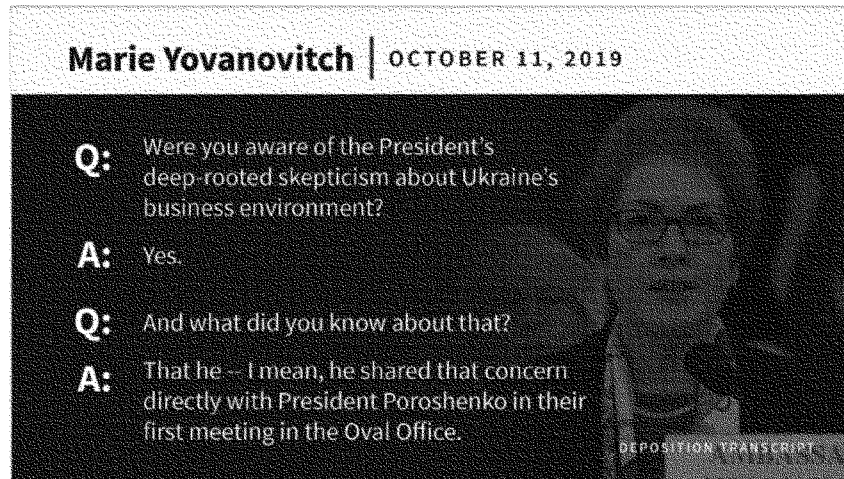
**Q:** Were you aware of the President's deep-rooted skepticism about Ukraine's business environment?

**A:** Yes.

**Q:** And what did you know about that?

**A:** That he -- I mean, he shared that concern directly with President Poroshenko in their first meeting in the Oval Office.

DEPOSITION TRANSCRIPT



**SLIDE 516.** S. Doc. 116–18 Vol. II, Pg. 1117; 166 Cong. Rec. S585

NOVEMBER 18, 2019

"He reminded me how **THOROUGHLY CORRUPT UKRAINE WAS** and again conveyed his frustration that **EUROPE DOESN'T DO ITS FAIR SHARE** of providing military aid."

SENATOR JOHNSON'S LETTER TO RANKING MEMBERS



**SLIDE 517.** S. Doc. 116–18 Vol. II, Pg. 1118; 166 Cong. Rec. S585

**Jennifer Williams** | NOVEMBER 7, 2019

“And the VP responded by really expressing our ongoing support for Ukraine, but wanting to hear from President Zelensky, you know, what the status of his reform efforts were that he could then convey back to the President, and also wanting to hear if there was more that European countries could do to support Ukraine.”

DEPOSITION TRANSCRIPT

**SLIDE 518.** S. Doc. 116–18 Vol. II, Pg. 1118; 166 Cong. Rec. S586

**Tim Morrison** | OCTOBER 31, 2019

“I am pleased our process gave the President the confidence he needed to approve the release of the security-sector assistance.”

DEPOSITION TRANSCRIPT



**SLIDE 519.** S. Doc. 116–18 Vol. II, Pg. 1119; 166 Cong. Rec. S586

**THREE WHITE HOUSE INVITATIONS**

<b>APRIL 21</b> <i>Call with Ukrainian President Zelenskyy</i>	When you're settled in and ready, I'd like to invite you to the White House.
<b>MAY 29</b> <i>Letter to Ukrainian President Zelenskyy</i>	I would like to invite you to meet with me at the White House in Washington, D.C., as soon as we can find a mutually convenient time.
<b>JULY 25</b> <i>Call with Ukrainian President Zelenskyy</i>	Whenever you would like to come to the White House, feel free to call.

**SLIDE 520.** S. Doc. 116–18 Vol. II, Pg. 1120; 166 Cong. Rec. S586

**Tim Morrison** | OCTOBER 31, 2019

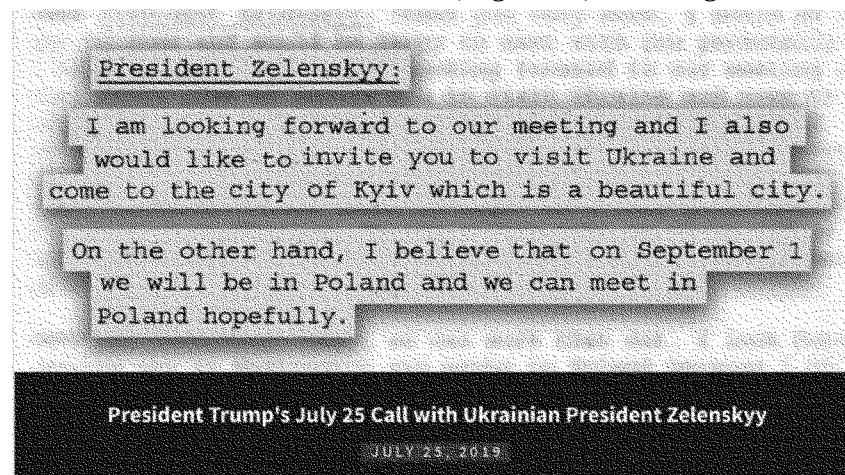
"[T]he earliest opportunity for the  
two Presidents to meet would be in  
Warsaw. I believe that was President  
Zelensky's suggestion..."

DEPOSITION TRANSCRIPT  
TIM MORRISON

**SLIDE 521.** S. Doc. 116–18 Vol. II, Pg. 1120; 166 Cong. Rec. S586



**SLIDE 522.** S. Doc. 116–18 Vol. II, Pg. 1120; 166 Cong. Rec. S586

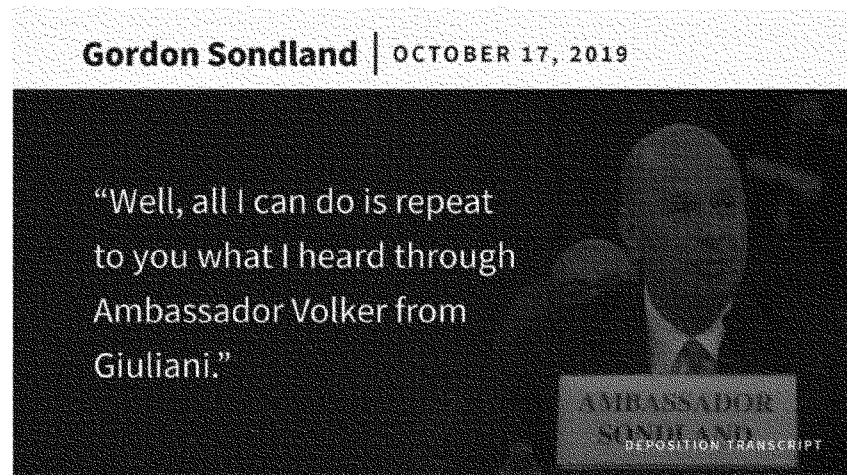


**SLIDE 523.** S. Doc. 116–18 Vol. II, Pg. 1121; 166 Cong. Rec. S587

**Gordon Sondland** | OCTOBER 17, 2019

“Well, all I can do is repeat to you what I heard through Ambassador Volker from Giuliani.”

AMBASSADOR  
SONDLAND  
DEPOSITION TRANSCRIPT



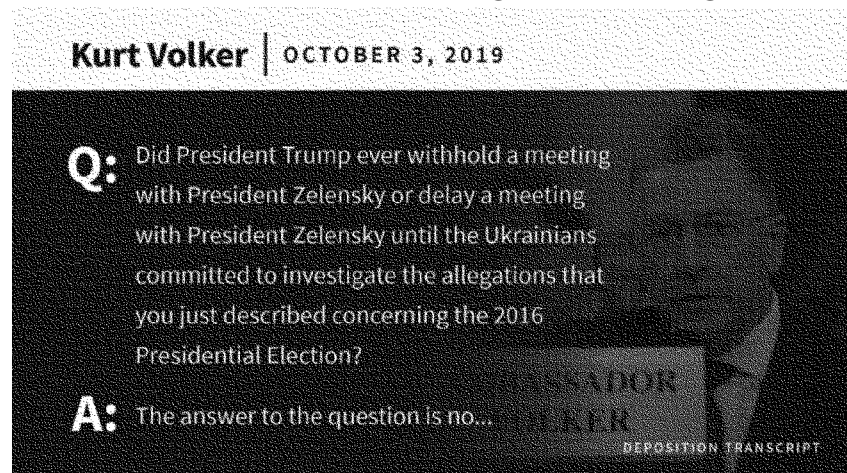
**SLIDE 524.** S. Doc. 116–18 Vol. II, Pg. 1121; 166 Cong. Rec. S587

**Kurt Volker** | OCTOBER 3, 2019

**Q:** Did President Trump ever withhold a meeting with President Zelensky or delay a meeting with President Zelensky until the Ukrainians committed to investigate the allegations that you just described concerning the 2016 Presidential Election?

**A:** The answer to the question is no...

AMBASSADOR  
VOLKER  
DEPOSITION TRANSCRIPT



**SLIDE 525.** S. Doc. 116–18 Vol. II, Pg. 1121/1126; 166 Cong. Rec. S587/S589

**Kurt Volker** | OCTOBER 3, 2019

**Q:** [You were not aware of any linkage between the delay in the Oval Office meeting between President Trump and President Zelensky and the Ukrainian commitment to investigate the two allegations as you described them, correct?

