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
VOLUME III: VISUAL AIDS FROM THE TRIAL
IMPEACHMENT TRIAL OF PRESIDENT DONALD JOHN TRUMP
PROCEEDINGS OF THE UNITED STATES SENATE IN THE
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VOLUME III: VISUAL AIDS FROM THE TRIAL

VOLUME III OF IV

JANUARY 31, 2020.—Ordered to be printed
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.


_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.


_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.

FOREWORD

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 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 Schu-mer (one on behalf of Senator Van Hollen) dealing with the sub-poenaing 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 amend-ments 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 pro-ceedings 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, sen-ators 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 de-bate under the impeachment rules any motion to subpoena wit-nesses or documents. The House managers’ argument was pre-sented 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 wit-nesses 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 judg-ment 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 prelimi-nary 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.

Julie E. Adams,
Secretary of the Senate.
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<td>2077</td>
<td></td>
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<tr>
<td>Sen. Brown</td>
<td>2079</td>
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<td>Sen. Hirono</td>
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<td>Sen. Bennet</td>
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<td>Sen. Baldwin</td>
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<td>Sen. Murphy</td>
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<td>Sen. Scott (SC)</td>
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<td>Sen. Coons</td>
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<td>Sen. Gardner</td>
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<td>Sen. Leahy</td>
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<td>Sen. Shelby</td>
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<td>Sen. Durbin</td>
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<td>Sen. Graham</td>
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<td>Sen. Schumer</td>
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<td>Sen. McConnell</td>
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<td>Sen. Grassley</td>
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<td>Sen. Leahy</td>
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<td>Sen. Enzi</td>
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<td>Sen. Burr</td>
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<td>Sen. Klobuchar</td>
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<td>Sen. Sanders</td>
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<td>Sen. Toomey</td>
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<td>Sen. Rubio</td>
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<td>Sen. Johnson</td>
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<td>Sen. Blumenthal</td>
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<td>Sen. Warren</td>
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<td>Sen. Peters</td>
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<td>Sen. Cotton</td>
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<td>Sen. Sullivan</td>
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<td>Sen. Cortez Masto</td>
<td>2188</td>
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<tr>
<td>Sen. Rosen</td>
<td>2191</td>
<td></td>
</tr>
</tbody>
</table>

**February 10, 2020**
- Sen. Barrasso       | 2193
- Sen. McSally       | 2194

**February 12, 2020**
- Sen. Schumer       | 2199
- Sen. Brown         | 2202

**February 13, 2020**
- Sen. McConnell     | 2204

**February 25, 2020**
- Sen. Lankford      | 2207
- Sen. Tillis        | 2224

**February 27, 2020**
- Sen. Reed          | 2226
- Sen. Casey         | 2273
- Sen. Cramer        | 2285

*Footnotes:
1. 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.
2. Slide images are only printed in Volume III. CONGRESSIONAL RECORD pages have been listed for ease of reference.

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


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.

**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


**PRESIDENT DIRECTED OFFICIALS NOT TO TESTIFY**

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

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


THE UNITED STATES CONSTITUTION

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

**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


**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”

### HISTORY & PRECEDENT SUPPORT NEED FOR WITNESSES

<table>
<thead>
<tr>
<th>Senate Trial</th>
<th># Witnesses in Senate Trial</th>
<th># New Witnesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>President Johnson (1868)</td>
<td>40</td>
<td>37</td>
</tr>
<tr>
<td>Judge Pickering (1804)</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Justice Porteous (2010)</td>
<td>26</td>
<td>17</td>
</tr>
</tbody>
</table>


**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.”

**THE SENATE’S IMPEACHMENT RULES**

- 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.


**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

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


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

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


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

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


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

**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

---


**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”

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


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.”

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


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
THE NEED FOR WHITE HOUSE DOCUMENTS

1. Direct Communications With Zelensky
   - April 21 Phone Call
   - July 25 Phone Call
   - September 25 UN Meeting

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

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


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”

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”


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.’”

THE SPECIFIC NEED FOR SUBPOENNAED WHITE HOUSE DOCUMENTS

2 Request For Political Investigations

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


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”

THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS

President Trump's Hold Of Military Aid

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


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.

[Note: Excerpt from “Office of Management and Budget—Withholding of Ukraine Security Assistance,” Oct. 02, 2019]

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…”


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”

THE NEED FOR WHITE HOUSE DOCUMENTS

3 President Trump’s Hold Of Military Aid

- After-the-fact justification for releasing the aid


THE NEED FOR WHITE HOUSE DOCUMENTS

The Washington Post

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
### Slide 39

**The Need for White House Documents**

<table>
<thead>
<tr>
<th>4</th>
<th>Concerns Reported To NSC Legal</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Hill, Vindman: Reported July 10 Meeting</td>
</tr>
<tr>
<td></td>
<td>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.”</td>
</tr>
</tbody>
</table>

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### Slide 40

**The Need for White House Documents**

<table>
<thead>
<tr>
<th>4</th>
<th>Concerns Reported To NSC Legal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hill, Vindman: Reported July 10 Meeting</td>
</tr>
<tr>
<td></td>
<td>— Vindman: NSC Legal took notes</td>
</tr>
<tr>
<td></td>
<td>— Hill went back again July 11</td>
</tr>
<tr>
<td></td>
<td>Vindman reported again July 25</td>
</tr>
<tr>
<td></td>
<td>Morrison reported concerns 3 times</td>
</tr>
</tbody>
</table>

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


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

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


DESPITE OBSTRUCTION, BRAVE OFFICIALS CAME FORWARD

“I think it’s crazy to withhold security assistance for help with a political campaign”

“[W]e knew these investigations were important to the President” and “we followed the President’s orders”

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

STATE DEPARTMENT OFFICIALS IDENTIFIED RELEVANT DOCUMENTS

- TAYLOR: "[Took] notes on conversations" in "little notebook"
- KENT: Wrote or updated notes to file about the President’s scheme at least 4 times
- SONDLAND: Identified multiple emails with top Trump advisors describing the President’s scheme
- VOLKER: Produced limited text messages between U.S. officials, Giuliani, and Ukrainians


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

STATE DEPARTMENT DEFIED LAWFUL SUBPOENA

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>Sept. 9</td>
<td>House Committees Send Request. No Compliance</td>
</tr>
<tr>
<td>Sept. 27</td>
<td>House Committees Send Subpoena</td>
</tr>
<tr>
<td>Oct. 1</td>
<td>Sec. Pompeo Promises Response on October 4</td>
</tr>
<tr>
<td>Oct. 4</td>
<td>Sec. Pompeo Fails to Respond</td>
</tr>
<tr>
<td>Oct. 8</td>
<td>President Trump Directs Administration to Stonewall</td>
</tr>
</tbody>
</table>

ZERO DOCUMENTS PRODUCED


THE SENATE SHOULD SUBPOENA WHATSAPP AND OTHER TEXT MESSAGES

THE SENATE SHOULD SUBPOENA TEXT MESSAGES


THE SENATE SHOULD SUBPOENA TEXT MESSAGES

JULY 10, 2019

4:06 PM

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.

...

THE SENATE SHOULD SUBPOENA TEXT MESSAGES

JULY 25, 2019

8:38 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

10:15 AM

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


THE SENATE SHOULD SUBPOENA TEXT MESSAGES

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.

***

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?


THE SENATE SHOULD SUBPOENA STATE DEPARTMENT EMAILS

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

<table>
<thead>
<tr>
<th>Exhibit 4 - Friday, July 19, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject:</strong> Re: I talked to Zelensky just now</td>
</tr>
<tr>
<td><strong>From:</strong> Robert Blair, Lisa Konna, Brian, Mick, Matthew, Rick Perry, Mike, Pompeo, and Gordon, Sondland</td>
</tr>
<tr>
<td><strong>15:28 Gordon Sondland:</strong> 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.</td>
</tr>
<tr>
<td><strong>21:30 Rick Perry (replying to McCormack and Sondland only):</strong> Mick just confirmed the call being set up for tomorrow by NSC.</td>
</tr>
<tr>
<td><strong>22:25</strong> Mch. Muthr (replying to all): I asked NSC to set it up for tomorrow.</td>
</tr>
</tbody>
</table>

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

**MARCH 26 – POMPEO AND GIULIANI CALL**

| **From:** |
| **Sent:** Tuesday, March 26, 2019 9:54 AM |
| **To:** S, All |
| **Subject:** 9:53am -- S finished speaking with Rudy Giuliani |

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 S7

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

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

Please don’t 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.


THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS

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

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

THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS

New Evidence Suggests Giuliani Spoke With Pompeo About Ukraine As Early As February

8:35 PM

"Is there absolute commitment for HER to be gone this week?"

8:36 PM

"Yes not sure how absolute Will get a reading in morning and call you. Pompei [sic] is now aware of it. Talked to him on Friday."


THE SENATE SHOULD SUBPOENA TAYLOR’S CABLE TO POMPEO OBJECTING TO THE AID FREEZE

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


THE SENATE SHOULD SUBPOENA STATE DEPARTMENT OFFICIALS’ NOTES

```
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
```


```
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 Zelensky, 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?”
```

**THE SENATE SHOULD SUBPOENA STATE DEPARTMENT DOCUMENTS**

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


**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

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

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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

OMB AND DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID

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

### Slide 70

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 (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

OMB AND DOD DOCUMENTS REVEAL THE IMPLEMENTATION OF THE PRESIDENT’S HOLD

| July 3 | State Dept: OMB is blocking Congressional Notification for Ukraine aid |
| July 12 | Email from Blair to Duffey (OMB): “the President is directing a hold on military support for Ukraine” |


Mark Sandy Testimony

Q: ... So this July 12th email from Mr. Blair, what did it say?
SANDY: 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?
SANDY: Nothing that I recall.

Q: Was any other country mentioned?
SANDY: No.

Q: Any other security assistance package?
SANDY: No.
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


OMB AND DOD DOCUMENTS REVEAL KEY FACTS ABOUT JULY 25

~9:00 am
President Trump to Zelensky: “do us a favor though”

~11:00 am
Email from Duffey (OMB) to DOD: keep information “closely held”

JULY 25 EMAIL FROM OMB TO DOD

From: [Redacted]
Sent: Thursday, July 25, 2019 11:04 AM
To: [Redacted]; DOD; [Redacted]; [Redacted]
Cc: [Redacted]
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 pause in obligations will not preclude DoD’s timely execution of the final policy direction.

We intend to formalize the pause with an apportionment footnote to be provided later today.

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.

---


OMB APPORTIONMENT SCHEDULE – JULY 25

“Amounts apportioned, but not yet obligated...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.... OMB understands from [DOD] that this brief pause in obligations will not preclude DOD’s timely execution of the final policy direction. DOD may continue its planning and casework for the Initiative during this period.”

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


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

Mark Sandy Testimony

Q: And prior to the change in delegation of the approval process for apportionments regarding USAID, 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.


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

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


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

WHAT IS PRESIDENT TRUMP HIDING?


