

**MARKUP OF: H. RES. 755,  
ARTICLES OF IMPEACHMENT AGAINST  
PRESIDENT DONALD J. TRUMP  
VOLUME V**

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**COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES**

**ONE HUNDRED SIXTEENTH CONGRESS**

**FIRST SESSION**

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**DECEMBER 11–13, 2019**

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Article, Washington Post, "Zelensky Planned to Announce Trump's 'Quo' on My Show. Here's What Happened," November 14, 2019 Submitted by the Honorable Jerrold Nadler .....	1322
Article, Washington Post-ABC News Poll Conducted from June 28 to July 1, 2019 Submitted by the Honorable Jerrold Nadler .....	1327
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Article, Yahoo News, "FBI seeks interview with CIA whistleblower," November 20, 2019 Submitted by the Honorable Jerrold Nadler .....	1344

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# JONATHAN TURLEY (https://jonathanturley.org/)

Res ipsa loquitur – The thing itself speaks



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# White House Issues Defiant Letter Refusing To Cooperate In Impeachment Proceedings

(<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/>)



The White House continued along its ill-considered strategy of refusing to cooperate in an impeachment inquiry. I have previously written that Speaker Nancy Pelosi has made a fundamental error (<https://jonathanturley.org/2019/10/07/casual-or-cowardly-pelosi-takes-dangerous-road-to-impeachment/>) in not securing a vote of the House

to commence an impeachment investigation. However, the letter issued by the White House counsel

(<https://www.nytimes.com/interactive/2019/10/08/us/politics/white-house-letter-impeachment.html>) further undermines the case for executive privilege arguments and could reinforce obstruction allegations in any final articles of impeachment.

The letter rightfully raises concerns over the lack of a House vote of the body and the secrecy of proceedings. The Democrats have limited Republicans in their effort to question witnesses and secure material. However, that is not a legitimate basis for refusing to cooperate or supply clearly material evidence.

The letter emphasizes a lack of due process in the proceedings. The Constitution does not guarantee such rights as confrontation. Indeed, it does not expressly require anything other than a vote of the House on impeachment and a majority threshold for any referral of the matter to the Senate for trial.

Once again, past impeachments (like the one that I handled) have allowed for witness examinations and some adversarial process. That should be the case here. There is clearly an effort by Democrats to prevent serious questioning of witnesses by Republican members. That is not a good practice and undermines the impeachment investigation.

However, none of that justifies the position of the White House. This is a constitutional function of the highest order for Congress. There is a legitimate basis for congressional investigation under both its oversight and impeachment authority. If proven, these allegations of self-dealing could be a basis for articles of impeachment. A President cannot simply pick up his marbles and leave the game because he does not like the other players. A refusal to cooperate with a constitutionally mandated process can itself be an abuse of power.

Worse yet, the letter again undermines the executive privilege arguments that will be key to any court fight. [I discussed yesterday](https://jonathanturley.org/2019/10/08/trump-tweet-undermines-privilege-claims-for-barring-testimony/) (<https://jonathanturley.org/2019/10/08/trump-tweet-undermines-privilege-claims-for-barring-testimony/>) how Trump's tweet about wanting an ambassador to testify (but blocking him because he does not trust the committee) is the death knell for a privilege claim. A president cannot withhold material evidence because he does not like the other party in control of a house of Congress. It must be based on a claim that disclosure, even to a co-equal branch, would undermine national security or diplomatic relations or essential confidential communications. This letter repeats that flawed premise for refusing to cooperate. It is a curious move since tweets by Trump could be dismissed (as the Justice Department did in the immigration litigation) as not reflective of the real position of the government. Now, the White House counsel himself has embraced those same arguments.

The letter is another avoidable self-inflicted wound by a White House that seems intent on counter-punching itself into an impeachment. There are defenses here as well as viable privilege arguments. This letter however is eviscerating those defenses with a reckless abandon.

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**367 thoughts on “White House Issues Defiant Letter Refusing To Cooperate In Impeachment Proceedings”**

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**Karen S says:**

October 10, 2019 at 12:17 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889944>)

One of the attorneys for the “whistleblower” admitted that his client had met with current presidential candidates. While the attorney claimed that all of his client’s accusations have been verified, in fact, some of them have already been disproven.

When’s the book tour coming?