**A:** Correct.

**SLIDE 526.** S. Doc. 116–18 Vol. II, Pg. 1122; 166 Cong. Rec. S587

**Jennifer Williams** | NOVEMBER 7, 2019

**Q:** You said that you were trying to fit the VP into that space when the President would be in the U.S. Is that correct?

**A:** That's correct. So we had informed the Ukrainians that if they wanted the Vice President to attend, the ideal dates for us would have been May 29th, May 30th, or June 1st, and if it wasn't one of those dates it would be very difficult or impossible.

**SLIDE 527.** S. Doc. 116–18 Vol. II, Pg. 1126; 166 Cong. Rec. S589

**Kurt Volker** | OCTOBER 3, 2019

**Q:** Can you explain a little bit more about what the President said about Rudy Giuliani in that meeting?

**A:** ...I think he said, not as an instruction but just as a comment, talk to Rudy, you know. He knows all of these things and they've got some bad people around him. [...] It was clear that he also had other sources. It wasn't only Rudy Giuliani.

DEPOSITION TRANSCRIPT

**SLIDE 528.** S. Doc. 116–18 Vol. II, Pg. 1126; 166 Cong. Rec. S589

**Kurt Volker** | OCTOBER 3, 2019

**Q:** Was he – do you know whether he was conveying – Rudy Giuliani – conveying messages that President Trump wanted conveyed to the Ukrainians?

**A:** I did not have that impression. I believe that he was doing his own communication about what he believed and was interested in.

DEPOSITION TRANSCRIPT

**SLIDE 529.** S. Doc. 116–18 Vol. II, Pg. 1127; 166 Cong. Rec. S589



**THE HILL**  
SEPTEMBER 20, 2019

*Missing piece to the Ukraine puzzle: State Department's overture to Rudy Giuliani*

"As President Trump's highest-profile defense attorney, the former New York City mayor, often known simply as Rudy, believed the Ukrainian's evidence could assist in his defense against the Russia collusion investigation and former special counsel Robert Mueller's final report. **SO GIULIANI BEGAN TO CHECK THINGS OUT IN LATE 2018 AND EARLY 2019** . . ."

**SLIDE 530.** S. Doc. 116–18 Vol. II, Pg. 1127; 166 Cong. Rec. S589



**The Washington Post**  
OCTOBER 2, 2019

*Impeachment inquiry puts new focus on Giuliani's work for prominent figures in Ukraine*

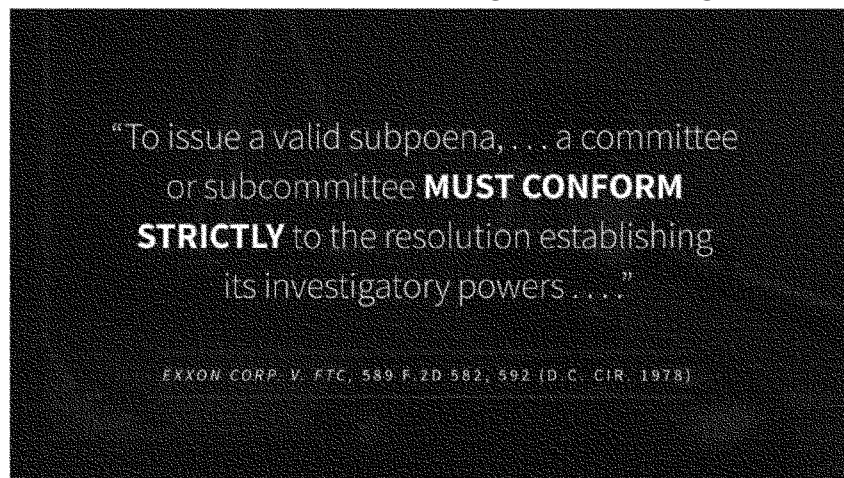
"According to Giuliani, his unpaid Ukrainian work for Trump **BEGAN IN NOVEMBER 2018**, when he said he was approached by an American investigator . . ."



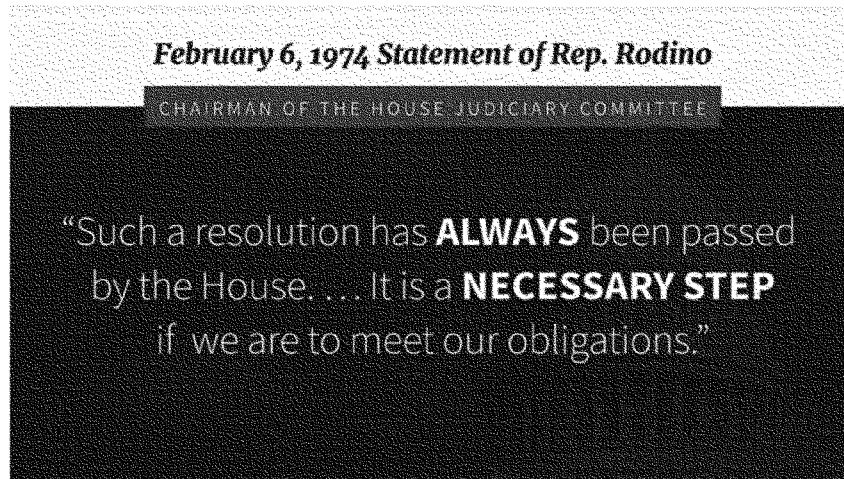
**SLIDE 531.** S. Doc. 116–18 Vol. II, Pg. 1127; 166 Cong. Rec. S589



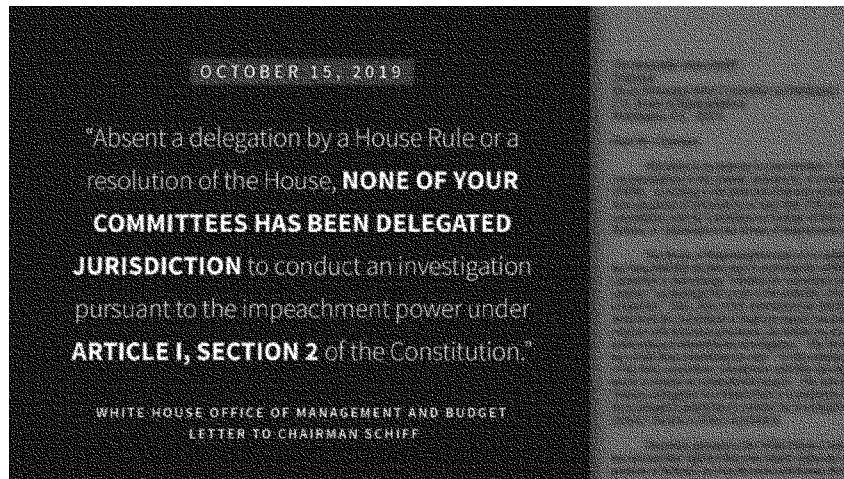
**SLIDE 532.** S. Doc. 116–18 Vol. II, Pg. 1129; 166 Cong. Rec. S590



**SLIDE 533.** S. Doc. 116–18 Vol. II, Pg. 1129; 166 Cong. Rec. S590



**SLIDE 534.** S. Doc. 116–18 Vol. II, Pg. 1133; 166 Cong. Rec. S591



**SLIDE 535.** S. Doc. 116–18 Vol. II, Pg. 1133; 166 Cong. Rec. S591

**Obama**  
• ASSISTANT TO THE PRESIDENT PETER FLANIGAN

**G.W. Bush**  
• FORMER COUNSEL TO THE PRESIDENT HARRIET MIERS  
• DEPUTY WHITE HOUSE CHIEF OF STAFF KARL ROVE

**Clinton**  
• COUNSEL TO THE PRESIDENT JACK QUINN  
• COUNSEL TO THE PRESIDENT BETH NOLAN

**Reagan**  
• COUNSEL TO THE PRESIDENT FRED FIELDING

**Nixon**  
• DIRECTOR OF THE OFFICE OF POLITICAL STRATEGY AND OUTREACH DAVID SIMAS

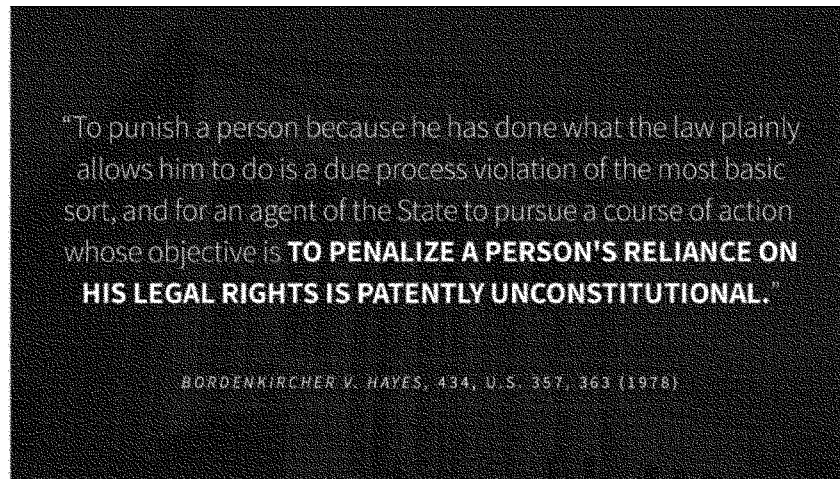
PRESIDENTS OF  
**BOTH PARTIES**  
HAVE ASSERTED  
**ABSOLUTE**  
**IMMUNITY** FOR  
SENIOR ADVISORS