MR. MULVANEY’S TESTIMONY IS NECESSARY

1. Hundreds of Years of Precedent
2. The President’s Obstruction
3. The Need For Mulvaney’s Testimony
4. Americans Deserve The Truth

HUNDREDS OF YEARS OF PRECEDENT

<table>
<thead>
<tr>
<th>Impeached Official</th>
<th>Witnesses</th>
<th>Impeached Official</th>
<th>Witnesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judge Pickering (1804)</td>
<td>11</td>
<td>Judge Archbald (1913)</td>
<td>112</td>
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<tr>
<td>Justice Chase (1805)</td>
<td>49</td>
<td>Judge Louderback (1933)</td>
<td>44</td>
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<td>Judge Peck (1830-31)</td>
<td>19</td>
<td>Judge Ritter (1936)</td>
<td>25</td>
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<td>Judge Humphreys (1862)</td>
<td>9</td>
<td>Judge Claiborne (1986)</td>
<td>19</td>
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<tr>
<td>President Johnson (1868)</td>
<td>40</td>
<td>Judge Hastings (1989)</td>
<td>55</td>
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<td>Sec. of War Belknap (1876)</td>
<td>40</td>
<td>Judge Nixon (1989)</td>
<td>10</td>
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<tr>
<td>Judge Swayne (1905)</td>
<td>44</td>
<td>President Clinton (1999)</td>
<td>3</td>
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<td></td>
<td></td>
<td>Judge Porteous (2010)</td>
<td>26</td>
</tr>
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</table>

Average # Witnesses Per Senate Trial: 33


MULVANEY’S TESTIMONY IS NECESSARY

Reason 2: The President’s Obstruction

- Blanket Order To Administration: Don’t Participate
- Produced 0 Documents
- Ignored 71 Requests

**THE PRESIDENT’S OBSTRUCTION**

<table>
<thead>
<tr>
<th></th>
<th>President Trump</th>
<th>President Clinton</th>
<th>President Johnson</th>
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<tbody>
<tr>
<td>Key Witnesses Blocked</td>
<td>12</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Subpoenaed Witnesses Blocked</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td># Witnesses in Senate Trial</td>
<td>???</td>
<td>3</td>
<td>40</td>
</tr>
</tbody>
</table>


**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.”

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.”


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.”

**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


**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

MULVANEY TESTIMONY: 4 KEY REASONS

1. President’s Top Aide
   - 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


MULVANEY TESTIMONY: 4 KEY REASONS

2. Critical Role Planning Ukraine Pressure Scheme
   - Sondland: “Everyone was in the loop” and the Ukraine scheme “was no secret”

**MULVANEY TESTIMONY: 4 KEY REASONS**

2. **Critical Role Planning Ukraine Pressure Scheme**

- 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”

---


**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?”

MULVANEY TESTIMONY: 4 KEY REASONS

**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

---


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

<table>
<thead>
<tr>
<th>NO LEGAL JUSTIFICATION</th>
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<tbody>
<tr>
<td>1</td>
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<tr>
<td>2</td>
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<td>3</td>
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<td>4</td>
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</table>


PRESIDENT TRUMP HAS AUTHORITY TO ALLOW ANY WITNESS TO TESTIFY:

WHAT IS HE HIDING?

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


DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID

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

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 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

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."

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


AUGUST 9 EMAIL FROM DOD TO OMB (FOIA PRODUCTION)

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.”


AUGUST 29 EMAIL FROM DOD TO OMB
(PUBLIC REPORTING)

✉️ McCusker To Duffey

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

AUGUST 29 EMAIL FROM DOD TO OMB
(FOIA PRODUCTION)

From: McCusker, Elaine A
To: Duffy, Michael P.

Subject: RE: Agreed TPs

Attachments: smme.p7h

Mike

[Redacted]

Just got out of another long session on [Redacted] – things evolved again. Will try to reach you in a bit.

EM

SD18V3.109 SD18V3.110


THE PRESIDENT’S SCHEME UNRAVELS

SEPTEMBER 9 EMAIL FROM DOD TO OMB (PUBLIC REPORTING)

✉ McCusker To Duffey

“You can’t be serious. I am speechless.”


THE NEED FOR TESTIMONY FROM ROBERT BLAIR AND MICHAEL DUFFEY: 6 KEY REASONS

1 Key Roles in Initial Discussions About the Military Aid
2 Executed the President’s Order to Freeze the Aid
3 Dodged Questions About the Reason for the Freeze
4 Involved in Key Events on July 25
5 Duffey Sidelined OMB Career Official and Took Over Ukraine Authority
6 Knew the Freeze Raised Legal Concerns

**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”

---


**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?

<table>
<thead>
<tr>
<th>Key Roles in Initial Discussions About the Military Aid</th>
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<tbody>
<tr>
<td><strong>1.</strong> Blair and Duffy: 6 Key Reasons</td>
</tr>
<tr>
<td>- <strong>June 27: Blair to Mulvaney:</strong> “Expect Congress to become unhinged”</td>
</tr>
<tr>
<td>- <strong>Blair Can Answer:</strong></td>
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<tr>
<td>- When did Mulvaney and Blair begin discussing the hold?</td>
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<tr>
<td>- Were there further discussions?</td>
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<tr>
<td>- Did Mulvaney explain why the President wanted the hold?</td>
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<tr>
<td>- Did Blair raise objections?</td>
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<table>
<thead>
<tr>
<th>Executed the President’s Order to Freeze the Aid</th>
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<tr>
<td><strong>2.</strong> Blair and Duffy: 6 Key Reasons</td>
</tr>
<tr>
<td>- <strong>July 3: State Dept.:</strong> OMB is blocking Congressional Notification</td>
</tr>
<tr>
<td>- <strong>Duffy Can Answer:</strong></td>
</tr>
<tr>
<td>- Who from OMB issued the order?</td>
</tr>
<tr>
<td>- At whose direction?</td>
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<tr>
<td>- Was any reason provided?</td>
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</tbody>
</table>

**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.


**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?

**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


**NO EXPLANATION FOR THE FREEZE**

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.


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.

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?


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. 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”

---

SLIDE 126. Williams

**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?

**BLAIR AND DUFFEY: 6 KEY REASONS**

4. Involving in Key Events on July 25
   - **July 25:** Based on “guidance,” Duffey directs DOD to maintain freeze and keep it “closely held”
   - Duffey Can Answer:
     - What was the guidance Duffey received?
     - Who gave it to him?
     - Was it connected to the President’s call with Zelensky?
     - Why did he tell DOD to keep it quiet?


**BLAIR AND DUFFEY: 6 KEY REASONS**

5. Duffey Sidelined OMB Career Official and Took Over Authority to Withhold Ukraine Aid
   - **July 29:** Sandy removed from responsibility after he raises legal concerns; Duffey takes over
   - Duffey Can Answer:
     - Why did he take control of the Ukraine aid?
     - Was Sandy removed because he expressed concerns about the legality of the hold?
     - Did the White House order Duffey to assume responsibility?

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”


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.

BLAIR AND DUFFEY: 6 KEY REASONS

6 Knew the Freeze Raised Legal Concerns

- Duffey Can Answer:
  - Did he take any actions in response to DOD’s concerns?
  - Did he take direction from Blair, the White House, or President Trump?


AMB. BOLTON’S TESTIMONY IS NECESSARY

1 President’s Top National Security Aide and Now Willing to Testify
2 Direct Knowledge of President’s Scheme: Akin to “Drug Deal”
3 Expressed Concerns That Giuliani Would “Blow Everybody Up”
4 Predicted July 25 Call Would Be “Disaster” and Urged Officials to Report Concerns
5 Actively Involved In Addressing President’s Freeze On Ukraine Military Aid

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

1. President’s Top National Security Aide and Now Willing to Testify
   - 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

---


**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.

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.


AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

2 Direct Knowledge of President’s Scheme: Akin to “Drug Deal”

Hill: “Ambassador Bolton immediately stiffened... and ended the meeting.”

AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

3. Expressed Concerns That Giuliani Would “Blow Everybody Up”
   - 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”

---


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.

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.”


AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

4 Predicted July 25 Call Would Be “Disaster” and Urged Officials to Report Concerns

- 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”

AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

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

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


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”

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.’”

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

THE FRAMERS' CONSTITUTIONAL REMEDY

“When 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, unwavd and uninfluenced, the necessary impartiality between an individual accused, and the Representatives of the people, his accuser?”

THE FRAMERS’ CONSTITUTIONAL REMEDY


“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.”

HIGH CRIMES
AND MISDEMEANORS


THE IMPEACHMENT INQUIRY
INTO PRESIDENT TRUMP

PRESIDENT TRUMP’S
ABUSE OF POWER
PRESIDENT TRUMP WANTED FOREIGN ASSISTANCE
WITH HIS REELECTION CAMPAIGN


PRESIDENT TRUMP WANTED FOREIGN ASSISTANCE
WITH HIS REELECTION CAMPAIGN

“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 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.


PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE

JULY 25, 2019

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

**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.”

(Memoirandum of diplomatic conversation, page 1. Print source: Official Record, July 15, 2020)


**PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE**

Yermak Draft (August 12)

“...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.”

Giuliani-Volker-Sondland Draft (August 13)

“...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.”

**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."

*Source: White House, Memorandum of Telephone Conversation (July 25, 2019)*

---


**PRESIDENT TRUMP CONDITIONED MILITARY AID ON INVESTIGATIONS**

**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.

**SONDLAND**

***

**VOZZEI**

***

*Source: White House, Transcripts of Phone Calls*

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."


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."

PRESIDENT TRUMP’S SCHEME UNDERMINED THE NATIONAL INTEREST


PRESIDENT TRUMP’S OBSTRUCTION OF CONGRESS

ARTICLES OF IMPEACHMENT
ABUSE OF POWER


ARTICLES OF IMPEACHMENT
OBSTRUCTION OF CONGRESS

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

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

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

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


**PHONE RECORDS FROM APRIL 12, 2019**

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<td>White House Phone Number</td>
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</table>

February 2, 2017 Joint News Conference
President Putin and Prime Minister Orbán

"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


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."

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,’ Mr. Giuliani said in an interview on Thursday when asked about the parallel to the special counsel’s inquiry.


The New York Times

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

“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.”

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

I REPRESENT TRUMP AS A “PRIVATE CITIZEN”

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**RUDY GIULIANI ON TWITTER**

New Pres of Ukraine still silent on investigation of Ukrainian interference in 2016 election and alleged Biden bribery of Pres Poroshenko. Time for leadership and investigate both if you want to purge how Ukraine was abused by Hillary and Obama people.

11:04 AM · Jun 21, 2019 from Queens, NY · Twitter for iPhone

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

AP

“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.

By EUGENE BURNS August 14, 2017

James Mattis

Former Secretary of Defense

*Quote: Robert, "In Kiev, Mattis says Moscow wants to redraw borders by force." The Associated Press, August 14, 2017.*

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.

[Signature]

Jen E. Kehl, Deputy Assistant Secretary for Policy, Department of Defense; to Senator Bray's Office (May 23, 2020)


JUNE 19 EMAIL FROM MICHAEL DUFFEY TO ELAINE MCCUSKER

On Jun 19, 2019, at 6:02 PM, Duffey, Michael E. <mduffey@state.gov> wrote:

Pentagon to send $250M in weapons to Ukraine

To: Sue Bint
From: Sue Bint

The Department of Defense plans to send $250 million in military equipment to Ukraine in support of its defensive capabilities and to counter Russian aggression. The package will include up to 150 Javelin anti-tank missiles, 180 Stinger surface-to-air missiles, and other military equipment.

The additional assistance will also include medical equipment and supplies to help Ukraine address the ongoing treatment needs of the Nävangkas. The additional medical assistance will help Ukraine address the ongoing treatment needs of the Nävangkas. This assistance is critical in supporting Ukraine's defense capabilities and in countering Russian aggression.

**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 about the president was willing to pay to carry out his agenda.

By Eric Lipton, Maggie Haberman and Mark Mazzetti

*Published Dec. 26, 2019 - Updated Jan. 14, 2020*

“T’im 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?”

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**DUFFEY EMAIL**

**JULY 25, 2019**

From: Duffey, Michael P. (Michael.P.Duffey)

Sent: 7/25/2019 9:04:40 PM

To: David Morrell, Sandy A. Vavrin (Sandy.A.Vavrin)

Subject: Ukraine Foreign Assistance

Cc: Sandy, Mark, Office of Special Envoy

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 decision will continue.

***

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.