<https://www.foxnews.com/politics/whistleblower-lawyer-acknowledges-client-had-contact-with-presidential-candidates>

(<https://www.foxnews.com/politics/whistleblower-lawyer-acknowledges-client-had-contact-with-presidential-candidates>)

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**Anonymous says:**

October 10, 2019 at 9:25 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889898>)

One of the attorneys that assisted the anonymous “whistleblowers” accusing President Donald Trump of conspiring with foreign leaders to interfere in the next U.S. presidential election used to report directly to former director of national intelligence James Clapper.

<https://thefederalist.com/2019/10/09/anti-trump-whistleblower-attorney-worked-directly-for-james-clapper/>

(<https://thefederalist.com/2019/10/09/anti-trump-whistleblower-attorney-worked-directly-for-james-clapper/>)

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**Wally** says:

October 10, 2019 at 7:58 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889875>)

New Fox poll just released this morning (10/10) shows 51% of respondents want trump impeached and removed from office.

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**Paul C Schulte** says:

October 10, 2019 at 9:17 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889895>)

Wally – I heard the poll was +15 Democrats and they didn't modify the poll for that. However, what is really interesting is the internals of the poll, very few Republicans and Independents are split.

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**YNOT** says:

October 10, 2019 at 11:26 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889926>)

Cite, cite, just more BS from the schoolteacher.

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**Karen S** says:

October 10, 2019 at 12:36 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889957>)

Paul is absolutely right. Here is a link to the actual poll.

<https://www.scribd.com/document/429534764/Fox-News-Poll-results-October-6-8-2019>

<https://www.scribd.com/document/429534764/Fox-News-Poll-results-October-6-8-2019>)

1003 randomly selected respondents.

48% Democrat

33% Republican

12% Independent

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**Paul C Schulte** says:

October 10, 2019 at 6:47 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1890093>)

Karen S – thanks for having my back. 😊

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**lin** says:

October 10, 2019 at 8:18 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1890127>)

Thank you for pointing this out. I have been disappointed in the good professor's failure to discuss the reality of "polls" as well as "poll-herding" and failures to disclose the ratio/numbers of political affiliations of those polled.

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**Wally World** says:

October 11, 2019 at 4:26 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1890209>)

That Wally is an impersonator...

Just sayin'

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**Wally World** says:

October 11, 2019 at 3:37 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1890208>)

Wth is this 🤔

Hey buddy, no taking names.

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**David B. Benson** says:

October 10, 2019 at 3:22 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889858>)

Stuff on Informed Comment is worthwhile.

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**Anonymous** says:

October 10, 2019 at 1:49 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889854>)

Prof. Turley

What is Trump's goal ?

If you think that his objective is to win an impeachment conflict by using the law to shield as much as possible from Congress – then you might be right.

But I do not think that Trump really cares that much about keeping documents etc. from Congress.

I think his goal is not a legal one, but a political one.

The house can impeach on any grounds it wants.

But the more partisan and more hysterical the house sounds the less ability it has to impeach and the less meaningful impeachment is if it occurs.

I think Trump's objective is to discredit the media, the left, and the democrats. And I think he is happy to use this faux impeachment to do so.

Democrats are not playing by the rules – Trump is not playing by the rules.

More and more stories come out each day – most do not get much airplay on the MSM but some do. More damaging allegation about Biden with each day, more information that undermines the whistleblower with each day.

Guliani was bragging that he is happy to go on CNN or MSNBC to have some host or another try to beat him up. He openly threatened to drop some new document or damaging story with every single interview.

Alot of what is occurring seems to resemble the Project Veritas Accorn Sting.

The story starts quiet and PV releases just enough to get the MSM, the Left, etc to commit to some counter story – and then PV releases a bit more to discredit that, and a new counter story and a new drip.

We learn today that Mueller likely lied to congress. We learn that Comey was spying on Lynch. We learn that Ukriane has been investigating Biden since February – long before the Trump Selensky Call. We learn .... it is hard to keep up.

Look arround neither Trump nor Gulliani are acting as if they have been knocked back on their heels. To a large extent they are acting as if they are relishing this fight.

Put simply. I do not think Trump cares about the executive privilege argument that you are fixated on.

He will work to thwart house democrats – for the purpose of frustrating them and getting them to act like fools – and they are obliging.

While I was more impressed with the WH letter – even legally than you are. I do not think the purpose is legal.