**SLIDE 536.** S. Doc. 116–18 Vol. II, Pg. 1134; 166 Cong. Rec. S592

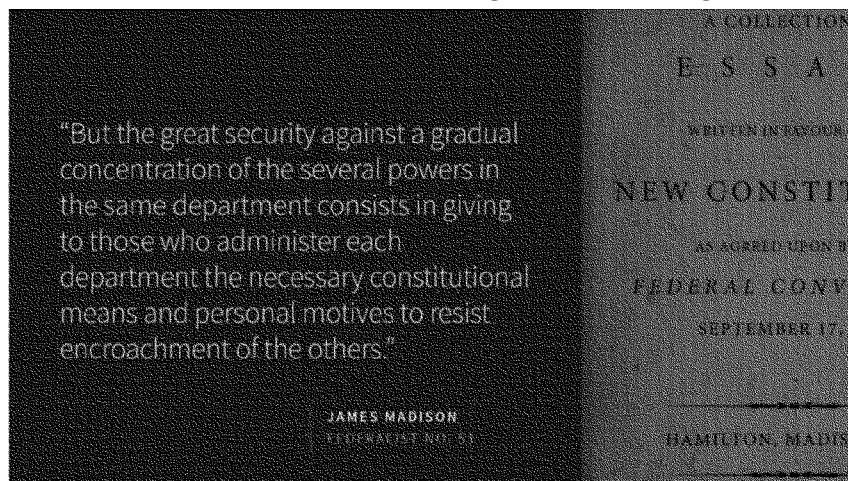
“The privilege is **FUNDAMENTAL** to the operation of Government, and inextricably rooted in the separation of powers under the Constitution.”

UNITED STATES V. NIXON, 418 U.S. 683, 708 (1974)

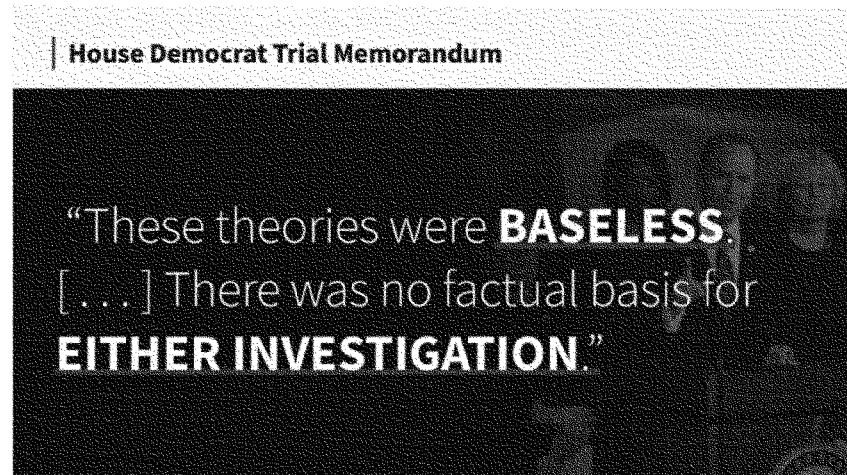
**SLIDE 537.** S. Doc. 116–18 Vol. II, Pg. 1136; 166 Cong. Rec. S593



**SLIDE 538.** S. Doc. 116–18 Vol. II, Pg. 1137; 166 Cong. Rec. S593



**SLIDE 539.** S. Doc. 116–18 Vol. II, Pg. 1144; 166 Cong. Rec. S596



**SLIDE 540.** S. Doc. 116–18 Vol. II, Pg. 1145; 166 Cong. Rec. S596



**SLIDE 541.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596

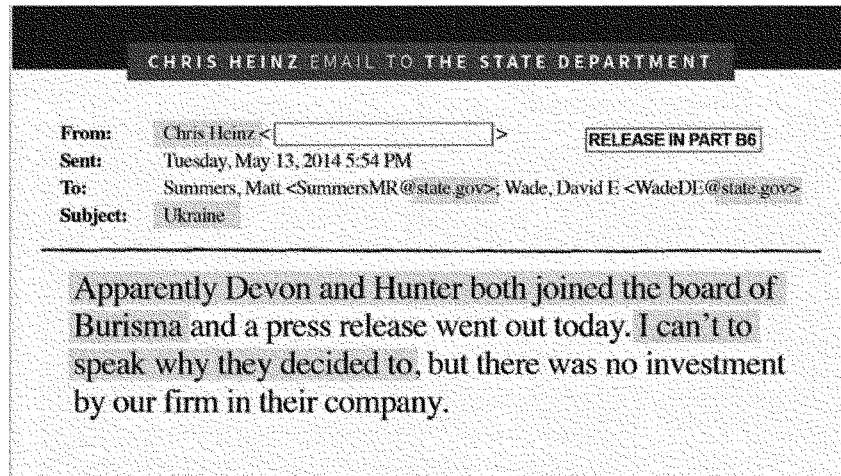


**SLIDE 542.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596

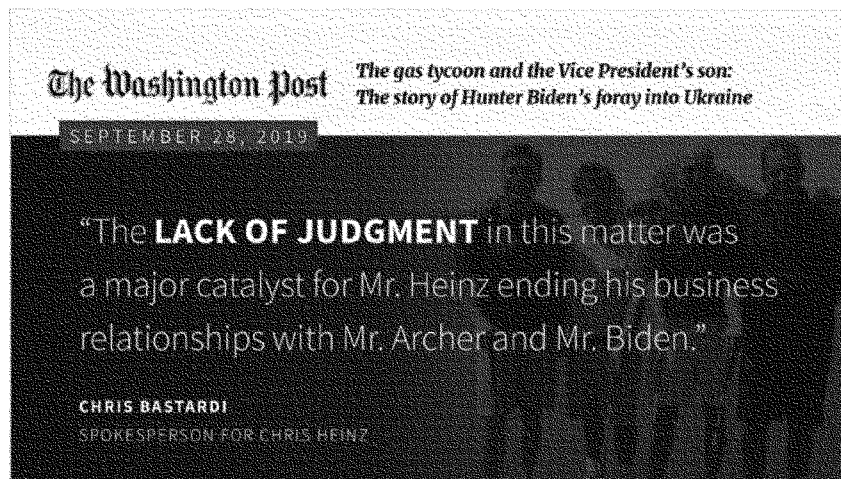




**SLIDE 543.** S. Doc. 116–18 Vol. II, Pg. 1146/1155; 166 Cong. Rec. S596/S600



**SLIDE 544.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596



**SLIDE 545.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596



**SLIDE 546.** S. Doc. 116–18 Vol. II, Pg. 1147; 166 Cong. Rec. S597

Comments	Quantity	Price	Credits/(Debits)
BENE: BEVERLY HILLS ESCROW TRU ACCT: XXXX3627			\$(1,200,000.00)
CONFIRMATION # 18689065 CU 876-01847K			(150,000.00)
AS PRIVATBANK BURISMA HOLDINGS LIMITED			83,333.33
AS PRIVATBANK BURISMA HOLDINGS LIMITED			29,424.82
E Check # 1026			(30,000.00)
ABLY BENEVOLENT FUNDATION SALVIA NOVATUS HOLDING PTE. LTD.			142,300.00
AUTOMATIC BILL PAYMENT BENE: SCHNEIDER NELSON MOTOR C ACCT: XXXXXXXX6760			(17,731.09) (142,300.00)
			24.78
NA			4.30
			<b>\$(1,284,943.86)</b>

**SLIDE 547.** S. Doc. 116–18 Vol. II, Pg. 1147; 166 Cong. Rec. S597

Comments	Quantity	Price	Credits(Debits)
CONFIRMATION # 22624189 TO 876-018475			\$(20,000.00)
AUTOMATIC BILL PAYMENT			(11,510.25)
BENE: ROBERT BIDEN			(20,000.00)
ACCT: XXXXS452			
Check # 1031			(3,500.00)
Check # 1033			(1,600.00)
Check # 1032			(845.50)
AUTOMATIC BILL PAYMENT			(1,326.48)
Restaurants GCL GB			(31.81)
Restaurants			(0.84)
BENE: ROBERT BIDEN			(15,000.00)
ACCT: XXXXS452			
AS PRIVATBANK BURISMA HOLDINGS LIMITED			83,333.33
AS PRIVATBANK BURISMA HOLDINGS LIMITED			83,333.33
Check # 1034			(10,000.00)
AUTOMATIC BILL PAYMENT			(32,283.10)
			900,000.00
CITIBANK FLORIDA FSB CLIFFORD A WOLFF, P.A.			15,000,000.00
RETURNED BY BANK			(900,000.00)
AS OF 10/03/14			

**SLIDE 548.** S. Doc. 116–18 Vol. II, Pg. 1154; 166 Cong. Rec. S599

Burisma Holdings' Press Release	Statement by Hunter Biden's Attorney
MAY 12, 2014	OCTOBER 13, 2019
"R. HUNTER BIDEN WILL BE IN CHARGE OF THE HOLDINGS' LEGAL UNIT and will provide support for the Company among international organizations."	"...he was an independent board member and not a member of the management team. <b>AT NO TIME WAS HUNTER IN CHARGE OF THE COMPANY'S LEGAL AFFAIRS</b> "