**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.”

---


**JULY 10, 2019**

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 Rudl and I ready to talk with him at any time. Please, let me know when you can meet. Andrey.

JULY 19, 2019, SONDLAND EMAIL

Subject: Re: I Talked to Zelensky just now

From: Gordon Sondland
To: Robert Blair, Lisa Kenna, Brian McCormack, Mick Mulvaney, Rick Perry, Mike Pompeo

Subject: I Talked to Zelensky just now
Date: July 19, 2019

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.


JULY 19, 2019

SONDLAND 6:00 PM

Looks like Potus call tomorrow. I spoke directly to Zelensky and gave him a full briefing. He’s got it.

TAYLOR

VOXER

JULY 19, 2019

SONDLAND

01:51 PM
Looks like Potus call tomorrow. I spoke 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 is for Zelensky to say that he will help investigation—and address any specific personnel issues—if there are any.


JULY 21, 2019

TANKER

4:49 AM
Gordon, one thing Kurt and I talked about yesterday was Sash Danyliuk’s point that President Zelensky is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic, reelection politics.

SONDLAND

4:49 AM
Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext. I am worried about the alternative.

**JULY 25, 2019**

Good lunch - thanks. Heard from White House. I think 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

---


**WITNESS TESTIMONY CONFIRMS A QUID PRO QUO**

"...the meeting President Zelensky wanted was conditioned on investigations of Burisma and alleged Ukrainian influence in the 2016 elections..."

**IMD. TAYLOR**

"It was made clear that some action on a Burisma/Biden investigation was a precondition for an Oval Office visit."

**MR. ROLINS**

"There seems to be an awful lot of people involved in, you know, basically turning a White House meeting into some kind of asset” that was “dangled out to the Ukrainian Government.”

**DR. BILL**

**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”


**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.*"

PRESIDENT TRUMP’S
JULY 25 PHONE CALL
WITH PRESIDENT ZELENSKY


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.”

TRUMP-ZELENSKY CALL RECORD
JULY 25, 2019

“\text{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.}”


TRUMP-ZELENSKY CALL RECORD
JULY 25, 2019

“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 \text{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.”}

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


TRUMP-ZELENSKY CALL RECORD
JULY 25, 2019

“...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.”

**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.”

---


**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 John Harwood, 10/15/2019 06:34 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.

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.”


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.”

TRUMP-ZELENSKY CALL RECORD
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."


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.

**TESTIMONY OF MS. WILLIAMS**

<table>
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<th>Jennifer Williams Deposition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Q:</strong> Okay. During the July 25 call, did you have any concerns about the conversation that you heard between President Trump and President Selensky?</td>
</tr>
<tr>
<td><strong>A:</strong> I certainly noted that the mention of these specific investigations seemed unusual as compared to other discussions with foreign leaders.</td>
</tr>
<tr>
<td><strong>Q:</strong> And why were they unusual?</td>
</tr>
<tr>
<td><strong>A:</strong> I believed those references to be <a href="#">more political in nature</a> and so that struck me as unusual.</td>
</tr>
<tr>
<td><strong>A:</strong> I guess for me it shed some light on possible other motivations behind a security assistance hold.</td>
</tr>
</tbody>
</table>

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**JULY 26, 2019**

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

I will arrive on Aug 1 and until 5
Thank you

AUGUST 7, 2019

12:52 PM

Hi Rudy—hope you made it back safely. Let’s meet if you are coming to DC. And would be good if you could convey results of your meeting in Madrid to the boss so we can get a firm date for a visit.

VERMAS

1:04 PM

VOLKER


AUGUST 7, 2019

1:03 PM

Hi Kurt. How are you? Do you have some news about White House meeting date?

VERMAS

1:04 PM

Not yet—I tested Rudy earlier to make sure he weighs in following your meeting. Gordon should be speaking with the president on Friday. We are pressing this...

**AUGUST 9, 2019**

Hi Mr. Mayor! Had a good chat with Yermak last night. He was pleased with your phone call. Mentioned making a statement. Can we all get on the phone to make sure I advise correctly as to what he should be saying? Want to make sure we get this done right. Thanks!


**AUGUST 9, 2019**

Hi Andrey—We have all consulted here, including with Rudy. Can you do a call later today or tomorrow your afternoon time?

I have a call sched at 3 pm Eastern for the three of us. Ops will call.

*AUGUST 9, 2019*

Morrison ready to get dates as soon as Yermak confirms.

**EXCELLENT!! HOW DID YOU SWAY HIM?**

Not sure I did, I think potus really wants the deliverable

But does he know that?

**YEP,**

Clearly lots of convos going on

OK—then that’s good it’s coming from two separate sources

---


*AUGUST 9, 2019*

5:51 PM

To avoid misunderstandings, might be helpful to ask Andrey for a draft statement (embargoed) so that we can see exactly what they propose to cover. Even though Ze does a liver presser they can still summarize in a brief statement. Thoughts?

**AGREE!**

AUGUST 10, 2019

I think it’s possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logical 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.


AUGUST 10, 2019

Excellent.

Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of the US-UKRAINE relationship, including, among other things, Burisma and election meddling in investigations.

AUGUST 11, 2019

Hi Rudy — we have heard bck [sic] from Andrey again — they are writing the statement now and will send to us. Can you talk for 5 min before noon today?


DEPOSITION OF GEORGE KENT

George Kent Testimony

[I]f you’re asking me have we ever gone to the Ukrainians and asked them to investigate or prosecute individuals for political reasons, the answer is, I hope we haven’t, and we shouldn’t because that goes against everything that we are trying to promote in post-Soviet states for the last 28 years, which is promotion of the rule of law.

SEPTEMBER 1, 2019

Taylor:
12:00 PM
Are we now saying that security assistance and WH meeting are conditioned on investigations?

Sondland:
1:42 PM
Call me.


The Washington Post

Trump tries to force Ukraine to meddle in the 2020 election

By Editorial Board
September 5, 2019 at 7:31 p.m. EDT

But we’re reliably told that the president has a second and more venal agenda: He is attempting to force Mr. Zelensky to intervene in the 2020 U.S. presidential election by launching an investigation of the leading Democratic candidate, Joe Biden. Mr. Trump is not just soliciting Ukraine’s help with his presidential campaign; he is using U.S. military aid the country desperately needs in an attempt to extort it.


**DEPOSITION OF TAYLOR**

"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.”


**SEPTEMBER 9, 2019**

- **TAYLOR**: 12:21 AM
  The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already stolen their trust in us. Thus my nightmare scenario.

- **SONDLAND**: 12:27 AM
  Bill, I never said I was “right”. I said we are where we are and believe we have identified the best pathway forward. Let’s 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.

SEPTEMBER 9, 2019

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.

SONDLAND

6:19 AM

Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear: no quid pro quo's of any kind. The President is trying to evaluate whether Ukraine is truly going to adopt the transparency and reforms that President Zelensky promised during his campaign. I suggest we stop the back and forth by text. If you still have concerns, I recommend you give Lisa Kenna or S a call to discuss them directly. Thanks


SONDLAND’S EXECUTED DECLARATION

DECLARATION OF AMBASSADOR GORDON B. SONDLAND

7. Finally, as of this writing, I cannot specifically recall if I had one or two phone calls with President Trump in the September 6-9 time frame. Despite repeated requests to the White House and the State Department, I have not been granted access to all of the phone records, and I would like to review those phone records, along with any notes and other documents that may exist, to determine if I can provide more complete testimony to assist Congress. However, although I have no specific recollection of phone calls during this period with Ambassador Taylor or Mr. Morrison, I have no reason to question the substance of their recollection about my September 1 conversation with Mr. Yermak.

**DEPOSITION OF AMBASSADOR SONDLAND**

**SONDLAND:** “He said: I want nothing. I want no quid pro quo. I want Zelensky to do the right thing.

And I said: What does that mean?

And he said: I want him to do what he ran on.”


**PRESIDENT’S SCHEME EXPOSED**

Public Scrutiny Of President Trump’s Hold
On Military Assistance For Ukraine

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.


SENATORS MURPHY AND JOHNSON ON RELEASING THE AID

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

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

Chairman Edward J. Markey, Permanent Select Committee on Foreign Intelligence; Chairman Mark Warner, Permanent Select Committee on Intelligence; and Ranking Members Devin Nunes, Permanent Select Committee on Intelligence, November 10, 2019.

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

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, according to the three people familiar with the matter who spoke on the condition of anonymity to discuss internal White House deliberations.


Donald Trump on Twitter

As President I have an obligation to end CORRUPTION, even if that means requesting the help of a foreign country or countries. It is done all the time. This has NOTHING to do with politics or a political campaign against the Bidens. This does have to do with their corruption!

5:16 AM - 4 Oct 2019

The New York Times

**Giuliani, Facing Scrutiny, Travels to Europe to Interview Ukrainians**

By Noam P. Kravt and Rukmini Callimahos

November 12, 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.


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

[Letter content]

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 13th or Tuesday, May 14th. 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,

[Signature]

[CO: Arsen Avakov, Minister of Internal Affairs]
SLIDES 229–378
[166 CONG. REC. S488–527 (DAILY ED. JAN. 23, 2020)]


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**PRESIDENT TRUMP COMMITTED IMPEACHABLE OFFENSES**

- **Article I: Abuse Of Power**
- **Article II: Obstruction Of Congress**
- **Legal Experts Unanimously Agree:**
  - **Conduct Is Impeachable**

---

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

- **Professor Jonathan Turley:**

  The use of military aid for a quid pro quo to investigate one’s political opponent, if proven, can be an impeachable offense.

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


THE ABCs OF “HIGH CRIMES AND MISDEMEANORS”

A
Abuse of Power

B
Betrayal of the Nation, Particularly Through Foreign Entanglements

C
Corruption, Particularly Corruption of Elections

ALEXANDER HAMILTON’S LETTER TO GEORGE WASHINGTON, 1972

“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.”


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.”

![Diagram for "Other High Crimes and Misdemeanors" showing three categories: Serious Abuse of Power, Betrayal of the National Interest Through Foreign Entanglements, and Corruption of Office and Elections.]


![Diagram for "Two Categories of Impeachable Abuses of Power" showing Forbidden Acts and Corrupt Motives. Forbidden Acts: Use of official power grossly exceeds constitutional or legal authority. Corrupt Motives: Use of official power for improper personal benefit, while ignoring or injuring the national interest.]

**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.


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

President Andrew Johnson

[Image of Andrew Johnson and the Resolution to Impeach, adopted February 24, 1868]

**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.

---


**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

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


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 case. 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)

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.

"OTHER HIGH CRIMES AND MISDEMEANORS"

1. Serious Abuse Of Power
2. Betrayal Of the National Interest Through Foreign Entanglements
3. Corruption Of Office And Elections


LETTER FROM JOHN ADAMS TO THOMAS JEFFERSON
BETRAYAL OF THE NATIONAL INTEREST

“You are apprehensive of foreign Interference, Intrigue, Influence. So am I.—But, as often as Elections happen, the danger of foreign Influence recurs.”

Letter from John Adams to Thomas Jefferson, December 9, 1797.

“OTHER HIGH CRIMES AND MISDEMEANORS”

1. Serious Abuse Of Power
2. Betrayal Of the National Interest Through Foreign Entanglements
3. Corruption Of Office And Elections


THE CRIMINALITY ISSUE

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.”

“[I]t is clear that 'high crimes and misdemeanors' can encompass non-criminal conduct.

“[I]mpeachment does encompass non-crimes, including abuse of power[.]”

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


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

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


ARTICLE I: PRESIDENT TRUMP’S ABUSE OF POWER

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

**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


**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”
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

PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE


PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE

Investigate Biden:

“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”

Investigate 2016 Election:

“I would like you to find out what happened with this whole situation with Ukraine, they say Crowdstrike... 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”

PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE

"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."