Trump and the media and the left and the democrats and the “deep state” have been playing a gigantic game of high stakes poker since before Trump was elected.

The “argh! Trump” hand is pretty simple – the little damaging they currently have on Trump, Plus what they can spin of anything they can get someone to testify and the hope that Trump is hiding something.

Well the media, the left and democrats have been telling us there is some great damaging story about Trump in hiding for 3 years, and it has not yet surfaced

This whole mess is the boy who cried wolf on an epic scale.

Conversly we do not know Trump’s hand.

The Ukraine story has damn near taken Biden out of the race, it is unlikely he will recover – and democrats are doing this to themselves – unless you think the Whistleblower is a secret Trump supporter.

It looks like Trump is facing Warren – and that has to be his dream opponent.

More damage was done to Trump politically be withdrawing from Syria than this whole Impeachment nonsense.

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**Prairie Rose** says:

October 10, 2019 at 6:28 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889867>)

Well said.

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**V Whitaker** says:

October 10, 2019 at 6:36 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889868>)

This is a narrative I see a lot among those that support this president; the idea that he is, knowingly, directing happenings to his advantage. The supposition being that President Trump understand the ins and outs of political machinations and is going to 'beat them at their own game'. I don't see it. What I see is a man that is ill suited for the office making absurd statements and – as Turley and others have observed – continue to self-inflict wounds that are the result of unfiltered hubris.

Had Trump not insisted on a personal interview at the beginning of the first investigation into 'Russian influence' (Mueller) and admitted the truth about why he dumped Comey that situation would most likely have lost steam way before it did. Trump just can't help himself because his ego refuses to allow anyone to appear to 'one-up-him'. He has to have the last word – even if that 'word' is severely detrimental to his position.

Having watched Donald Trump's career since he became a name in NY, I am always stunned at the folks that believe him or anything that he says. He speaks 'off-the-cuff, or, as he likes to portray it 'his gut', his statements are littered with euphemisms, '...like never been seen before', 'believe me', '...a lot of people don't know this but...', 'I was told by a good friend...' OR, 'I was told by someone who is an expert...'

The Democrats may look like fools – frankly, ALL of Congress is looking pretty foolish and self-serving to me – but they aren't alone; the president seems to be just as foolish. In my mind, any speculation that Donald Trump is somehow orchestrating this situation to his benefit seems to be an example of forcing the facts to fit a narrative that makes him appear more savvy than he actually is. He is, however, good at attempting to divert attention from whatever debacle he's engaged in – now we have the unexpected withdrawal of the US support of the Kurds.

Trump set the tone for his Administration during his campaign; he simply labels everything that is critical of him as 'fake news', 'witch hunt' or throws out some dismissive insult. His parrot, Giuliani can't keep his 'facts' straight and I suspect that Tump throws him at the Press just to muddy the waters. Rudy is so off his game its embarrassing to watch him attempt a coherent interview. But, then he's useful to Trump for that very reason.

The Democrats may be gunning for this President; but he's the one that insists on wearing a target on his back.

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**Prairie Rose** says:

October 10, 2019 at 9:11 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889892>).

V Whitaker,

Considering they despise Trump and are mad Hillary lost, and, and, they have essentially run witch hunts against people like Jordan Peterson, I am inclined to think part of this at minimum is a witch hunt.

I didn't even vote for Trump and what I see is vicious partisanship by the media and others.

It does look like a palace coup. Matt Taibbi ain't no conservative, and that's what he sees.

I am also gravely concerned about such things as this:

"There have so far been two hearings in the House Democrats' effort to impeach President Trump over the Ukraine matter. Both have been held in secret. One was Thursday, the other Friday, and the public does not know what was said in either. Two more are scheduled for this week and will be held behind closed doors, too.

The hearings are part of an effort to remove the president from office. There could not be a matter of more pressing public concern. There could not be a matter in which the American people have a greater stake. And yet the public has no idea what is being discovered.

Last week's sessions weren't just secret. They were super-secret. The first hearing, in which the witness was former Ukraine special envoy Kurt Volker, was held in what is known as a SCIF, which stands for sensitive compartmented information facility. It is a room in the Capitol built to be impervious to electronic surveillance so that lawmakers can discuss the nation's most important secrets without fear of discovery.

The second hearing, in which Intelligence Community Inspector General Michael Atkinson testified, was also held in the SCIF"

Scott Adam's has spoken on the matter of Trump and persuasion, as well as Trump and the Ukraine. This is no simple matter of "Trump is a buffoon".