**SLIDE 549.** S. Doc. 116–18 Vol. II, Pg. 1182; 166 Cong. Rec. S610

“The president of the United States  
shall have the power to grant  
reprieves and pardons **FOR**  
**OFFENSES AGAINST THE UNITED**  
**STATES, EXCEPT IN CASES OF**  
**IMPEACHMENT.”**

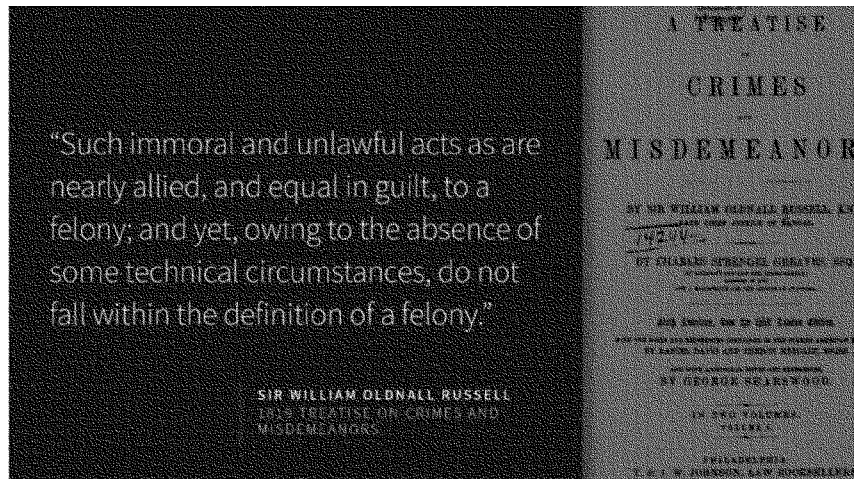
JUSTICE BENJAMIN ROBBINS CURTIS  
ANDREW JOHNSON IMPEACHMENT TRIAL (1868)

**SLIDE 550.** S. Doc. 116–18 Vol. II, Pg. 1183; 166 Cong. Rec. S610

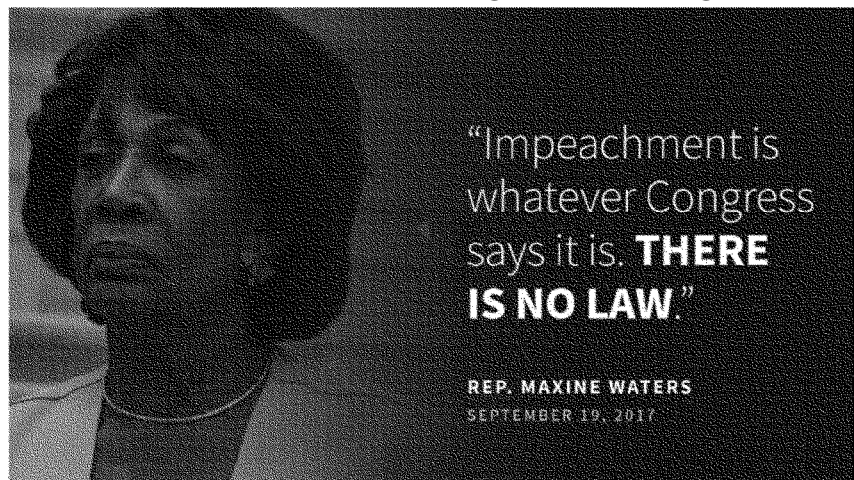
“The trial of all crimes,  
**EXCEPT IN CASES OF**  
**IMPEACHMENT**, shall  
be by jury.”

JUSTICE BENJAMIN ROBBINS CURTIS  
ANDREW JOHNSON IMPEACHMENT TRIAL (1868)

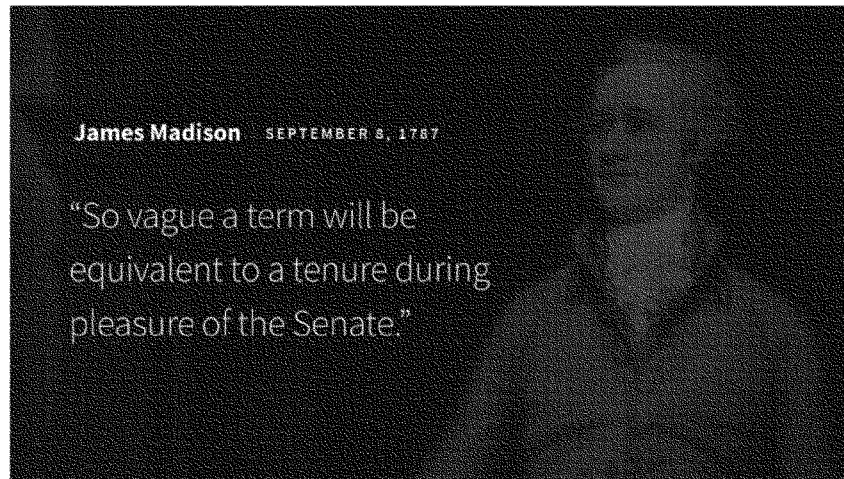
**SLIDE 551.** S. Doc. 116–18 Vol. II, Pg. 1184; 166 Cong. Rec. S611



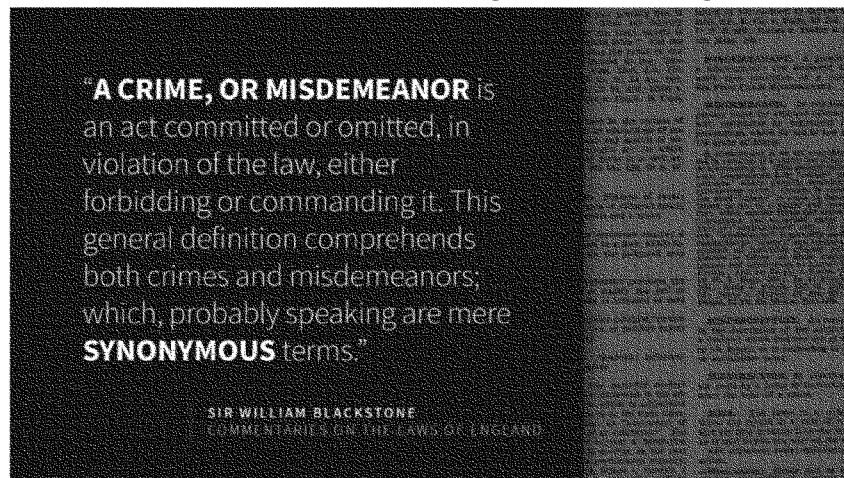
**SLIDE 552.** S. Doc. 116–18 Vol. II, Pg. 1185; 166 Cong. Rec. S611



**SLIDE 553.** S. Doc. 116–18 Vol. II, Pg. 1187; 166 Cong. Rec. S612

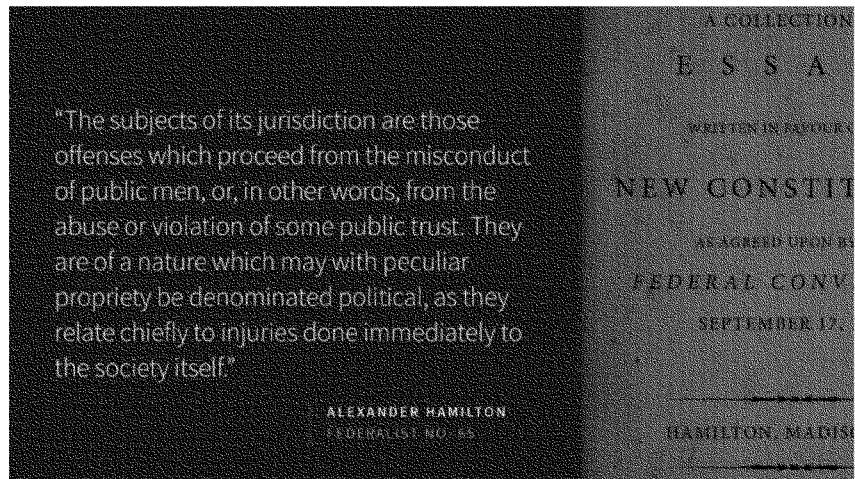


**SLIDE 554.** S. Doc. 116–18 Vol. II, Pg. 1188; 166 Cong. Rec. S612





**SLIDE 555.** S. Doc. 116–18 Vol. II, Pg. 1189; 166 Cong. Rec. S613



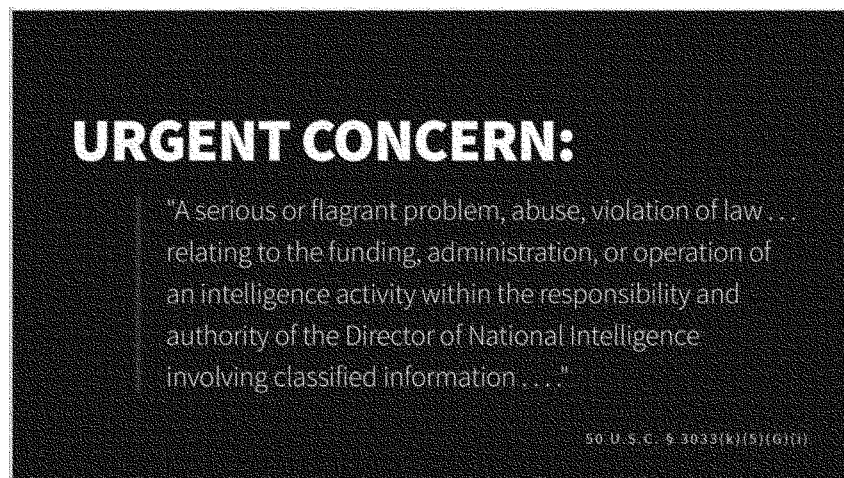
SLIDES 556–559

[166 CONG. REC. S580–613 (DAILY ED. JAN. 28, 2020)]