DEPOSITION OF GEORGE KENT

George Kent Testimony

"[A] typical Ukraine prosecutor who lived a lifestyle far in excess of his government salary, who never prosecuted anybody known for having committed a crime,” and “covered up crimes that were known to have been committed.”


WITNESSES AGREE BIDEN ACTED IN ACCORDANCE WITH OFFICIAL U.S. POLICY

GEORGE KENT  AMB. VOLKER  JENNIFER WILLIAMS  DAVID HOLMES

LT. COL. VINDMAN  DR. FIONA HILL  AMB. YOVANYOVITCH


UKRAINIAN PROSECUTOR ADMITTED HUNTER BIDEN NOT INVOLVED IN WRONGDOING

“Biden was definitely not involved” in wrongdoing at Burisma. “We do not have any grounds to think that there was any wrongdoing starting from 2014.”

LUTSENKO

**False Claim**
Biden Removed Ukraine Prosecutor to Protect His Son

- Biden Allegations: Late 2015 to Early 2016
- President Trump Supported Ukraine in 2017 and 2018
- What Changed in 2019?
  - 2019: Biden Announces Presidential Campaign


**Biden Leads Trump in National Polls**

PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION

False Claim - Biden Removed Ukraine Prosecutor to Protect His Son

What Changed in 2019?
- Late 2015/Early 2016: Biden Removes Prosecutor
- 2017 and 2018: President Supports Ukraine
- March 2019: Biden Beating President In Polls
- April 2019: Biden Announces Candidacy
- May 2019: Mr. Giuliani: Investigate Biden
- July 25, 2019: President To Ukraine: Investigate Biden


PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION

False Claim - Ukraine Interfered in the 2016 Election

- Russia Attacked Our Elections And Then Blamed Ukraine
- No Witness Supports Allegation
- President Trump’s Advisors Told Him Allegation Was False

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

"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."

---


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

<table>
<thead>
<tr>
<th>False Claim</th>
<th>Ukraine Interfered in the 2016 Election</th>
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<tr>
<td></td>
<td>Unanimous Conclusion: <strong>Russia</strong></td>
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<td></td>
<td>Attacked Our 2016 Election, <strong>Not</strong></td>
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<td></td>
<td><strong>Ukraine</strong></td>
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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.”


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.”

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.”


PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION

False Claim

Ukraine Interfered in the 2016 Election

› Allegation Promoted by Russia to Deflect Blame From Their Attacks

President Trump Demanded an Investigation Solely to Benefit His 2020 Reelection

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<tr>
<th>False Claim</th>
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<td></td>
<td>President Trump’s Own Advisors Told Him Allegation Was False</td>
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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

INVESTIGATIONS SOLELY FOR PRESIDENT’S PERSONAL GAIN

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”
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


PRESIDENT TRUMP ONLY CARED ABOUT ANNOUNCEMENT OF INVESTIGATIONS

* Get Zalensky to Announce that the Biden Case will be Investigated

* Speak to Zalensky without (known) Keatinge


PRESIDENT GEORGE W. BUSH

http://www.senate.gov/chamberimages_service/00798d4.jpg


PRESIDENT BARACK OBAMA

http://wwwSeleccione.com/2011/05/09/obama-resumes-obama-trial-foreign-call/

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.


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.”

The New York Times

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

“He basically knows what I’m doing, sure, as his lawyer.”

“My only client is the president of the United States,” he said. “He’s the one I have an obligation to report to, tell him what happened.”


2018 UNITED STATES NATIONAL DEFENSE STRATEGY

Department of Defense

“The alliance will deter Russian adventurism.”

GENERAL McMASTERS 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."


PRESIDENT TRUMPS INVESTIGATIONS DIVERGED FROM U.S. NATIONAL SECURITY

"[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."

"[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"

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.”


PRESIDENT TRUMP’S TOP OFFICIALS CONTEMPORANEOUSLY REPORTED HIS CONDUCT

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<tbody>
<tr>
<td>Fiona Hill</td>
<td>Lt. Col. Vindman</td>
<td>Fiona Hill</td>
<td>Tim Morrison</td>
<td>George Kent</td>
</tr>
</tbody>
</table>

**PRESIDENT TRUMP’S DEMAND WAS “IMPROPER,” “INAPPROPRIATE,” “WRONG”**

- **HILL**
  - “It was improper, and it was inappropriate, and we said that in the time, in real-time”
- **VINDMAN**
  - “[The July 25 call] was wrong” and he had a “duty to report it”
- **TAYLOR**
  - “[H]olding up of security assistance...for no good policy reason, no good substantive reason, no good national security reason, is wrong”
- **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”


**JULY 21, 2019**

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

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.”


UKRAINE EXPRESSED CONCERNS: INVESTIGATIONS POLITICAL

ZELENSKY

“When I’m sorry, but I don’t want to be involved to democratic, open elections – elections of USA.”

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.”


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

- **False Claim**: Concerned About Corruption
  - President Trump Made Clear That “Corruption” = Political Investigations

**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

---


**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 Zelensky to congratulate him on his victory in Ukraine’s April 21 elections. The President wished him success and called the elections an important moment in Ukraine’s history, setting the peaceful and democratic momentum of the country’s process. President Trump underscored the overwhelming 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 Zelensky and the Ukrainian people to implement reforms that strengthen democracy, increase prosperity, and root out corruption.

<table>
<thead>
<tr>
<th>False Claim</th>
<th>Concerned About Corruption</th>
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<tbody>
<tr>
<td>Trump Administration:</td>
<td></td>
</tr>
<tr>
<td>President Zelensky Was Anti-Corruption</td>
<td></td>
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<tr>
<td>DOD and State Department:</td>
<td></td>
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<tr>
<td>Ukraine Passed Anti-Corruption Benchmarks</td>
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</table>


ARTICLE I: PRESIDENT TRUMP’S ABUSE OF POWER

THREE OFFICIAL ACTS

1. Soliciting Foreign Interference
2. Conditioning White House Meeting On Investigations
3. Conditioning Military Aid On Investigations

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


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

MR. GIULIANI ACTED WITH THE PRESIDENT’S KNOWLEDGE AND CONSENT

May 10, 2019

President-Elect Volodymyr Oleksandrovych Zelensky

c/o Ministry of Internal Affairs of Ukraine

Dear President-Elect Zelensky:

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 13th or Tuesday, May 14th. 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.

Sincerely,

[Signature]

W. Giuliani


The New York Times

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

By Kenneth R. Vogel

May 9, 2019

WASHINGTON — Rudolph W. Giuliani, President Trump's personal lawyer, is encouraging Ukraine to wade further into sensitive political issues in the United States, seeking to push the incoming government in Kiev to press ahead with investigations that he hopes will benefit Mr. Trump.

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.”


THE WALL STREET JOURNAL
‘Just Having Fun’: Giuliani Doubles Down on Ukraine Probes

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.

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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"

JULY 10, 2019

Thank you for 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 Rudy and I ready to talk with him at any time. Please, let me know when you can meet. Andrey.


MR. GIULIANI ACTED FOR PRESIDENT TRUMP’S PERSONAL INTERESTS TO BENEFIT HIS REELECTION

<table>
<thead>
<tr>
<th>Date</th>
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<tr>
<td>April 25</td>
<td>Biden Announces Election Bid</td>
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<td>May 9</td>
<td>NYTimes: Giuliani Traveling To Ukraine To Pursue Investigations Of “Intense Importance” to The President</td>
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<td>May 9</td>
<td>Giuliani: “Biden Will Not Get To Election Day Without This Being Investigated”</td>
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<tr>
<td>June 21</td>
<td>Giuliani To President Zelensky: Conduct Investigations</td>
</tr>
<tr>
<td>September – Present</td>
<td>Giuliani Tweets About Biden Over <strong>65</strong> Times</td>
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<tr>
<td>Oct 2</td>
<td>President: “We’ve Been Investigating, On A Personal Basis – <em>Through Rudy And Others</em>”</td>
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Giuliani And Associates Discuss Investigations With Corrupt Ukrainians


Mr. Giuliani And Associates Discuss Investigations With Corrupt Ukrainians

Yuriy Lutsenko  Ukraine Prosecutor

Viktor Shokin  Former Ukraine Prosecutor

MARCH 22, 2019

2:43 PM

LUTSENKO

It's just that if you don't make a decision about Madam— you are bringing into question all my allegations. Including about B

PARNAS


MARCH 28, 2019

3:03 PM

PARNAS

Yura[,] I was asked to personally convey to you that America supports you and will not let you be harmed no matter how things look now[,] soon everything will turn around and we'll be on the right course. Just so you know[,] here people are talking about you as a true Ukranian hero

LUTSENKO

I have copies of payments from Burisma to Seneca
### SLIDE 313


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### SLIDE 314


APRIL 23, 2019

Going to sleep my brother please text me or call me if you have any news

APRIL 23, 2019

4:42 PM
Going to sleep my brother please text me or call me if you have any news

4:50 PM
He fired her again.


APRIL 23, 2019

4:42 PM
Going to sleep my brother please text me or call me if you have any news

4:50 PM
He fired her again.

4:53 PM
I pray it happens this time I’ll call you tomorrow my brother

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.”


**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.”

The New Yorker
THE UKRAINIAN PROSECUTOR BEHIND TRUMP’S IMPEACHMENT

In a long conversation with me this past November, Giuliani largely confirmed Lutsenko’s account of their relationship. He, too, saw Yovanovitch as an obstacle, hindering his attempt to dig up dirt against his client’s rival in advance of the 2020 election. “I believed that I needed Yovanovitch out of the way,” he said. “She was going to make the investigations difficult for everybody.”


President Trump used his personal attorney to solicit foreign election interference

Rudy Giuliani
@RudyGiuliani

New Pres of Ukraine still silent on investigation of Ukrainian interference in 2016 election and alleged Biden bribery of Pres Poroshenko. Time for leadership and investigate both if you want to purge how Ukraine was abused by Hillary and Obama people.

8:04 AM · Jun 21, 2019 from Queens, NY · Twitter for iPhone

ARTICLE I:
PRESIDENT TRUMP’S ABUSE OF POWER

THREE OFFICIAL ACTS

1. Soliciting Foreign Interference
2. Conditioning White House Meeting On Investigations
3. Conditioning Military Aid On Investigations


PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE MEETING ON INVESTIGATIONS

1. Why An Oval Office Meeting Was Critical To Ukraine
2. The President’s Quid Pro Quo Scheme
3. Witnesses Confirmed The Quid Pro Quo
5. Ukraine’s Reaction Confirms Misconduct

**IMPORTANCE OF OVAL OFFICE MEETING TO UKRAINE**

<table>
<thead>
<tr>
<th>Lt. Col. Vindman Testimony</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Q:</strong> 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...?</td>
</tr>
<tr>
<td><strong>VINDMAN:</strong> Every meeting.</td>
</tr>
</tbody>
</table>


**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."

**PRESIDENT TRUMP MEETS WITH UKRAINE’S ADVERSARY:**

**TRUMP-PUTIN OSAKA MEETING ON JUNE 28, 2019**

---


**IMPORTANCE OF OVAL OFFICE MEETING TO UKRAINE JULY 25 CALL**

**ZELENSKY**

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

PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE MEETING ON INVESTIGATIONS

“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.”


AMB. SONDLAND SOLICITS PRESIDENT TRUMP’S POLITICAL INVESTIGATIONS
JULY 10, 2019

[Images of various individuals engaged in political activities]
### SLIDE 329

**JULY 13, 2019**

**Exhibit 1 — Saturday, July 13, 2019**

<table>
<thead>
<tr>
<th>Email</th>
<th>Timothy Morrison and Gordon Sondland</th>
</tr>
</thead>
</table>

**Subject:** Re: Three Items

5:11 Gordon Sondland: Tim,

Three items for you:

1. Need to get an Oval visit for President Iohannis (RO) exp. 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 lasted and me to come to Bucharest to brief him which we will likely take him up on.