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 **Karen S says:**

October 10, 2019 at 12:28 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889952>)

PR – not only were they secret, they were partisan. Republicans were not allowed to call witnesses. It is my understanding that by not having a vote, Pelosi has more control of the process.

My Dad used to work at times with classified information in a SCIF. There was a red sign over the door that read, "Feeling lonely tonight? Want to talk to someone? Then forget to lock your safe." They were dead serious about security, and put the fear of God into anyone who touched classified information. That is why it was shocking to see Hillary lie about her secret server in her bathroom, where she uploaded

classified information to the Cloud, and people with no clearance had access and...it was all fine. She should have been in some oubliette that required a series of FOIAs just to discover her whereabouts.

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**V Whitaker** says:

October 10, 2019 at 6:39 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889869>)

I do agree with you on the "...Warren being his dream opponent". He should be careful though, she could also be his nightmare. Possibly, a nightmare for all of us.

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**Prairie Rose** says:

October 10, 2019 at 9:12 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889893>)

V Whitaker,

"Possibly, a nightmare for all of us."

I agree.

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**Karen S** says:

October 10, 2019 at 12:29 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889953>)

Her rhetoric that punishes employers and the rich, promising to give goodies to voters, is very popular. That's how Stalin rose. It was all going to be for the good of the people.

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**Mr Kurtz** says:

October 10, 2019 at 8:38 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1890133>)

Oh, she's no Stalin. Hillary had the makings of a tryant but Liz is a cut below.

The Dem party likes WEAK candidates. They are too "diverse" to unite strongly behind any one leader. There are too many factions. Look at that field right now. Their best candidate just got tossed under the bus in favor of a pantsuit.

Among the two parties, the one with a more coherent base, can bring forth a stronger candidate than a big tent operation. FDR was such a candidate. The strongest president in American history. Right now Republicans are a far more focused party than they were before. Donald's populism has proven its worth and he's brought them along by the nose.

This will be the permanent disadvantage of the Democrat party moving forwards.

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**lin** says:

October 10, 2019 at 8:23 PM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1890131>)

So do I.

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**David B. Benson** says:

October 10, 2019 at 1:30 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889853>)

Do Looney Tunes come from the Looney Bin?

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**Anonymous** says:

October 10, 2019 at 3:24 AM (<https://jonathanturley.org/2019/10/09/white-house-issues-defiant-letter-refusing-to-cooperate-in-impeachment-proceedings/comment-page-4/#comment-1889859>)

Yep, Bugs Bunny, my favorite tranny.

Or many a bunny-eared Playboy

::throws up a baphmet sign::

Jokes. Ppl. Jokes.

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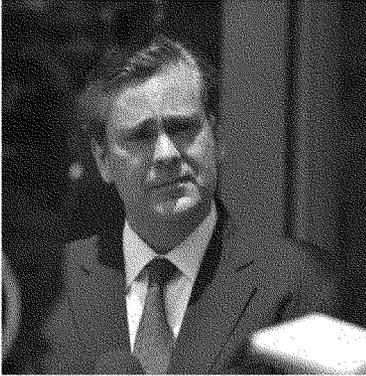
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Feldman has written that Trump is not actually impeached until the articles of impeachment are transferred to the Senate. I disagree and believe that Feldman is conflating provisions concerning removal with those for impeachment. Trump Stands Impeached. [jonathanturley.org/2019/12/20/tru...](http://jonathanturley.org/2019/12/20/tru...)

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**Trump Was Impeached: A Response To Noah Feldman**

In the House Judiciary Committee, I had some fundamental disagreements with my friend Professor Noah Feldman on issues ranging from the basis for impeachment on the basis of specific crimes



**Jonathan Turley**  
@JonathanTurley

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Both Democratic members and various media outlets have continued to castigate Majority Leader Mitch McConnell and Senator Lindsey Graham for saying that they will not pretend to be unbiased as jurors.  
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# ABC News' Oval Office interview with President Trump

*A transcript of ABC News' George Stephanopoulos' Oval Office interview.*

By ABC News

June 13, 2019, 12:57 PM • 10 min read



## Trump reacts to being down in internal polls, Don Jr testifying with Senate Committee

*The president told ABC News' George Stephanopoulos in an exclusive interview, "There's no way he [Biden] beats me in Texas...my polls show that I'm winning everywhere."*

ABC News

Over the course of two days, ABC News' Chief Anchor George Stephanopoulos spent 30 hours with President Donald Trump, flying on Air Force One to Iowa, traveling in his armored vehicle called "The Beast," greeting him in his West Wing residence, embedding in the Oval Office for a day of meetings, and sitting down for a one-on-one interview in the White House Rose Garden.