**SLIDE 556.** S. Doc. 116–18 Vol. II, Pg. 1206; 166 Cong. Rec. S621



**SLIDE 557.** S. Doc. 116–18 Vol. II, Pg. 1207; 166 Cong. Rec. S621



**SLIDE 558.** S. Doc. 116–18 Vol. II, Pg. 1207; 166 Cong. Rec. S622

***Office of Legal Counsel***

SEPTEMBER 3, 2019

“The alleged misconduct is **NOT AN ‘URGENT CONCERN’** within the meaning of the statute because it does not concern ‘the funding, administration, or operation of an intelligence activity’ under the authority of the DNI.”

**SLIDE 559.** S. Doc. 116–18 Vol. II, Pg. 1208; 166 Cong. Rec. S622

***Office of Legal Counsel***

SEPTEMBER 3, 2019

“That phrase includes matters relating to intelligence activities subject to the DNI’s supervision, but it **DOES NOT INCLUDE** allegations of wrongdoing arising outside of any intelligence activity or outside the intelligence community itself.”

SLIDES 560–571

[166 CONG. REC. S647–686 (DAILY ED. JAN. 29, 2020)]

**SLIDE 560.** S. Doc. 116–18 Vol. II, Pg. 1226; 166 Cong. Rec. S647

**BRIEF FILED BY THE TRUMP DEPARTMENT OF JUSTICE**

166 CONG. REC. S647–686 (DAILY ED. JAN. 29, 2020)

DO THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA GRANT

COMMITTEE ON THE KIDNAPING  
INVESTIGATIVE BOARD OF REPRESENTATIVES

Respondent-Appellee  
DONALD TRUMP, JR.  
Petitioner-Appellant

One Appellant from the U.S. District Court for the District of Columbia

APPEAL FOR DEFENDANT-APPELLANT

JOSEPH R. BROWN  
Assistant Attorney General  
BENJAMIN M. MURPHY  
Chief of Counsel, Office of Legal Policy  
MARK S. VEEHMAN  
Assistant Attorney General  
MICHAEL J. CLARK  
Assistant Attorney General  
BENJAMIN M. MURPHY  
Chief of Counsel, Office of Legal Policy  
U.S. Department of Justice  
Washington, D.C. 20535

**“The Committee lacks Article III standing to sue to enforce a congressional subpoena demanding testimony from an individual on matters related to his duties as an Executive Branch official.”**

**SLIDE 561.** S. Doc. 116–18 Vol. II, Pg. 1230; 166 Cong. Rec. S648

**Bogus Explanation**

**There Is No Direct Evidence**

- ▶ Oct 17: Acting Chief Of Staff Confession
- ▶ Sept 7: President And Sondland Call
- ▶ Sept 1: Secretary Pompeo & VP Pence Told
- ▶ Bolton Confirms President Told Him Aid Withheld Until Investigations And He Is Willing To Testify

**SLIDE 562.** S. Doc. 116–18 Vol. II, Pg. 1232; 166 Cong. Rec. S649

**IMPEACHMENT DOES NOT REQUIRE A CRIME**

**A “criminality” requirement:**

- ▶ Rejected by the text of the Constitution
- ▶ Rejected by Framers of the Constitution
- ▶ Rejected by multiple Supreme Court justices
- ▶ Rejected in numerous judicial impeachments
- ▶ Rejected in the Nixon and Clinton cases


**SLIDE 563.** S. Doc. 116–18 Vol. II, Pg. 1266; 166 Cong. Rec. S662

**UKRAINE KNEW ABOUT THE HOLD EARLY ON**

July 25	Ex-Top Kyiv Official: “We Had This Information”
Week Of July 25	Cooper: Two E-mails That Ukraine Embassy Asking About Aid
July	Croft: Overtures From Ukraine About Aid
Mid-Aug	Lt. Col. Vindman: Receives Light Inquiries From Ukraine Re Hold


**SLIDE 564.** S. Doc. 116–18 Vol. II, Pg. 1273; 166 Cong. Rec. S665


**WE PROTECT WHISTLEBLOWERS**

  
 GRASSLEY

"This person appears to have followed the whistleblower protection laws and ought to be heard out and protected. We should always work to respect whistleblowers' requests for confidentiality."


"[W]histleblowers should be entitled to confidentiality and privacy, because they play a vital function in our democracy."

  
 ROMNEY

  
 BURR

"We protect whistleblowers. We protect witnesses in our committee."

"We want people to come forward and we will protect the identity of those people at all cost."

  
 NUNES

**SLIDE 565.** S. Doc. 116–18 Vol. II, Pg. 1282; 166 Cong. Rec. S668

**U.S. COURTS HAVE REJECTED  
ABSOLUTE IMMUNITY**

<i>Miers (2008)</i>	<i>McGahn (2019)</i>
<p>"Clear precedent and persuasive policy reasons confirm that the Executive cannot be the judge of its own privilege and hence Ms. Miers is not entitled to absolute immunity."</p>	<p>"Executive branch officials are not absolutely immune from compulsory congressional process—no matter how many times the Executive branch has asserted as much over the years...."</p>



**SLIDE 566.** S. Doc. 116–18 Vol. II, Pg. 1282; 166 Cong. Rec. S668

**U.S. COURTS HAVE REJECTED  
ABSOLUTE IMMUNITY**

**Judge Jackson in *McGahn* (2019)**

**“Stated simply, the primary takeaway from the past 250 years of recorded American history is that Presidents are not kings....[C]ompulsory appearance by dint of a subpoena is a legal construct, not a political one, and per the Constitution, no one is above the law.”**

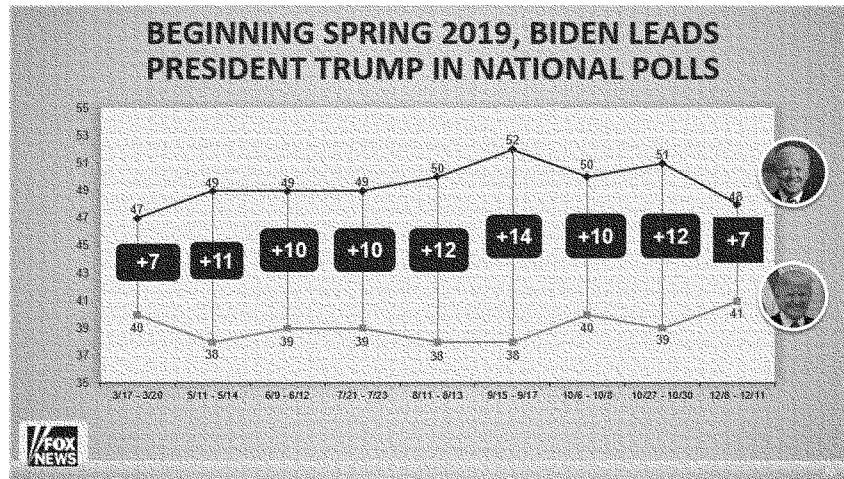
Committee on the Judiciary v. McGahn, No. 19 Civ. 2379, at 114, 117 (D.D.C. Nov. 25, 2019) (Jackson, J.)

**SLIDE 567.** S. Doc. 116–18 Vol. II, Pg. 1297; 166 Cong. Rec. S674

**BURISMA ALLEGATION IS WIDELY DISCREDITED**

- 1** **Burisma Conduct Occurred In 2015:** The President Did Not Request Investigation Until 2019, When Biden Was A Political Rival
- 2** **No Witness Supports Allegation That Biden Acted Improperly**
- 3** **Amb Volker Confirms:** “It Is Simply Not Credible That Joe Biden Would Be Influenced In His Duties As Vice President”
- 4** **Investigation Into Burisma Not Official Policy:** DOJ Confirms No Official Investigation

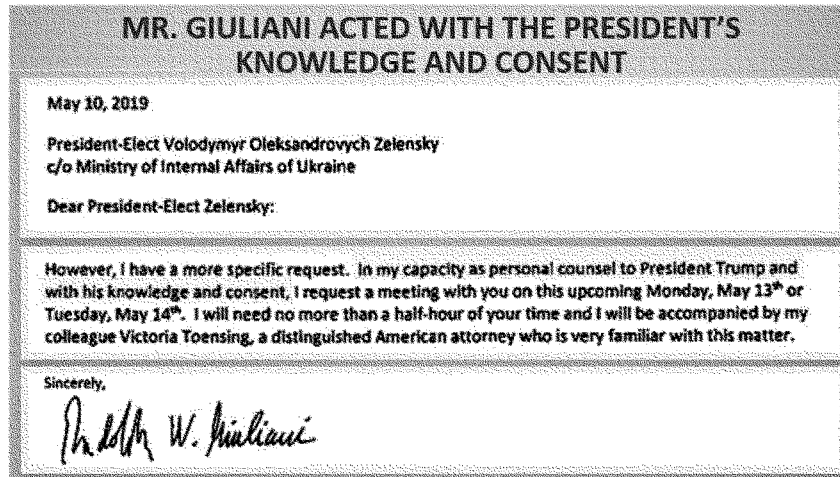
**SLIDE 568.** S. Doc. 116–18 Vol. II, Pg. 1298; 166 Cong. Rec. S674