2. The call between Zelensky and Potus should happen before 7/21. (Parliamentary Elections) Sole purpose is for Zelensky to give Potus assurances of "new sheriff" in town. Corruption ending, unbundling moving forward and any hampered investigations will be allowed to move forward transparently. Goal is for Potus to invite him to Oval. Volker, Perry, Bolton and I strongly recommend.

3. Need a pointer that is 1/3N/1. Can we have a 5 min call this week? I think I will see you Friday with J kernels when you come to Brussels. Congrats on the new gig!

19:47 Timothy Morrison: Thank you. Tracking 1 and 2. Do you want to try Monday for secure call? Might be able to call from D.C. plane on Tuesday or from the Geneva Mission on Wednesday.

### SLIDE 330

**JULY 19, 2019**

8:50 PM

Looks like Potus call tomorrow. I spike [sic] directly to Zelensky and gave him a full briefing. He’s got it.

7:01 PM

Good. Had breakfast with Rudy this morning-teeing up call w Yermak Monday. Must have helped. Most imp is for Zelensky to say that he will help investigation—and address any specific personnel issues—if there are any.

**JULY 19, 2019**

**Exhibit 4 – Friday, July 19, 2019**

<table>
<thead>
<tr>
<th>Email</th>
<th>Subject: Re: I talked to Zelensky just now</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Blair,</td>
<td>15:28 Gordon Sondland: 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.</td>
</tr>
<tr>
<td>Lisa Kenna,</td>
<td></td>
</tr>
<tr>
<td>Brian McCann,</td>
<td>21:30 Rick Perry (replying to McCormack and Sondland only): Mick just confirmed the call being set up for tomorrow by NSC.</td>
</tr>
<tr>
<td>Mick Mulvaney,</td>
<td></td>
</tr>
<tr>
<td>Rick Perry,</td>
<td></td>
</tr>
<tr>
<td>Mike Pompeo,</td>
<td></td>
</tr>
<tr>
<td>and,</td>
<td></td>
</tr>
<tr>
<td>Gordon Sondland</td>
<td></td>
</tr>
</tbody>
</table>


**JULY 25, 2019**

**7:54 AM**

**Missed voice call**

**7:54 AM**

**Call asap**

**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.


**JULY 25, 2019**

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

PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE MEETING ON INVESTIGATIONS 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."

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."


AUGUST 9, 2019

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!

---

VOLOKAR

***

AUGUST 9, 2019

5:51 PM

To avoid misunderstandings, might be helpful to ask Andrey for a draft statement (embargoed) so that we can see exactly what they propose to cover. Even though Ze does a liver presser they can still summarize in a brief statement. Thoughts?

5:51 PM

Agree!


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<th>Duration of Call</th>
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**EVENING OF AUGUST 8, 2019**

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<td>Giuliani, Rudy</td>
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</table>


**AUGUST 10, 2019**

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.

***

I agree with your approach. Let’s iron out statement and use that to get date and then PreZ can go forward with it.

***

AUGUST 10, 2019

5:42 PM

Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of the US-UKRAINE relationship, including, among other things, Burisma and election meddling investigations.


AUGUST 10, 2019

5:31 PM

Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, which in turn will prevent the recurrence of this problem in the future.


JULY 21, 2019

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

Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext. I am worried about the alternative.


UKRAINE’S REACTION CONFIRMS MISCONDUCT

Deputy Assistant Secretary Kent Deposition

**KENT:** I had a conversation with Chargé Taylor in which he indicated that Special Representative Volker had been engaging Andriy Yermak; that the President and his private attorney Rudy Giuliani, were interested in the initiation of investigations and that Yermak was very uncomfortable when this was raised with him, and suggested that if that were the case, if that were really the position of the United States, it should be done officially and put in writing. And I told Bill Taylor, that’s wrong, and we shouldn’t be doing that as a matter of U.S. policy.

**GOLDMAN:** What did he say?

**KENT:** He said he agreed with me.

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

**THREE OFFICIAL ACTS**

1. Soliciting Foreign Interference
2. Conditioning White House Meeting On Investigations
3. Conditioning Military Aid On Investigations


**PRESIDENT TRUMP FROZE CRITICAL MILITARY AID TO PRESSURE UKRAINE**

1. Importance of Aid to National Security
2. President Trump Directed the Hold: Unsupported, Unwarranted, Illegal
3. President Trump Directed the Hold For Corrupt Purpose: To Pursue His Reelection

RUSSIA’S MILITARY INCURSION INTO UKRAINE


U.S. AND EUROPE SANCTIONS ON RUSSIA FOR UKRAINE INCURSION

UPDATE 4-Obama warns on Crimea, orders sanctions over Russian moves in Ukraine

Japan imposes sanctions against Russia over Crimea independence

Australia imposes sanctions on Russians after annexation of Crimea from Ukraine

Ukraine crisis: U.S., EU, Canada announce new sanctions against Russia

U.S., EUROPEAN, AND CANADIAN AID TO UKRAINE

- **U.S.**: $1.5 billion in security assistance and $1.5 billion in non-military assistance
- **EU**: ~15B Euros (approx. $16.4B) in development, economic, and humanitarian assistance
- **NATO**: ~40M Euros (approx. $44M) in security assistance
- Bilateral aid:
  - Germany: $860 million
  - Canada: $573 million
  - UK: $115 million
  - France: $68 million

---


CONGRESS AUTHORIZED $391 MILLION IN SECURITY ASSISTANCE TO UKRAINE FOR FY2019

- Department of Defense: $250,000,000
- Department of State: $141,000,000*

*Of the $391 million, only $252 million was authorized and appropriated in FY 2019. The other $139 million may be obligated in FY 2019.

PRESIDENT TRUMP SIGNS BILL AUTHORIZING AID TO UKRAINE FOR FY2019


JUNE 18 DOD PRESS RELEASE
IMMEDIATE RELEASE
DOD Announces $250M to Ukraine
JUNE 18, 2019

The Department of Defense announced today plans to provide $250 million to Ukraine in security cooperation funds for additional training, equipment, and advisory efforts to build the capacity of Ukraine’s armed forces.

This reaffirms the long-standing defense relationship between the United States and Ukraine and will bring total U.S. security assistance to Ukraine to $1.5 billion since 2014.


JUNE 19 EMAIL FROM OMB TO DOD

Subject:

The President has asked about the funding for training and have been looking to follow up with someone over there to get more info. Do you have insight on this funding?

Thanks,
[Name]

Pentagon to send $250M in weapons to Ukraine

To: [Name]

The Department of Defense plans to send $250 million in military equipment to Ukraine as part of building up the country's ability to counter threats from Russia and its proxies in eastern Ukraine.

The aid will include 15 Stryker armored vehicles, 80 Humvees, 12 armored transporters, 26 armored off-road vehicles, and 54 high-mobility artillery rocket systems. The 30 medical supplies will also be included. The additional equipment was a U.S. security assistance or a donation to Ukraine, according to the Pentagon.


JUNE 27 EMAIL FROM MULVANEY TO 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 above the price he was willing to pay to carry out his agenda.

By [Author]

"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?"

**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 over the price he was willing to pay to carry out his agenda.

By Eric Lichty, Maggie Haberman and Mark Mazzetti

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

---


**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."

---

WITNESS REACTIONS TO PRESIDENT TRUMP FREEZING CRITICAL MILITARY AID TO UKARINE

“GREAT CONFUSION”
KENT

“IT WAS CRAZY”
TAYLOR

“CONCERNED”
COOPER

“SHOCKED”
HOLMES

“BLEW UP THE MEETING”
CROFT


CONSENSUS OF ADMINISTRATION OFFICIALS: UKRAINE’S MILITARY AID HAD TO BE RELEASED

Defense

State

Office of the VP

NSC

OMB

Leah
Cooper

Amb. Kurt
Volkov

Amb. Gordon
Sondland

George
Kent

Ambassador
BRI Taylor

Phillip
Reeder

David
Huels

Jennifer
Williams

Yuri
Morrison

H. Col.
Volodn

Mash
Sandy

Anonymous
Official

**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."


**PRESIDENT TRUMP PROVIDES NO EXPLANATION FOR FREEZE ON MILITARY AID**

<table>
<thead>
<tr>
<th>Name</th>
<th>Statement</th>
</tr>
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</table>
| Croft | "[The only reason given was that the order came from the direction of the President."
| Sondland | "I was never given a straight answer as to why it had been put in place to begin with."
| Holmes | "[The order had come from the President ... without further explanation."
| Hill | "No, there was no reason given."
| Kent | "I do not recall any coherent explanation."
| Sen. McConnell | "I was not given an explanation" for the hold. |

OMB MEMORANDUM SUPPORTING RELEASE OF AID

1. Consistent With National Security
2. Helps Counter Russian Aggression
3. Bipartisan Support for Aid


EMAIL FROM DUFFEY TO MCCUSKER

Exclusive: Unredacted Ukraine Documents Reveal Extent of Pentagon’s Legal Concerns

by Kate Brauning
January 2, 2020

“Clear direction from POTUS to continue to hold.”

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.


THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW

Decision

Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance

File: B-331954

Date: January 18, 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

THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW

*Decision*

**Matter of:** Office of Management and Budget—Withholding of Ukraine Security Assistance  
**File:** B-331564  
**Date:** January 19, 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."


THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW AND LIED ABOUT IT

*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 reappropriation, 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."


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”


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.”

**TRUMP-ZELENSKY CALL RECORD**

**JULY 25, 2019**

"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.


**JULY 25, 2019**

From: [Redacted]
Sent: Thursday, July 25, 2019 11:04 AM
To: [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]
Cc: Sandy, [Redacted]
Subject: Ukraine Foreign Assistance

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.

**SONDLAND EMAIL TO POMPEO**

**Subject:** Re: Zelensky

From: Gordon Sondland
To: Mike Pompeo
Date: August 22, 2019

Mike, should we block time in Warsaw for a short pull-side for Potus to meet Zelensky?

I would ask Zelensky to look him in the eye and tell him that once Ukraine’s new justice folks are in place (mid-Sept) Ze should be able to move forward publicly and with confidence on those issues of importance to Potus and to the US. Hopefully, that will break the logjam.

From: Mike Pompeo
To: Gordon Sondland

Yes.

---


**SEPTEMBER 1, 2019**

Taylor: 12:00 PM
Are everyone saying that security assistance and WH meeting are conditioned on investigations?

Sondland: 12:02 PM
Call me.

Veitch:

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. Ambs. Sondland and Taylor: Sondland’s Conversation With President Zelensky, Explaining Conversation With The President


SEPTMBER 8, 2019

12:37 PM

The nightmare is they give the interview and don’t get the security assistance. The Russians love it. (And I quit.)

SEPTEMBER 9, 2019

12:24 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. This is my nightmare scenario.

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

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. Let’s hope it works.

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


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.

9:18 AM
Bill, I believe you are incorrect about President Trump’s intentions. The President has been clear: no quid pro quo of any kind. The President is trying to evaluate whether Ukraine is truly going to adopt the transparency and reforms that President Zelensky promised during his campaign. I suggest we stop the back and forth by text. If you still have concerns, I recommend you give Lisa Koresh or I a call to discuss them directly. Thanks.