During an interview Wednesday morning in the Oval Office, President Trump opined on the Russia investigation, telling Stephanopoulos he would consider accepting damaging information about his political rivals from foreign nations.

+ (MORE: EXCLUSIVE: Trump says he would listen if foreigners offered dirt on opponents)

Below is a complete, unedited transcript of that portion of the president's exclusive interview with ABC News.

+ (MORE: Trump lashes out about being down in internal polls)

*Tune in next week for an hour-long ABC News special, only on ABC -- including "ABC News Live," the 24/7 streaming news channel available on [abcnews.com](http://abcnews.com), Roku, Hulu, Amazon Fire TV and Apple TV.*

**ABC News Chief Anchor George Stephanopoulos:** You're a fighter. You, you, it feels like you're in a constant kind of churn.

+ (MORE: EXCLUSIVE: Trump reveals historic redesign of Air Force One)

**President Donald Trump:** Yeah, uh, my life has always been a fight. And I enjoy that I guess, I don't know if I enjoy it or not, I guess -- sometimes I have false fights, like the Russian witch hunt. That's a false fight. That's a made-up hoax. And I had a fight that --

**Stephanopoulos:** --the first line of his report says they had a systematic attempt at interfere in our elections.

**President Trump:** They did, but not me. And they also said, okay, that we rebuffed them. Okay?

**Stephanopoulos:** Well they said you're--

**President Trump:** --that the Trump campaign. Excuse me. The campaign, the Trump campaign rebuffed them. We had nothing to do with Russia.

Hillary Clinton had much more to do with Russia than anything having to do with our campaign. It said very specifically that, not only we didn't have to do, but we rebuffed them. Now, anything having to do with Russia had nothing to do with our campaign.

**Stephanopoulos:** Well, Paul Manafort.

**President Trump:** Paul Manafort, they have Paul Manafort on taxes and many other things. Nothing to do with our campaign.

**Stephanopoulos:** Giving polling information to the Russians.

**President Trump:** I don't know anything about that. What difference does polling information make? It doesn't matter. He was maybe trying to do something for an account or something. Who knows? But they said specifically that there was nothing to do, and we, in fact, rebuffed them--

**Stephanopoulos:** --they said there were hundreds--

**President Trump:** It's a phony--

**Stephanopoulos:** --what they said is that--

**President Trump:** They also said that there were bloggers in Moscow and they said specifically, about the bloggers in Moscow, had nothing to do with Trump, had nothing to do with the--and there were like 32 or 36 bloggers. We have nothing to do with bloggers in Moscow. I'll tell you, you talk about collusion, take a look at the collusion with the Democrat party and Facebook and Google and Twitter. That's called collusion, that's called real collusion. Not where somebody buys some ads and the other thing, having to do with Russia, they were also helping the Clinton campaign, you know that? It wasn't just Trump. And Putin, I will say this: if he had it, it was up to him. He would much rather have Hillary Clinton be president right now. And all of these countries would rather have Biden or anybody else but Trump.

**Stephanopoulos:** He said he was trying to help elect you. He said that explicitly.

**President Trump:** Well he might've said that after I won because it's a smart thing to say, okay? Because frankly—

**Stephanopoulos:** And Mueller says that he's trying to do that.

**President Trump:** Mueller said that we rebuffed Russia, that we pushed them away, that we weren't interested. Read the report.

**Stephanopoulos:** I have read the report. On that though, your son Don Jr. is up before the Senate Intelligence Committee today, and again, he was not charged with anything. In retrospect though, do you think—

**President Trump:** --I mean not only wasn't he charged, if you read it, with all of the horrible fake news, I mean, I was reading that my son was going to go to jail. This is a good young man. That he was going to go to jail and all of these horrible stories. And then the report comes out and they didn't even say--they hardly even talked about him.

**Stephanopoulos:** But should he have gone to the FBI when he got that email?

**President Trump:** Okay, let's put yourself in a position: you're a congressman, somebody comes up and says, "Hey I have information on your opponent." Do you call the FBI?