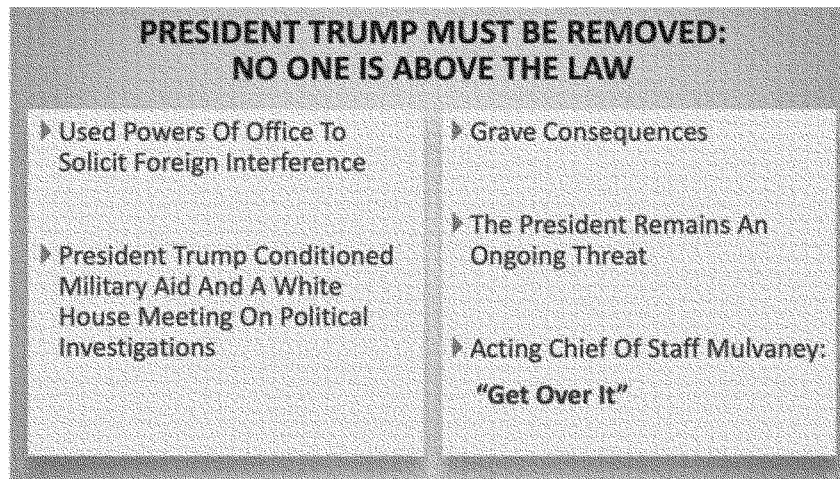
**SLIDE 569.** S. Doc. 116–18 Vol. II, Pg. 1301; 166 Cong. Rec. S676

Bogus Explanation	President Trump Cared About Corruption
	<ul style="list-style-type: none"> <li>▶ Neither April 21 Or July 25 Call With Zelensky Mention Word "Corruption"</li> <li>▶ DOD Certified Ukraine Met Anti-Corruption Benchmarks Months Before Hold</li> <li>▶ By July 25, Zelensky Established Anti-Corruption Agenda</li> <li>▶ President Trump Pursued Baseless Investigations For His Own Political Benefit</li> </ul>

**SLIDE 570.** S. Doc. 116–18 Vol. II, Pg. 1321; 166 Cong. Rec. S683



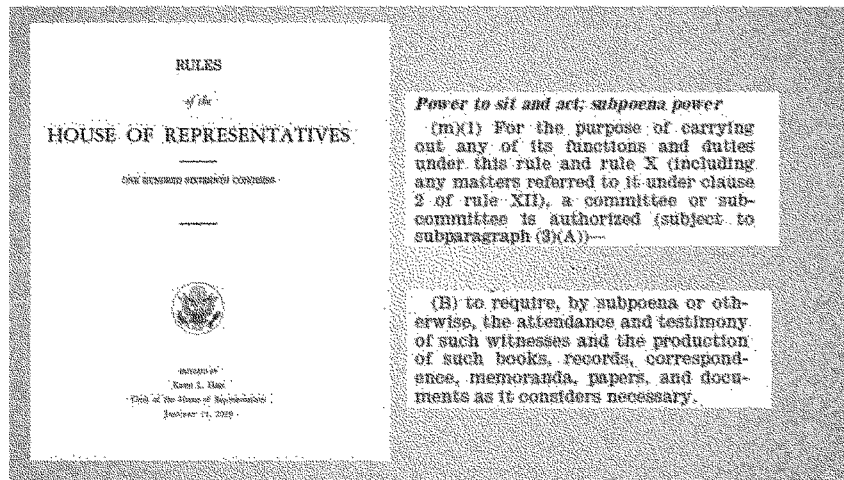
**SLIDE 571.** S. Doc. 116–18 Vol. II, Pg. 1329; 166 Cong. Rec. S686



SLIDES 572–580

[166 CONG. REC. S693–729 (DAILY ED. JAN. 30, 2020)]

**SLIDE 572.** S. Doc. 116–18 Vol. II, Pg. 1343/1350; 166 Cong. Rec. S693/S696



**SLIDE 573.** S. Doc. 116–18 Vol. II, Pg. 1345; 166 Cong. Rec. S694

UKRAINE KNEW ABOUT THE HOLD EARLY ON	
July 25	Ex-Top Kyiv Official: "We Had This Information"
Week Of July 25	Cooper: Two E-mails That Ukraine Embassy Asking About Aid
July	Croft: Overtures From Ukraine About Aid
Mid-Aug	Lt. Col. Vindman: Receives Light Inquiries From Ukraine Re Hold

**SLIDE 574.** S. Doc. 116–18 Vol. II, Pg. 1359; 166 Cong. Rec. S699

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

<b>TRANSCRIPTION</b>		
<b>Exhibit 4 – Friday, July 19, 2019</b>		
<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.  <b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow.  MM

2019-11-20 Statement of Sondland, p. 21

**SLIDE 575.** S. Doc. 116–18 Vol. II, Pg. 1369; 166 Cong. Rec. S703

**BASELESS DEFIANCE OF SUBPOENAS**

<b>Judge Thomas Griffith</b>	<b>Department of Justice</b>
<p><b>"[T]hey can make it a grounds for impeachment for obstruction of Congress"</b></p>	<p><b>Impeachment "is certainly one of the tools that Congress has."</b></p>

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H.R. 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 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**SLIDE 576.** S. Doc. 116–18 Vol. II, Pg. 1371; 166 Cong. Rec. S704

MEMORANDUM # June 2018

To: Deputy Attorney General Rod Rosenstein  
Assistant Attorney General Steve Engel

From: Bill Barr

Re: Mueller's "Obstruction" Theory



as to the person whom they trust to make these prudential judgments. In the interim, the people's representatives stand watch and have the tools to oversee, discipline, and, if they deem appropriate, remove the President from office. Thus, under the Framers' plan, the determination whether the President is making decisions based on "improper" motives or whether he is "faithfully" discharging his responsibilities is left to the People, through the election process, and the Congress, through the impeachment process.

... willing to conduct investigations into such allegations. The fact that President is answerable for any abuses of discretion and is ultimately subject to the judgment of Congress through the impeachment process means that the President is *not* the judge in his own cause. See *Nixon v. Harlow*, 457 U.S. 731, 757-58 n.41 (1982). ("The remedy of impeachment demonstrates that the President remains accountable under law for his misdeeds in office.")

**SLIDE 577.** S. Doc. 116–18 Vol. II, Pg. 1389; 166 Cong. Rec. S710

**Debunked Conspiracy**

**Ukraine—Not Russia—Interfered In 2016 Election**

- ▶ **None Of The 17 Witnesses Support Allegation**
- ▶ **FBI Director Wray:** "No Information That Indicates That Ukraine Interfered"
- ▶ **President Trump's Homeland Security Advisor:** "It's Not Only A Conspiracy Theory, It's Completely Debunked"
- ▶ **Fiona Hill:** "Fictional Narrative" Perpetrated By Russia
- ▶ **U.S. Intelligence Community and Special Counsel Mueller:** Russia Interfered
- ▶ **Putin Benefits From Allegation:** "Thank God, no one is accusing us of interfering in the U.S. elections anymore, Now they're accusing Ukraine."



**SLIDE 578.** S. Doc. 116–18 Vol. II, Pg. 1437; 166 Cong. Rec. S729

U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY	
<i>Miers (2008)</i>	<i>McGahn (2019)</i>
<p><b>"Clear precedent and persuasive policy reasons confirm that the Executive cannot be the judge of its own privilege and hence Ms. Miers is not entitled to absolute immunity."</b></p>	<p><b>"Executive branch officials are not absolutely immune from compulsory congressional process—no matter how many times the Executive branch has asserted as much over the years...."</b></p>

**SLIDE 579.** S. Doc. 116–18 Vol. II, Pg. 1438; 166 Cong. Rec. S729

U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY
<i>Judge Jackson in McGahn (2019)</i>
<p><b>"Stated simply, the primary takeaway from the past 250 years of recorded American history is that Presidents are not kings....[C]ompulsory appearance by dint of a subpoena is a legal construct, not a political one, and per the Constitution, no one is above the law."</b></p>

Committee on the Judiciary, Senate, 116th Congress, 1st Session, S. Doc. 116-18, Vol. II, Pg. 1438 (2019)

**SLIDE 580.** S. Doc. 116–18 Vol. II, Pg. 1438; 166 Cong. Rec. S729

**BRIEF FILED BY THE TRUMP DEPARTMENT OF JUSTICE**


**“The Committee lacks Article III standing to sue to enforce a congressional subpoena demanding testimony from an individual on matters related to his duties as an Executive Branch official.”**



SLIDES 581–608

[166 CONG. REC. S753–760 (DAILY ED. JAN. 31, 2020)]