***

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”


PRESIDENT TRUMP RELEASED AID ONLY AFTER HIS SCHEME IS EXPOSED

Aug. 26  Whistleblower Complaint Transmitted To DNI
Sept. 5  WashPo: “Trump Tries To Force Ukraine To Meddle In The 2020 Election”
Sept. 9  House Announces Ukraine Investigation
Sept. 11 President Trump Releases Military Aid

(1769)

Trump tries to force Ukraine to meddle in the 2020 election

Some suspect Mr. Trump is once again catering to Mr. Putin, who is dedicated to undermining Ukrainian democracy and independence. But we've reliably told that the president has a second and more venal agenda: He is attempting to force Mr. Zelensky to intervene in the 2020 U.S. presidential election by launching an investigation of the leading Democratic candidate, Joe Biden. Mr. Trump is not just soliciting Ukraine's help with his presidential campaign; he is using U.S. military aid the country desperately needs in an attempt to extort it.


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"

CONSENSUS OF ADMINISTRATION OFFICIALS: UKRAINE’S MILITARY AID HAD TO BE RELEASED

Defense
- Lt. Col. Vindman
- Lt. Col. Wohl
- Amb. Volker
- Amb. McFaul
- Amb. Taylor
- Ambassador Kent
- Ambassador Hunto

State
- Sec. Pompeo
- Trade Rep. Lighthizer
- State Dept.

Office of the VP
- Gen. McFarland
- Rep. House
- Rep. Senate

NSC
- Maj. Gen. Milley
- Maj. Gen. Bradley

OMB
- Chief of Staff
- White House


PRESIDENT TRUMP GAVE NO EXPLANATION FOR LIFTING THE FREEZE

WILLIAMS
- Not provided any reason for Trump lifting the freeze

SANDY
- Could not recall an instance where a significant amount of assistance was being held up, and he “didn’t have a rationale for as long as I didn’t have a rationale in this case.”

VINDMAN
- Not provided any reason for Trump lifting the freeze

TAYLOR
- “I was not told the reason why the hold had been lifted.”

PRESIDENT TRUMP’S CORRUPT INTENT: POLITICALLY MOTIVATED INVESTIGATIONS

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4. No Other Legitimate Explanation
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CONTRIBUTIONS TO UKRAINE

European Union (EU)  European Bank of Reconstruction

| $16.4B | $3.7B |

Germany  United Kingdom  Canada

| $860M | $115 M | $573 M |

Concerned About Burden-Sharing with Europe

- EU Single Largest Contributor To Ukraine: €15 Billion
- Never Mentioned Burden Sharing In July Or August
- The President Never Asked EU Ambassador To Discuss Burden Sharing
- The President Told EU Ambassador That Aid Linked To Investigations
- Released Aid Without Further Contribution By Europe


Article I:
President Trump’s Abuse of Power

1. Corrupt Object Of The Scheme: Political Investigations To Benefit Reelection
2. Three Official Acts
3. Attempted Cover-Up & Exposure
4. Injury To Our Nation & Continuing Threat

**EISENBERG CONCERNED ABOUT JULY 10 MEETING**

**Fiona Hill Testimony**

Q: What was Mr. Eisenberg’s reaction to what you explained to him 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.


**TESTIMONY OF MR. MORRISON**

**Morrison Testimony**

Q: You said earlier that he indicated that the transfer of the MMCON 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.

_{The New York Times_}

**White House Knew of Whistle-Blower's Allegations Soon After Trump's Call With Ukraine Leader**

By Rachel L. Marais, Michael J. Arndt, and Omer Troup in D.C.

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.


_{The New York Times_}

**Trump Knew of Whistle-Blower Complaint When He Released Aid to Ukraine**

By Michael S.chibb, John E. Same and Maggie Haberman

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.

**POLITICO**

Trump holds up Ukraine military aid meant to confront Russia

By CAITLIN LIMBA and CONNOR C'BIROEN | 06/26/2019 06:11 PM EDT | Updated 06/27/2019 03:50 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.


**TESTIMONY OF MS. COOPER**

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.

SENATORS EXPRESS CONCERNS 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.


HOUSE FOREIGN AFFAIRS COMMITTEE EXPRESSES CONCERNS TO MULVANEY

Dear Director Mulvaney and Acting Director Yough:

We write to express our deep concern regarding reports that the Office of Management and Budget is holding up significant security assistance funding in support of Ukraine’s defense.

The Washington Post

Trump tries to force Ukraine to meddle in the 2020 election

By Editorial Board
September 5, 2019 at 7:31 p.m. EDT

Ukrainian democracy and independence. But we’re reliably told that the president has a second and more venal agenda: He is attempting to force Mr. Zelensky to intervene in the 2020 U.S. presidential election by launching an investigation of the leading Democratic candidate, Joe Biden. Mr. Trump is not just soliciting Ukraine’s help with his presidential campaign; he is using U.S. military aid the country desperately needs in an attempt to extort it.


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.)

**THREE COMMITTEES PRESS RELEASE**

Press Releases

Three House Committees Launch Wide-Ranging Investigation into Trump-Giuliani Ukraine Scheme

Ingle, 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, the President and his personal attorney, Rudy Giuliani, 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.

LETTER FROM HPSCI TO ADNI MAGUIRE – SEPTEMBER 10

We do not know whether this decision to withhold the disclosure was made only by you, or whether it involved interference by other parties, including the White House. The Committee’s recent experience has heightened concern of improper White House efforts to influence your office and the Intelligence Community. The failure to transmit to the Committee an urgent and credible whistleblower complaint, as required by law, raises the prospect that an urgent matter of a serious nature is being purposefully concealed from the Committee.


TESTIMONY OF DAVID HOLMES

David Holmes Hearing

“I think [the Ukrainians are] being very careful. They still need us now going forward. In fact, right now, President Zelensky is trying to arrange a summit meeting with President Putin in the coming weeks, his first face to face meeting with him to try to advance the peace process.”

<table>
<thead>
<tr>
<th>TESTIMONY OF DAVID HOLMES</th>
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<td>David Holmes Hearing</td>
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“He needs our support. He needs – he needs President Putin to understand that America supports Zelensky at the highest levels. So this—this is—doesn’t end with the lifting of the security assistance hold. Ukraine still needs us, and as I said, still fighting this war this very day”


PRESIDENT TRUMP’S MISCONDUCT HARMED OUR NATION

**PRESIDENT TRUMP’S MISCONDUCT HAS GRAVE CONSEQUENCES FOR OUR COUNTRY**

1. Harmed National Security
2. Endangered Our Elections
3. Ongoing Offenses Continue To Threaten Our Democracy


**PRESIDENT TRUMP’S MISCONDUCT HARMED OUR NATIONAL SECURITY**

1. Emboldened Our Adversary and Threatened Global Security
2. Diminished U.S. Credibility With Our Allies
3. Undermined U.S. Efforts to Combat Corruption and Promote Rule Of Law

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...”


“WE ARE ALL UKRAINIANS.” - SEN. MCCAIN

PRESIDENT TRUMP’S ACTIONS HARMED OUR NATIONAL INTERESTS

1. Injury To National Security
2. Endangered Our Elections
3. Ongoing Offenses Harm U.S.
4. Upends Constitutional Principles


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

**PRESIDENT TRUMP’S PATTERN OF BEHAVIOR FORESHADOWS FUTURE HARM**

1. Russia’s Plot is Ongoing
2. President Trump Refuses To Concern Russian Attacks
3. President Trump’s Pattern Foreshadows Misconduct
4. President Trump’s Ongoing Offense Leaves Our Elections Vulnerable


**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*

President Trump’s Unprecedented Obstruction

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<tr>
<th>COMPREHENSIVE</th>
<th>APPLIED TO THE ENTIRE EXECUTIVE BRANCH</th>
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<tr>
<td>CATEGORICAL</td>
<td>PROHIBITED ALL COOPERATION</td>
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<tr>
<td>INDISCRIMINATE</td>
<td>NO CASE-BY-CASE CONSIDERATION</td>
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<td>NO NEGOTIATION</td>
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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

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


PRESIDENT TRUMP CONSPIRED TO CONCEAL EVIDENCE

- Refused to turn over whistleblower complaint
- Issued a blanket order banning all cooperation
- Publicly attacked key witnesses

PRESIDENT TRUMP'S COVER-UP BEGAN EARLY

- JULY 25TH CALL RECORD PLACED ON HIGHLY CLASSIFIED COMPUTER SYSTEM
- INITIALLY KEPT FREEZE CONFIDENTIAL
- UNLAWFULLY WITHHELD WHISTLEBLOWER COMPLAINT FROM CONGRESS


PRESIDENT TRUMP PUBLICLY ATTACKED THE HOUSE INVESTIGATION

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...

“President Trump cannot permit his Administration to participate in this partisan inquiry under these circumstances”


PRESIDENT TRUMP BLOCKED OVER 70 DOCUMENT REQUESTS

- White House
- Office of the Vice President
- Office of Management and Budget
- Department of State
- Department of Defense
- Department of Energy

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<td>OFFICE OF MANAGEMENT AND BUDGET</td>
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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.”


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.”

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.


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"

PRESIDENT TRUMP ORDERED SENIOR OMB OFFICIALS TO DEFY SUBPOENAS

Acting Director Russell Vought
Associate Director Michael Duffey
Associate Director Brian McCormack


OMB FOLLOWED PRESIDENT TRUMP’S ORDER AND REFUSED TO TESTIFY

This letter is in response to your October 25, 2019, subpoenas to Acting Director Russell Vought and Associate Director Michael Duffey and your November 1, 2019, subpoena to Associate Director Brian McCormack compelling their appearances for depositions. The Office of Management and Budget (OMB) reasserts its position that, as directed by the White House Counsel’s October 8, 2019, letter, OMB will not participate in this partisan and unfair impeachment inquiry.

Thursday’s resolution only formalized a process that lacks basic due process protections and the ability to protect executive privilege.

---

**OMB ADMITTED KEY FACTS**

1. Oct. 8th 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

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**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 quod
- President Trump directly blocked his testimony

**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 confidentiality 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 ...”


**ROBERT B. BLAIR**

Assistant to the President and Senior Advisor to the Chief of Staff, The White House

**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..."


**JOHN A. EIENBERG**

- **Head Attorney on President Trump’s National Security Council**
- **Deputy Counsel to the President for National Security Affairs**

PRESIDENT TRUMP FORCED NSC ATTORNEY JOHN EISENBERG TO DEFY A LAWFUL SUBPOENA

JOHN A. EISENBERG
Deputy Counsel to the President and NSC Legal Advisor

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..."


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 adviser 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.


WITNESSES WHO DEFIED PRESIDENT TRUMP’S ORDERS AND TESTIFIED

Ambassador Marie Yovanovitch
Ambassador Gordon Sondland
Deputy Assistant Secretary of State David Hale
Deputy Assistant Secretary of State David Musto
Deputy Assistant Secretary of defense Laura Cooper
Deputy Associate Director of OMB Mark Sandy
State Department official Catherine Croft
State Department official Christopher Anderson


PRESIDENT TRUMP’S EFFORTS TO INTIMIDATE WITNESSES

“The whistleblower is not a whistleblower. He’s a fake.”

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


PRESIDENT TRUMP PUBLICLY ATTACKED YOVANOVITCH DURING HER TESTIMONY

Donald J. Trump @realDonaldTrump

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 – 13 Nov 2019

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


PRESIDENT TRUMP’S ATTACKS ON THE WHISTLEBLOWER

“The whistleblower is not a whistleblower. He’s a fake.”

PRESIDENT TRUMP’S ATTACKS ON ACTIVE DUTY MILITARY AND VETERANS


- CATEGORICAL STONEWALLING CONSTITUTES OBSTRUCTION OF CONGRESS
- OBSTRUCTION OF CONGRESS WARRANTS REMOVAL FROM OFFICE

THE FRAMERS V. DONALD TRUMP

GEORGE MASON

“Shall any man be above justice?”

PRESIDENT TRUMP

“I have the right to do whatever I want as President”


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.”