**Stephanopoulos:** If it's coming from Russia you do.

**President Trump:** You don't-- I'll tell you what. I've seen a lot of things over my life. I don't think in my whole life I've ever called the FBI. In my whole life, I don't--you don't call the FBI. You throw somebody out of your office, you do whatever you do—

**Stephanopoulos:** Al Gore got a stolen briefing book. He called the FBI.

**President Trump:** Well, that's different. A stolen briefing book. This isn't-- this is somebody who said, "We have information on your opponent." Oh, let me call the FBI. Give me a break, life doesn't work that way.

**Stephanopoulos:** The FBI Director says that's what should happen.

**President Trump:** The FBI Director is wrong. Because, frankly, it doesn't happen like that in life. Now, maybe it will start happening. Maybe today you think differently. But two or three years ago, if somebody comes into your office with oppo research-- they call it oppo research--with information that might be good or bad or something, but good for you, bad for your opponent, you don't call the FBI. I would guarantee you that 90 percent, could be 100 percent, of the congressmen or the senators over there, have had meetings--if they didn't they probably wouldn't be elected--on negative information about their opponent. They don't--

**Stephanopoulos:** From foreign countries?

**President Trump:** Possibly. Possibly. But they don't call the FBI. You don't call the FBI every time you hear something that maybe--now, you see the people. The meeting, it also sounds to me--I don't know anything about that meeting--but it sounds to me like it was a big nothing. That meeting was a big nothing. But I heard about my son, who is a great young man, going to jail over a meeting where somebody said, "I have information on Hillary Clinton." She's the one that should be in jail. She deleted 33--

**Stephanopoulos:** She should be in jail?

**President Trump:** She deleted 33,000 emails from--sent by the United States Congress. They gave a subpoena to Hillary Clinton for 33,000 emails. After the subpoena was gotten, she deleted them. That's called obstruction. And her lawyer should also be looked at because her lawyer--she's got to have the greatest lawyer on earth because she does that, he did the deleting, supposedly. Not only did they delete, but they acid washed them.

**Stephanopoulos:** That's been investigated.

**President Trump:** Now, that's called the-- no, no. No, no. It's being investigated I assume now.

**Stephanopoulos:** It's been investigated.

**President Trump:** I don't know, I stay uninvolved. I stay totally uninvolved and I don't talk to—

**Stephanopoulos:** You haven't asked the Justice Department to take a look into Hillary Clinton?

**President Trump:** We have a great attorney general now. I don't talk to my attorney general about that, but I'll tell you what: when you send 33,000 emails-- they requested 33,000 emails. She got the request. They deleted every one of them. Okay? If you did that, you would've been put in jail.

**Stephanopoulos:** Your campaign this time around, if foreigners, if Russia, if China, if someone else offers you information on opponents, should they accept it or should they call the FBI?

**President Trump:** I think maybe you do both. I think you might want to listen, there's nothing wrong with listening. If somebody called from a country, Norway, "we have information on your opponent." Oh, I think I'd want to hear it.

**Stephanopoulos:** You want that kind of interference in our elections?

**President Trump:** It's not an interference, they have information. I think I'd take it. If I thought there was something wrong, I'd go maybe to the FBI. If I thought there was something wrong. But when somebody comes up with oppo research, right, they come up with oppo research. Oh, let's call the FBI. The FBI doesn't have enough agents to take care of it, but you go and talk honestly to congressmen, they all do it, they always have. And that's the way it is. It's called oppo research.

**Stephanopoulos:** Mr. President. Thank you.

**President Trump: Thank you. Okay. Fine.**

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# FBI director pushes back on debunked conspiracy theory about 2016 election interference

*"We have no information that indicates that Ukraine interfered," Wray said.*

By Luke Barr and Alexander Mallin  
December 9, 2019, 6:03 PM • 6 min read



## FBI director addresses inspector general report

Director Christopher Wray remarked that a number of elements highlighted in the report fell "well short of the standard of conduct and performance" he expects of his employees.

Jacquelyn Martin/AP

FBI Director Christopher Wray on Monday undercut a theory pushed by President Donald Trump and some of his Republican allies that the government of Ukraine meddled in the 2016 election.

"We have no information that indicates that Ukraine interfered with the 2016 presidential election," Wray told ABC News in an exclusive broadcast interview on Monday.