**SLIDE 581.** S. Doc. 116–18 Vol. II, Pg. 1465; 166 Cong. Rec. S753



**Bolton says Trump's aides heard the president ask him in the Oval Office to help pressure Ukraine.**

**John R. Bolton, put top aides in the room when Mr. Trump asked Mr. Bolton to help with his pressure campaign on Ukraine.**

**Mr. Trump gave the instruction, Mr. Bolton wrote, in the Oval Office in early May and in front of the acting White House chief of staff, Mick Mulvaney, the president's personal lawyer Rudolph W. Giuliani and the White House counsel, Pat A. Cipollone, who is now leading the president's impeachment defense.**

**The account supports testimony from witnesses who testified in the House impeachment inquiry, including Gordon D. Sondland, who said that "everyone was in the loop."**

<https://www.nytimes.com/2020/01/31/politics/trump-impeachment-trial-01-31?act=click&module=Top%20Story&pgtype=Homepage&wobolton-oval-office-ukraine>

**SLIDE 582.** S. Doc. 116–18 Vol. II, Pg. 1466; 166 Cong. Rec. S754

HUNDREDS OF YEARS OF PRECEDENT			
Impeached Official	Witnesses	Impeached Official	Witnesses
Judge Pickering (1804)	11	Judge Archbald (1913)	112
Justice Chase (1805)	49	Judge Louderback (1933)	44
Judge Peck (1830-31)	19	Judge Ritter (1936)	25
Judge Humphreys (1862)	9	Judge Claiborne (1986)	19
President Johnson (1868)	40	Judge Hastings (1989)	55
Sec. of War Belknap (1876)	40	Judge Nixon (1989)	10
Judge Swayne (1905)	44	President Clinton (1999)	3
		Judge Porteous (2010)	26
Average # Witnesses Per Senate Trial			33

**SLIDE 583.** S. Doc. 116–18 Vol. II, Pg. 1467/1472; 166 Cong. Rec. S754/S756

**The New York Times** | *Trump Tied Ukraine Aid to Inquiries He Sought, Bolton Book Says*

**President Trump told his national security adviser in August that he wanted to continue freezing \$391 million in security assistance to Ukraine until officials there helped with investigations into Democrats including the Bidens, according to an unpublished manuscript by the former adviser, John R. Bolton.**

<https://www.nytimes.com/2020/01/26/us/politics/trump-bolton-book-ukraine.html?mid=nytcore-ios-share>

**SLIDE 584.** S. Doc. 116–18 Vol. II, Pg. 1468; 166 Cong. Rec. S755

**IMPORTANCE OF OBTAINING EVIDENCE**

- ▶ **Fundamental Fairness Requires Evidence in Trials**
- ▶ **History & Precedent: New Evidence in All 15 Full Senate Impeachment Trials**
  1. Witnesses in Every Trial
  2. Average Witnesses Heard: 33
  3. Hundreds or Thousand of Pages of New Documents

**SLIDE 585.** S. Doc. 116–18 Vol. II, Pg. 1469; 166 Cong. Rec. S755



**SLIDE 586.** S. Doc. 116–18 Vol. II, Pg. 1469; 166 Cong. Rec. S755





**SLIDE 587.** S. Doc. 116–18 Vol. II, Pg. 1471; 166 Cong. Rec. S756

**75% OF VOTERS  
IN RECENT POLL WANT WITNESSES**

**Quinnipiac/Poll**  
UNIVERSITY

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FOR RELEASE: JANUARY 28, 2020

**75% OF VOTERS SAY ALLOW WITNESSES IN SENATE IMPEACHMENT TRIAL,  
QUINNIPIAC UNIVERSITY NATIONAL POLL FINDS;  
53% SAY PRESIDENT TRUMP NOT TELLING TRUTH ABOUT UKRAINE**

**SLIDE 588.** S. Doc. 116–18 Vol. II, Pg. 1471; 166 Cong. Rec. S756

**4 WITNESSES WHOSE TESTIMONY IS NECESSARY  
FOR A FULL AND FAIR TRIAL**

 <p><b>John Michael "Mick" Mulvaney</b> Acting White House Chief of Staff</p>	 <p><b>Robert B. Blair</b> Assistant to the President and Senior Advisor to the Chief of Staff</p>
 <p><b>John Bolton</b> Former National Security Advisor</p>	 <p><b>Michael Duffey</b> Associate Director for National Security Programs at the Office of Management and Budget</p>

**SLIDE 589.** S. Doc. 116–18 Vol. II, Pg. 1472; 166 Cong. Rec. S756

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**Donald J. Trump** @realDonaldTrump

For a guy who couldn't get approved for the Ambassador to the U.N. years ago, couldn't get approved for anything since, "begged" me for a non Senate approved job, which I gave him despite many saying "Don't do it, sir," takes the job, mistakenly says "Libyan Model" on T.V., and..

**Donald J. Trump** @realDonaldTrump · Jan 29  
Replying to @realDonaldTrump


....many more mistakes of judgement, gets fired because frankly, if I listened to him, we would be in World War Six by now, and goes out and IMMEDIATELY writes a nasty & untrue book. All Classified National Security. Who would do this?

18.3K 18.7K 77.7K

<https://twitter.com/realdonaldtrump/status/1172496765762008513>

**SLIDE 590.** S. Doc. 116–18 Vol. II, Pg. 1472; 166 Cong. Rec. S756

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**




- 1** Top Aide: President's Motive And Ukraine Perspective
- 2** Direct Knowledge Of Key Events: July 10 "Drug Deal"
- 3** Direct Knowledge Of Mr. Giuliani's Role
- 4** Predicted July 25 Call Would Be A "Disaster"
- 5** Direct Knowledge Of Foreign Policy Concerns Surrounding Freeze On Military

Ambassador John Bolton

**SLIDE 591.** S. Doc. 116–18 Vol. II, Pg. 1472; 166 Cong. Rec. S756

<b>The New York Times</b>	<b><i>Trump Tied Ukraine Aid to Inquiries He Sought, Bolton Book Says</i></b>
...[N]ew details about senior cabinet officials who have publicly tried to sidestep involvement	
For example, Secretary of State Mike Pompeo acknowledged privately that there was no basis to claims by the president's lawyer Rudolph W. Giuliani that the ambassador to Ukraine was corrupt	
And the acting White House chief of staff, Mick Mulvaney, was present for at least one phone call where the president and Mr. Giuliani discussed the ambassador	
<small>https://www.nytimes.com/2020/01/26/us/politics/trump-bolton-book-ukraine.html?mid=nytct&amp;_r=3&amp;share</small>	

**SLIDE 592.** S. Doc. 116–18 Vol. II, Pg. 1473/1473; 166 Cong. Rec. S756/S756

AMB. BOLTON'S TESTIMONY: 5 KEY REASONS	
 Ambassador John Bolton	<p><b>2</b> <b>Direct Knowledge Of Key Events: July 10 "Drug Deal"</b></p> <p>► Hill: "The specific instruction was that I had to go to the lawyers—to John Eisenberg our senior counsel for the National Security Council—to basically say: You tell Eisenberg, Ambassador Bolton told me, that I am not part of this whatever drug deal that Mulvaney and Sondland are cooking up."</p>

**SLIDE 593.** S. Doc. 116–18 Vol. II, Pg. 1473; 166 Cong. Rec. S757

<b>DAILY BEAST</b>	<b><i>Top Ukraine Official: I Trusted Bolton More Than Anyone</i></b>
<p>Danylyuk said he and his team, which included Zelensky aide Andriy Yermak, “couldn’t conclude [the July 10 meeting] properly” because as The Daily Beast previously reported, Sondland interrupted the conversation to bring up the demands from Trump that Zelensky agree to the investigation of the Bidens. Soon after Sondland’s interjection, Bolton ended the official meeting.</p>	
<p>“This roadmap [for U.S.-Ukraine relations] should have been the substance but... [the investigations] were raised,” Danylyuk said.</p>	
<p><small><a href="https://www.thedailybeast.com/danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone">https://www.thedailybeast.com/danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone</a></small></p>	

**SLIDE 594.** S. Doc. 116–18 Vol. II, Pg. 1473; 166 Cong. Rec. S757

<b>DAILY BEAST</b>	<b><i>Top Ukraine Official: I Trusted Bolton More Than Anyone</i></b>
<p>“At that time it was clear to me that we should not be dropped into this battle at all,” Danylyuk said. “If we were dragged into this internal process... that would be really bad for the country. And also, if there’s something that violates U.S. law, that’s up to the U.S. to handle.”</p>	
<p>“[T]here are some serious things that we need to discuss and agree on between the two countries. And that needs to be where the attention goes,” Danylyuk told The Daily Beast about his conversation with U.S. representatives at the time. “And if we’re talking about dragging us into internal politics... using our president who was fresh on the job, inexperienced... that could just destroy everything.”</p>	
<p><small><a href="https://www.thedailybeast.com/danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone">https://www.thedailybeast.com/danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone</a></small></p>	

**SLIDE 595.** S. Doc. 116–18 Vol. II, Pg. 1473; 166 Cong. Rec. S757

**DAILY BEAST** | *Top Ukraine Official: I Trusted Bolton More Than Anyone*


**“I would say it was definitely John who I trusted,” Danylyuk said. “I think John, because we worked together on trying to set up an official framework for a U.S.-Ukraine relationship.”**