PRESIDENTS NIXON & TRUMP

PRESIDENT NIXON
- Allowed White House officials to testify
- Allowed senior Executive Branch officials to testify
- Allowed Executive Branch agencies to turn over documents
- Turned over many of his own White House documents

PRESIDENT TRUMP
- Prohibited all testimony
- Concealed all documents


ARTICLE I OF THE CONSTITUTION

“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.”

“Each House may determine the Rules of its Proceedings”

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.”

[Image: United States 179] (1964)


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.”

[Image: Judge Jackson] (1964)

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


PRESIDENTS’ COMPLIANCE WITH CONGRESSIONAL SUBPOENAS

President Reagan – Iran-Contra
- Testimony by former National Security Advisor
- Testimony by former Assistant to the President
- Reagan produced excerpts of his personal diaries

President Obama – Benghazi Investigation
- Testimony by National Security Advisor and her Deputy
- Produced over 75,000 pages of documents
- Including 1,450 pages of White House e-mails

President Clinton
- Testimony by Chief of Staff and White House counsel

President Trump
- No Testimony
- No Documents

**ARTICLE I OF THE CONSTITUTION**

"The House of Representatives ... shall have the sole Power of Impeachment."

---


**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."

**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.”


**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.”

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.”


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.”

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.”


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.”
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."

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.

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."


JUDGE SIRICA ON IMPEACHMENT

"It 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."

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.”


CHRONOLOGY OF SUBPOENA ENFORCEMENT LAWSUITS

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<thead>
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<th>Judiciary Committee v. Miers</th>
<th>Oversight Committee v. Holder</th>
<th>Judiciary Committee v. McGahn</th>
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<td>Lawsuit: August 2019</td>
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<tr>
<td>Testimony: June 2009</td>
<td>Documents: August 2014</td>
<td>Testimony: ???</td>
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</table>

**PROFESSOR FRANK O. BOWMAN, III**

"Without the power to compel compliance with subpoenas and the concomitant right to impeach a president for refusal to comply, the impeachment power would be nullified."

*From E. Richman, D. High: Cheney & Miranda: the politics of impeachment for the Age of Trump, at 219 (2018).*


**IMPEACHMENT OF PRESIDENT RICHARD NIXON**

"The doctrine of separation of powers cannot justify the withholding of information from an impeachment inquiry."


**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."


**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

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. In fact, your transparent rush to judgment, lack of democratically accountable


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.”

**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


**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.”

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."


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.

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.”


GERHARDT TESTIMONY

“The power to impeach includes the power to investigate, but, if the president can stymy 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.”

The President:
Germany does almost nothing for you. Angela Merkel she talks Ukraine, but she doesn’t do anything. A lot of the European countries are the same way.

President Trump’s July 25 Call with Ukrainian President Zelenskyy
July 25, 2019


[SNIP] President Zelenskyy:
I did talk to Angela Merkel, talked with Macron. They are not working as much as they should work for Ukraine. Technically the United States is a much bigger partner than the European Union.

President Trump’s July 25 Call with Ukrainian President Zelenskyy
July 25, 2019

The call transcript shows **NO LINK** between investigations and security assistance or a presidential meeting.

---


Ukrainians **REPEATEDLY** have said there was **NO QUID PRO QUO**, and they felt **NO PRESSURE**.

Ukraine *did not know* security assistance was paused until more than a month after the call.


*None* of the Democrats’ witnesses say President Trump linked investigations to security assistance or a meeting.

Ukraine announced no investigations and **STILL RECEIVED** security assistance and a presidential meeting.


President Trump **STRENGTHENED** U.S. support for Ukraine.

The President: I heard you had a prosecutor who was very good and he was shut down and you had some very bad people involved.

President Trump's July 25 Call with Ukrainian President Zelenskyy
JULY 25, 2019


President Zelenskyy:
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.

President Trump's July 25 Call with Ukrainian President Zelenskyy
JULY 25, 2019

**Q:** The foreign aid that was -- has been reported as being held up, it doesn’t relate to Javelins, does it?

**A:** No. At least I’m not aware that it does.


“I heard nothing wrong or improper on the call.
I HAD AND HAVE NO CONCERNS.”

LIEUTENANT GENERAL KELLOGG
NATIONAL SECURITY ADVISOR TO THE VICE PRESIDENT

“[Ms. Williams] never reported ANY PERSONAL OR PROFESSIONAL CONCERNS to me, her direct supervisor, regarding the call.”

LIEUTENANT GENERAL KELLOGG
NATIONAL SECURITY ADVISOR TO THE VICE PRESIDENT


Tim Morrison | October 31, 2019

Q: And in your view, there was nothing improper that occurred during the call?

A: Correct.

“No, you heard that **WE HAD GOOD PHONE CALL. IT WAS NORMAL**, we spoke about many things I think, and **YOU READ IT, THAT NOBODY PUSHED ME**.”

UKRAINIAN PRESIDENT ZELENSKY
JULY 25, 2019 CALL WITH PRESIDENT TRUMP


“**We never had that feeling,”** he says. **“We had a clear understanding that the aid has been frozen. We honestly said, ‘Okay, that’s bad, what’s going on here?’ We were told that they would figure it out. And after a certain amount of time the aid was unfrozen. **WE DID NOT HAVE THE FEELING THAT THIS AID WAS CONNECTED TO ANY ONE SPECIFIC ISSUE.”**

TIME
DECEMBER 10, 2019

Top Ukraine Official Andriy Yermak Casts Doubt on Key Impeachment Testimony

“President Donald Trump asked his national security team to review the funding program, known as the Ukraine Security Assistance Initiative, **IN ORDER TO ENSURE THE MONEY IS BEING USED IN THE BEST INTEREST OF THE UNITED STATES.**


**Text Message from Yermak to Volker**

Andrey Yermak:

Need to talk with you

2:28 AM

https://www.politico.com/story/2019/08/28/trump-ukr...

Kurt Volker:

Hi Andrey - absolutely. When is good for you?

3:06 AM

6:35 AM

Laura Cooper | November 20, 2019

“...the only meeting where I recall a Ukrainian official raising the issue [of security assistance] with me is on September 5th at the Ukrainian Independence Day celebration.”


PRESIDENT TRUMP
August 31, 2019

“No way. I WOULD NEVER DO THAT. Who told you that?”

Senator Johnson’s letter to ranking members

October 18, 2019

Although the Committees' subpoena transmittal letter states that the subpoena has issued "[p]ursuant to the House of Representatives' impeachment inquiry," the House has not authorized your committees to conduct any such inquiry or to subpoena information in furtherance of it.

White House Counsel Letter to House Democrats


February 6, 1974 Statement of Rep. Rodino

Chairman of the House Judiciary Committee

“Such a resolution has ALWAYS been passed by the House. . . . It is a NECESSARY STEP if we are to meet our obligations.”

THREE WHITE HOUSE INVITATIONS

APRIL 21
Call with Ukrainian President Zelensky

When you’re settled in and ready, I’d like to invite you to the White House.

MAY 29
Letter to Ukrainian President Zelensky

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.

JULY 25
Call with Ukrainian President Zelensky

Whenever you would like to come to the White House, feel free to call.


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

ARTICLE ONE
SECTION 3

“The Senate shall have the sole Power to try all impeachments. When sitting for that Purpose, they shall be
ON OATH OR AFFIRMATION.”

CONSTITUTION OF THE UNITED STATES


“The context of this statute is acrid with the SMELL OF THREATENED IMPEACHMENT.”

JUSTICE ANTONIN SCALIA
MORRISON V. OLSON (1989)

BIPARTISAN

HOUSE VOTE TO AUTHORIZE THE NIXON IMPEACHMENT INQUIRY

410: 4

IN FAVOR AGAINST


The call transcript shows NO LINK between investigations and security assistance or a presidential meeting.

Ukrainians **REPEATEDLY** have said there was **NO QUID PRO QUO**, and they felt **NO PRESSURE**.


Ukraine **DID NOT KNOW** security assistance was paused until more than a month after the call.

**NONE** of the Democrats’ witnesses say President Trump linked investigations to security assistance or a meeting.


Ukraine announced no investigations and **STILL RECEIVED** security assistance and a presidential meeting.

President Trump STRENGTHENED U.S. support for Ukraine.


Fiona Hill | OCTOBER 14, 2019

“I think the President has actually quite publicly said that he was very skeptical about corruption in Ukraine. And, in fact, he’s not alone, because everyone has expressed great concerns about corruption in Ukraine.”

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.


"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

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.”


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.”

**THREE WHITE HOUSE INVITATIONS**

- **APRIL 21**
  Call with Ukrainian President Zelensky
  *When you’re settled in and ready, I’d like to invite you to the White House.*

- **MAY 29**
  Letter to Ukrainian President Zelensky
  *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.*

- **JULY 25**
  Call with Ukrainian President Zelensky
  *Whenever you would like to come to the White House, feel free to call.*


**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..."

Fiona Hill | OCTOBER 14, 2019

“...it wasn't always a White House meeting per se, but definitely a Presidential-level, you know, meeting with Zelensky and the President. I mean, it could've taken place in Poland...”


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

**Gordon Sondland** | OCTOBER 17, 2019

“Well, all I can do is repeat to you what I heard through Ambassador Volker from Giuliani.”

---


**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...

**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.

---


**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.

**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.


**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.

"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 . . .**"


"According to Giuliani, his unpaid Ukrainian work for Trump **BEGAN IN NOVEMBER 2018**, when he said he was approached by an American investigator . . . ."

“Giuliani’s role in Ukraine can be traced back to **November 2018**, when he was contacted by someone he describes as a ‘well-known investigator’ . . . .”


“To issue a valid subpoena, . . . a committee or subcommittee **MUST CONFORM strictly** to the resolution establishing its investigatory powers . . . .”

*Exxon Corp. v. FTC*, 589 F.2d 583, 592 (D.C. Cir. 1978)*

February 6, 1974 Statement of Rep. Rodino
CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE

“Such a resolution has ALWAYS been passed by the House. .... It is a NECESSARY STEP if we are to meet our obligations.”


OCTOBER 15, 2019

“Absent a delegation by a House Rule or a resolution of the House, NONE OF YOUR COMMITTEES HAS BEEN DELEGATED JURISDICTION to conduct an investigation pursuant to the impeachment power under ARTICLE I, SECTION 2 of the Constitution.”

WHITE HOUSE OFFICE OF MANAGEMENT AND BUDGET LETTER TO CHAIRMAN SCHIFF


“To punish a person because he has done what the law plainly allows him to do is a due process violation of the most basic sort, and for an agent of the State to pursue a course of action whose objective is TO PENALIZE A PERSON'S RELIANCE ON HIS LEGAL RIGHTS IS PATENTLY UNCONSTITUTIONAL.”

BORDENKIRCHER V. HAYES, 434 U.S. 357, 362 (1978)


“But the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachment of the others.”

JAMES MADISON
FEDERAL CONVENTION
WASHINGTON, 1787
NEW CONSTITUTION
FEDERAL CONV.
SEPTEMBER 1787
HAMilton, MADISON

| House Democrat Trial Memorandum |

“These theories were **BASELESS**. […] There was no factual basis for **EITHER INVESTIGATION**.”


**Kurt Volker | OCTOBER 3, 2019**

“…very bad reputation as a company for **CORRUPTION AND MONEY LAUNDERING**.”

Who are Hunter Biden’s Ukrainian bosses?

“The appointment of Joe Biden’s son to the board of Ukrainian gas firm Burisma has raised eyebrows the world over.“


Biden’s Son, Polish Ex-President Quietly Sign On To Ukrainian Gas Company

“The move raises questions about a potential conflict of interest for Joe Biden...”