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Wray is the most senior, currently serving, government official to undercut the claim -- pushed as recently as Sunday by Sen. Ted Cruz, R-Texas, in an interview about the ongoing impeachment inquiry.

+ (MORE: Testimony and texts: How the Trump-Ukraine allegations fit together in a timeline)

"Here's the game the media is playing. Because Russia interfered, the media pretends nobody else did. Ukraine

1/3/2020

FBI director pushes back on debunked conspiracy theory about 2016 election interference - ABC News

blatantly interfered in our election," Cruz said Sunday on NBC's "Meet the Press."

When asked about the claim, Wray urged Americans to be cautious about their sources of information.

+ (MORE: The facts behind GOP claims about Ukraine and 2016 likely to surface this week)

"Well, look, there's all kinds of people saying all kinds of things out there. I think it's important for the American people to be thoughtful consumers of information, to think about the sources of it and to think about the support and predication for what they hear," he said. "And I think part of us being well protected against malign foreign influence is to build together an American public that's resilient, that has appropriate media literacy and that takes its information with a grain of salt."



**FBI Director Christopher Wray speaks with ABC News' Chief Justice Correspondent Pierre Thomas in an exclusive interview on Dec. 9, 2019.**  
Luke Barr/ABC News

+ (MORE: DOJ watchdog finds Russia investigation not improper, despite missteps)

In a call with Ukrainian President Volodymyr Zelenskyy, Trump requested he look into claims about "CrowdStrike," referencing a debunked conspiracy theory that claims

Ukraine, not Russia, hacked into the Democratic National Committee's computer networks in 2016.

Asked about that theory, Wray didn't directly respond to the president's claim but underscored that the FBI has no evidence to support such a claim.

+ (MORE: Before working with Giuliani, Ukrainian official hired Trump-linked lobbyist to relay anti-Biden claims in US)

"As I said, we at the FBI have no information that would indicate that Ukraine tried to interfere in the 2016 presidential election," he said.

In addition, Wray said that he didn't speak with Rudy Giuliani, the president's personal attorney, about any investigation into the Bidens.

"I haven't had any conversations with Rudy Giuliani," Wray said.

Wray also cautioned that election interference is still a concern moving into 2020.

"Well, as far as the election itself goes, we think Russia represents the most significant threat to the election cycle itself," he said.

"But we certainly know that other nation states, China, Iran, others have an interest in influencing our democracy in other ways through different forms of engagement, different types of malign foreign influence. So we are trying to make sure that we're working hard with others to protect America against all those threats," Wray added.

 Comments (146)



## President Trump's former national security advisor 'deeply disturbed' by Ukraine scandal: 'Whole world is watching'

 [abcnews.go.com/Politics/president-trumps-national-security-advisor-deeply-disturbed-ukraine/story](https://abcnews.go.com/Politics/president-trumps-national-security-advisor-deeply-disturbed-ukraine/story)

### Tom Bossert was Trump's homeland security adviser until April 2018.

By

[Chris Francescani](#)

September 29, 2019, 3:34 PM

11 min read

5:42

'I'm deeply disturbed' by whistleblower complaint: Former Trump adviser  
Former Trump homeland security adviser Tom Bossert reacts to Ukraine controversy on "This Week." Bloomberg via Getty Images

President Donald Trump's first Homeland Security and counterterrorism adviser, who resigned after a year in the office, said on "This Week With George Stephanopoulos" on Sunday that he is "deeply disturbed" and "frustrated" by the "entire mess" that began in July with Trump's phone call with a young Ukrainian president and suddenly this week sparked a firestorm of calls in Congress to [impeach the president](#) following the disclosure of an extraordinary whistleblower complaint.

#### **'The whole world is watching'**

"I'm deeply disturbed by this as well, and this entire mess has me frustrated," said former Homeland Security advisor Tom Bossert, now an ABC News contributor.

Tom Bossert walks out of the White House campus September 28, 2017 in Washington, DC.

Tom Bossert walks out of the White House campus September 28, 2017 in Washington, DC  
Brendan Smialowski/Afp Contributor/AFP/Getty Images

"You and I lived through the impeachment of President [Bill] Clinton and saw how frustrating and dividing it could be and I just spend the week overseas and I'll tell you, the whole world is watching," Bossert said, gesturing to Stephanopoulos.