<https://www.thedailybeast.com/elections/danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone>

**SLIDE 596.** S. Doc. 116–18 Vol. II, Pg. 1474/1474; 166 Cong. Rec. S757/S757

**AMB. BOLTON’S TESTIMONY: 5 KEY REASONS**

**3** **Direct Knowledge Of Mr. Giuliani’s Role**




Ambassador John Bolton

- ▶ Giuliani is a “hand grenade who’s going to blow everybody up”
- ▶ “[N]obody should be meeting with Giuliani”
- ▶ Amb. Bolton was “closely monitoring what Mr. Giuliani was doing”

**SLIDE 597.** S. Doc. 116–18 Vol. II, Pg. 1474; 166 Cong. Rec. S757

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**4** **Predicted July 25 Call Would Be A "Disaster"**



Ambassador John Bolton

- ▶ Hesitant about arranging for the President and Zelensky to speak
- ▶ Predicted the President would raise "investigations or worse"
- ▶ "Thought it was going to be a disaster"

**SLIDE 598.** S. Doc. 116–18 Vol. II, Pg. 1474; 166 Cong. Rec. S757

**DAILY BEAST** | ***Top Ukraine Official: I Trusted Bolton More Than Anyone***

**"One thing I can tell you that was clear from this [July 25] call is that issue [of the investigations] is an issue of concern for Trump. It was clear," Danylyuk said.**


<https://www.thedailybeast.com/alexander-danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone>



**SLIDE 599.** S. Doc. 116–18 Vol. II, Pg. 1474; 166 Cong. Rec. S757

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**5** **Actively Involved In President's Freeze On Ukraine Military Aid**




Ambassador John Bolton

- ▶ **Led Process To Convince President To Release Aid**
- ▶ **Direct Knowledge Of Any Legitimate Policy Reason To Withhold Aid**

**SLIDE 600.** S. Doc. 116–18 Vol. II, Pg. 1475; 166 Cong. Rec. S757

**IN AMERICA, TRUTH MATTERS**




"The idea that somehow testifying to what you think is true is destructive to the system of government we have — I think, is very nearly the reverse, the exact reverse of the truth."

- January 30, 2020

<https://www.ksan.com/news/in-austria-john-bolton-voices-support-for-officials-called-to-impeachment-hearing/>

**SLIDE 601.** S. Doc. 116–18 Vol. II, Pg. 1475; 166 Cong. Rec. S758

**MR. MULVANEY TESTIMONY: 4 KEY REASONS**




Mick Mulvaney

- 1 Top Aide:**  
President's Motive And Intent
- 2 Critical Role Planning Scheme:**  
Everyone Was In The Loop
- 3 Critical Role Implementing Scheme:**  
Key Insight Into Freeze On Aid
- 4 Mr. Mulvaney's Confession:**  
October 17 Press Conference

**SLIDE 602.** S. Doc. 116–18 Vol. II, Pg. 1476; 166 Cong. Rec. S758

**MR. MULVANEY TESTIMONY: 4 KEY REASONS**



Mick Mulvaney

- 2 Critical Role Planning Scheme**
  - Ambassador Sondland: "Everyone Was In The Loop" And The Ukraine Scheme "Was No Secret," Including To Mr. Mulvaney

**SLIDE 603.** S. Doc. 116–18 Vol. II, Pg. 1476; 166 Cong. Rec. S758


**JULY 19, 2019**

**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. <b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow. MM
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**SLIDE 604.** S. Doc. 116–18 Vol. II, Pg. 1477; 166 Cong. Rec. S758

**MR. MULVANEY TESTIMONY: 4 KEY REASONS**



Mick Mulvaney

**3 Critical Role Implementing Scheme:**  
Key Insight Into Freeze On Aid

- ▶ Head Of OMB
- ▶ Responsible For Executing Hold On Military Aid
- ▶ Documents Suggest Mulvaney And OMB Created "After-The-Fact" Justifications For Hold

**SLIDE 605.** S. Doc. 116–18 Vol. II, Pg. 1480; 166 Cong. Rec. S759

A FAIR TRIAL REQUIRES WITNESSES AND DOCUMENTS	
1	The President's Obstruction Cannot Subpoenas
2	The Senate Requires a Complete Record
3	The President Should Want a Fair Trial
4	The American People Deserve a Fair Trial
5	The Requested Witnesses and Documents Are Necessary
6	The Subpoenas Will Not Cause Delay
7	The President Has No Basis to Block These Witnesses And Documents
8	The Obstruction Will Have Long Lasting Harmful Consequences

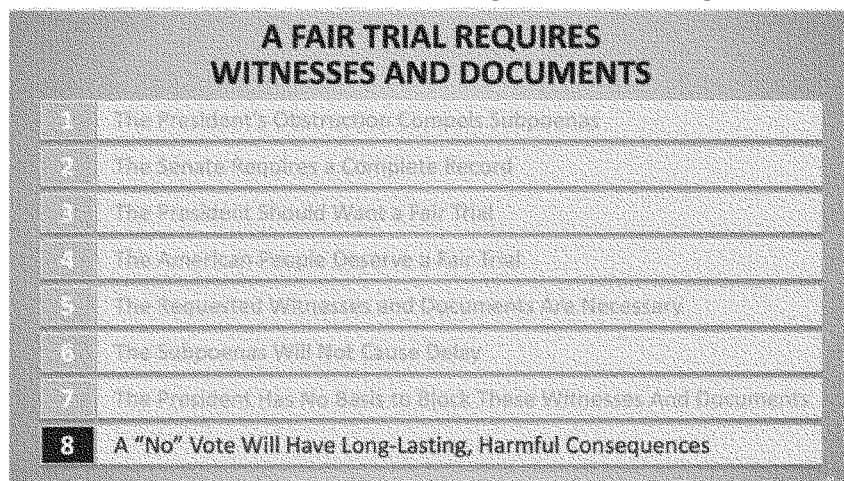
**SLIDE 606.** S. Doc. 116–18 Vol. II, Pg. 1481; 166 Cong. Rec. S760

A FAIR TRIAL REQUIRES WITNESSES AND DOCUMENTS	
1	The President's Obstruction Cannot Subpoenas
2	The Senate Requires a Complete Record
3	The President Should Want a Fair Trial
4	The American People Deserve a Fair Trial
5	The Requested Witnesses and Documents Are Necessary
6	The Subpoenas Will Not Cause Delay
7	The President Has No Basis to Block These Witnesses And Documents
8	The Obstruction Will Have Long Lasting Harmful Consequences

**SLIDE 607.** S. Doc. 116–18 Vol. II, Pg. 1482; 166 Cong. Rec. S760



**SLIDE 608.** S. Doc. 116–18 Vol. II, Pg. 1483; 166 Cong. Rec. S760





SLIDES 609–616

[166 CONG. REC. S773–783 (DAILY ED. FEB. 3, 2020)]

**SLIDE 609.** S. Doc. 116–18 Vol. II, Pg. 1519; 166 Cong. Rec. S773

**DANIEL WEBSTER'S  
SEVENTH OF MARCH SPEECH – 1850**

It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity, and its own high responsibilities, and a body to which the country looks with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations and are surrounded by very considerable dangers to our institutions of government. The imprisoned winds are let loose... but I have a duty to perform, and I mean to perform it with fidelity—not without a sense of surrounding dangers, but not without hope.

**SLIDE 610.** S. Doc. 116–18 Vol. II, Pg. 1519; 166 Cong. Rec. S773

**ALEXANDER HAMILTON'S FEDERALIST NO. 65**

The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to the society itself.



**SLIDE 611.** S. Doc. 116–18 Vol. II, Pg. 1519; 166 Cong. Rec. S773

**ALEXANDER HAMILTON'S FEDERALIST NO. 65**

**The prosecution of them, for this reason, will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused... in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.**

**SLIDE 612.** S. Doc. 116–18 Vol. II, Pg. 1521; 166 Cong. Rec. S774

**PRESIDENT TRUMP'S IMPEACHABLE MISCONDUCT**

- 1** The Scheme
- 2** The Solicitation
- 3** The Pressure
- 4** The Exposure
- 5** The Coverup

**SLIDE 613.** S. Doc. 116–18 Vol. II, Pg. 1527; 166 Cong. Rec. S776

**NIXON IMPEACHMENT REPORT – 1974**

**B. THE INAPPROPRIATENESS OF SEEKING JUDICIAL  
ENFORCEMENT OF THE COMMITTEE SUBPOENAS**

The Committee concluded that it would be inappropriate to seek the aid of the courts to enforce its subpoenas against the President. This conclusion is based on the constitutional provision vesting the power of impeachment solely in the House of Representatives and the express denial by the Framers of the Constitution of any role for the courts in the impeachment process.

**SLIDE 614.** S. Doc. 116–18 Vol. II, Pg. 1530; 166 Cong. Rec. S778

**PRESIDENT ABRAHAM LINCOLN,  
COOPER UNION ADDRESS, FEBRUARY 27, 1860**

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.

**SLIDE 615.** S. Doc. 116–18 Vol. II, Pg. 1543; 166 Cong. Rec. S782



**SLIDE 616.** S. Doc. 116–18 Vol. II, Pg. 1543; 166 Cong. Rec. S783