Chris Heinz Email to the State Department

From: Chris Heinz
Sent: Tuesday, May 13, 2014 5:54 PM
To: Summers, Matt; SummersMR@state.gov; Wade, David E; WadeDE@state.gov
Subject: Ukraine

Apparently Devon and Hunter both joined the board of Burisma and a press release went out today. I can’t to speak why they decided to, but there was no investment by our firm in their company.


Hunter Biden's New Job at a Ukrainian gas company is a problem for U.S. soft power

"The appointment of the Vice President's son to a Ukrainian oil board looks NEPOTISTIC AT BEST, NEFARIOUS AT WORST."


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**Burisma Holdings' Press Release**

**MAY 22, 2018**

**R. HUNTER BIDEN WILL BE IN CHARGE OF THE HOLDINGS' LEGAL UNIT** and will provide support for the Company among international organizations.

---

**Statement by Hunter Biden's Attorney**

**OCTOBER 29, 2018**

"...he was an independent board member and not a member of the management team. AT NO TIME WAS HUNTER IN CHARGE OF THE COMPANY'S LEGAL AFFAIRS."

“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)*

---


“The trial of all crimes, EXCEPT IN CASES OF IMPEACHMENT, shall be by jury.”

*Justice Benjamin Robbins Curtis
Andrew Johnson Impeachment Trial (1868)*

“Such immoral and unlawful acts as are nearly allied, and equal in guilt, to a felony; and yet, owing to the absence of some technical circumstances, do not fall within the definition of a felony.”

SIR WILLIAM OLDALL RUSSELL
A TREATISE ON CRIMES AND MISDEMEANORS


“Impeachment is whatever Congress says it is. THERE IS NO LAW.”

REP. MAXINE WATERS
SEPTEMBER 19, 2017

James Madison  **SEPTEMBER 9, 1787**

“So vague a term will be equivalent to a tenure during pleasure of the Senate.”


“A CRIME, OR MISDEMEANOR is an act committed or omitted, in violation of the law, either forbidding or commanding it. This general definition comprehends both crimes and misdemeanors; which, probably speaking are mere SYNONYMOUS terms.”
"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."

Alexander Hamilton
Febr. 17, 1799, p. 309.
SLIDES 556–559
[166 CONG. REC. S580–613 (DAILY ED. JAN. 28, 2020)]


Alexander Vindman | OCTOBER 29, 2019

“So I do NOT think there was malicious intent or anything of that nature to cover anything up.”


URGENT CONCERN:

“A serious or flagrant problem, abuse, violation of law... relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information...”

59 U.S.C. § 203[1B][G](f)

(1859)

Office of Legal Counsel

"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."


Office of Legal Counsel

"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)]


**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.”


**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

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


UKRAINE KNEW ABOUT THE HOLD EARLY ON

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<td>Week Of</td>
<td>Cooper: Two E-mails That Ukraine Embassy Asking About Aid</td>
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<td>Croft: Overtures From Ukraine About Aid</td>
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| Mid-Aug    | Lt. Col. Vindman: Receives Light Inquiries From Ukraine Re Hold

WE PROTECT WHISTLEBLOWERS

- "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."
- "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."


U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY

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<td>&quot;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.&quot;</td>
<td>&quot;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....&quot;</td>
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U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY


“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.”

---


**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

BEGINNING SPRING 2019, BIDEN LEADS PRESIDENT TRUMP IN NATIONAL POLLS


President Trump Cared About Corruption

- Neither April 21 Or July 25 Call With Zelensky Mention Word “Corruption”
- DOD Certified Ukraine Met Anti-Corruption Benchmarks Months Before Hold
- By July 25, Zelensky Established Anti-Corruption Agenda
- President Trump Pursued Baseless Investigations For His Own Political Benefit

MR. GIULIANI ACTED WITH THE PRESIDENT’S KNOWLEDGE AND CONSENT

May 10, 2019

President-Elect Volodymyr Oleksandrovych Zelensky
c/o Ministry of Internal Affairs of Ukraine

Dear President-Elect Zelensky:

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 13th or Tuesday, May 14th. 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.

Sincerely,

W. Giuliani


PRESIDENT TRUMP MUST BE REMOVED: NO ONE IS ABOVE THE LAW

- Used Powers Of Office To Solicit Foreign Interference
- President Trump Conditioned Military Aid And A White House Meeting On Political Investigations
- Grave Consequences
- The President Remains An Ongoing Threat
- Acting Chief Of Staff Mulvaney: “Get Over It”
SLIDES 572–580
[166 CONG. REC. S693–729 (DAILY ED. JAN. 30, 2020)]


Power to sit and act; subpoena power

(x) For the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to in under clause 2 of rule XII), a committee or subcommittee is authorized (subject to subparagraph (iv))—

(iii) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.


UKRAINE KNEW ABOUT THE HOLD EARLY ON

<table>
<thead>
<tr>
<th>July 25</th>
<th>Ex-Top Kyiv Official: “We Had This Information”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week Of July 25</td>
<td>Cooper: Two E-mails That Ukraine Embassy Asking About Aid</td>
</tr>
<tr>
<td>July</td>
<td>Croft: Overtures From Ukraine About Aid</td>
</tr>
<tr>
<td>Mid-Aug</td>
<td>Lt. Col. Vitamin: Receives Light Inquiries From Ukraine Re Hold</td>
</tr>
</tbody>
</table>

(1867)

THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS

| Email          | Subject: Re: I Talked to Zelensky just now |
|               | 15:28 Gordon Sondland: He is prepared to receive Nunes' call. Will assure him that he intends to run a fully transparent investigation and will “see over every stone”. He would greatly appreciate a call prior to Sunday so he can put out some media about a “friendly and productive call” (no details) prior to Ukraine election on Sunday. |
|               | 21:30 Rick Perry (replying to McCormack and Sondland only): Mick just confirmed the call being set up for tomorrow by NSC. |
|               | RP |
|               | 22:25 Mick Mulvaney (replying to all): I asked NSC to set it up for tomorrow. |
| Robert Blair | |
| Lisa Kenna | |
| Brian | |
| McCormack | |
| Mick | |
| Mulvaney | |
| Rick Perry | |
| Mike | |
| Pompeo | |
| and | |
| Gordon | |
| Sondland | |


BASELESS DEFYANCE OF SUBPOENAS

Judge Thomas Griffith

“[T]hey can make it a grounds for impeachment for obstruction of Congress”

Department of Justice

Impeachment “is certainly one of the tools that Congress has.”

在美国的代表，需要有工具来监督，惩戒，甚至在适当的情况下，罢免总统。因此，关于总统的权力，总统的行为是否基于“不正当”的动机，或者他是否“恶意”地放弃了他的职责，归咎于人民，通过选举过程，和国会通过弹劾程序。


驳斥了乌克兰——不是俄罗斯——干涉2016年选举的阴谋

- **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.”**

**U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY**

<table>
<thead>
<tr>
<th><strong>Miers (2008)</strong></th>
<th><strong>McGahn (2019)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>“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.”</td>
<td>“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....”</td>
</tr>
</tbody>
</table>


**U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY**

Judges 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.”

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.”

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.”


<table>
<thead>
<tr>
<th>Impeached Official</th>
<th>Witnesses</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Judge Pickering (1804)</td>
<td>11</td>
<td>Judge Archbold (1913)</td>
<td>112</td>
</tr>
<tr>
<td>Justice Chase (1805)</td>
<td>49</td>
<td>Judge Louderback (1933)</td>
<td>44</td>
</tr>
<tr>
<td>Judge Peck (1830-31)</td>
<td>19</td>
<td>Judge Ritter (1936)</td>
<td>25</td>
</tr>
<tr>
<td>Judge Humphreys (1862)</td>
<td>9</td>
<td>Judge Claiborne (1986)</td>
<td>19</td>
</tr>
<tr>
<td>President Johnson (1868)</td>
<td>40</td>
<td>Judge Hastings (1989)</td>
<td>55</td>
</tr>
<tr>
<td>Sec. of War Kellogg (1876)</td>
<td>40</td>
<td>Judge Nixon (1989)</td>
<td>10</td>
</tr>
<tr>
<td>Judge Swayne (1905)</td>
<td>44</td>
<td>President Clinton (1999)</td>
<td>3</td>
</tr>
</tbody>
</table>

Average # Witnesses Per Senate Trial | 33

(1873)

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.


**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

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


PRESIDENT TRUMP DIRECTED OFFICIALS NOT TO TESTIFY IN IMPEACHMENT INQUIRY: WHAT IS HE HIDING?

75% OF VOTERS IN RECENT POLL WANT WITNESSES

Quinnipiac University Poll

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


4 WITNESSES WHOSE TESTIMONY IS NECESSARY FOR A FULL AND FAIR TRIAL

John Michael "Mick" Mulvaney
Acting White House Chief of Staff

Robert B. Blair
Assistant to the President and Senior Advisor to the Chief of Staff

John Bolton
Former National Security Advisor

Michael Duffey
Associate Director for National Security Programs at the Office of Management and Budget

WHITE HOUSE DOCUMENTS ARE NECESSARY

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...


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

The New York Times
Trump Tied Ukraine Aid to Inquiries He Sought, Bolton Book Says

...[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.


AMB. BOLTON'S TESTIMONY: 5 KEY REASONS

2. Direct Knowledge Of Key Events: July 10 "Drug Deal"

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."
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.

“This roadmap [for U.S.-Ukraine relations] should have been the substance but... [the investigations] were raised,” Danylyuk said.

“[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.”

“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.”


AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

3. Direct Knowledge Of Mr. Giuliani’s Role

- 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”

AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

4 Predicted July 25 Call Would Be A “Disaster”

- 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”


“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.

AMB. BOLTON’S TESTIMONY: 5 KEY REASONS

1. Actively Involved In President’s Freeze On Ukraine Military Aid
2. Led Process To Convince President To Release Aid
3. Direct Knowledge Of Any Legitimate Policy Reason To Withhold Aid


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

MR. MULVANEY TESTIMONY: 4 KEY REASONS

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


MR. MULVANEY TESTIMONY: 4 KEY REASONS

2 Critical Role Planning Scheme

- Ambassador Sondland: “Everyone Was In The Loop” And The Ukraine Scheme “Was No Secret,” Including To Mr. Mulvaney

JULY 19, 2019

Exhibit 4 – Friday, July 19, 2019

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MR. MULVANEY TESTIMONY: 4 KEY REASONS

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

| 1 | The Senate Has A Complete Record |
| 2 | The Senate Has A Complete Record |
| 3 | The President Should Have 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 | A Senate Trial Would Have Long Lasted. Therefore: Conclusion |


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| 8 | A Senate Trial Would Have Long Lasted. Therefore: Conclusion |

NATIONAL SECURITY ADVISERS ROUTINELY TESTIFY IN CONGRESSIONAL LITIGATION


A FAIR TRIAL REQUIRES WITNESSES AND DOCUMENTS

1. The President is Convicted
2. The Senate requires a Complete Record
3. The President Shouldn't Want a Fair Trial
4. Impeachment Process Does Not End Mar. 16
5. The Testimonial Witnesses and Documents Are Necessary
6. The Senate Will Not Guam
7. The President Has No Right to Block Those Witnesses And Documents
8. A "No" Vote Will Have Long-Lasting, Harmful Consequences

**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.


**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.

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.


PRESIDENT TRUMP’S IMPEACHABLE MISCONDUCT

1. The Scheme
2. The Solicitation
3. The Pressure
4. The Exposure
5. The Coverup

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.


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.

The Campaign to impeach President Trump has begun

JANUARY 20, 2017 AT 12:19 P.M. EST

19 minutes after President Trump's inauguration


#coup has started. First of many steps. #rebellion. #impeachment will follow ultimately.”

JANUARY 30, 2017