(MORE: Rudy Giuliani fires back at former White House aide who accused him of spreading 'completely false' theory)

"You saw how frustrating and dividing it could be. The whole world is watching this. The removal of a president is a big and serious deal, but the removal of a president -- in not only a democracy but the biggest democracy -- is really a weighty matter and I hope that everyone can sift through the evidence and be careful, as I've seen a lot of rush to judgement this week," Bossert said.

But Bossert described the allegations against Trump as extremely serious.

(MORE: Trump to be held 'accountable' in wake of whistleblower complaint: Committee chair)

"That said, it is a bad day and a bad week for this president and this country -- if he is asking for political dirt on an opponent," said Bossert.

President Donald Trump and Ukrainian President Volodymyr Zelenskiy looks on during a meeting in New York on September 25, 2019, on the sidelines of the United Nations General Assembly.  
 President Donald Trump and Ukrainian President Volodymyr Zelenskiy looks on during a meeting in New York on September 25, 2019, on the sidelines of the United Nations General Assembly.Saul Loeb/AFP/Getty Images

"But it looks to me that the other matter, that's far from proven, was whether he was doing anything to abuse his power and withhold aid, in order to solicit such a thing," Bossert said, referring to a Ukrainian investigation into political rival Joe Biden and his family. "That seems, I think, far from proven and it's going to be the focus -- I think -- of our Congress for the next year."

### **'Completely debunked' theory**

Bossert was sharply critical of Trump personal lawyer Rudy Giuliani, who was also a guest on the show. He expressed a combination of frustration and bewilderment that some members of the Trump team continue to spout debunked conspiracy theories about the hack of the Democratic National Committee [DNC] computer servers during the 2016 election campaign.

"It's not only a conspiracy theory, it is completely debunked. I don't want to be glib about this matter but last year, retired former Senator Judd Gregg wrote in The Hill magazine Five Ways or Three Ways to Impeach Oneself and the third way was to hire Rudy Giuliani."

"At this point, I am deeply frustrated with what he and legal team are doing in repeating that debunked theory to the president. It sticks in his mind when he hears it over and over again. And for clarity here, George, let me just repeat here, again, that it has no validity."

In this file photo taken on September 23, 2019 US President Donald Trump speaks during a meeting with Polish President Andrzej Duda on the sidelines of the UN General Assembly in New York.

In this file photo taken on September 23, 2019 US President Donald Trump speaks during a meeting with Polish President Andrzej Duda on the sidelines of the UN General Assembly in New York. Saul Loeb/AFP/Getty Images

"The United States government reached its conclusion on attributing to Russia the DNC hack in 2016 before it even communicated it to the FBI. And long before the FBI ever knocked on the door at the DNC. So a server inside the DNC was not relevant to our determination to the attribution. It was made up front and beforehand. And so while servers can be important in some of the investigations that followed, it has nothing to do with the U.S. government attribution for the DNC hack."

Later in the program, Giuliani told Stephanopoulos: "Tom Bossert doesn't know what he's talking about."

Bossert, when asked to characterize his own interpretation of the call, said he read more into it than most observers because he spent a year discussing such matters with Trump, as his core responsibilities were election security and coordinating the response to Russian interference in the 2016 U.S. presidential elections.

"I didn't see, like others have seen, pressure in this call," Bossert said. "I understand why people are interpreting it that way, [but] I've spent a lot of time with this president, and I can easily see other reasons for why this president might have delayed aide to Ukraine and those Javelin missiles. As you know President [Barack] Obama considered this deeply and decided not to provide lethal military support. President Trump and I and others spent quite a bit of time talking about this. In fact, in the call itself -- although there are a lot of reasons he alludes to -- one that is quintessential Donald Trump. That is his frustration with Angela Merkel, the German nation member of NATO [North Atlantic Treaty Organization] is doing nothing to help Ukraine, and he expressed some lamentation over that fact."

### **'Pound of flesh'**

Still, Bossert said, he has some sense of the thinking in the White House.

"I honestly believe this president has not gotten his pound of flesh yet from past grievances on the 2016 investigation," Bossert said. "I believe he and his legal team probably even prior to Joe Biden announcing that he would run for president, and they are continuing to focus on everything they can in their belief -- understandably in this case -- that the president was wrongly accused of colluding with Russia the first time around. But George, if he continues to focus on that white whale, it's going to bring him down."

Bossert resigned from the administration in April 2018, one day after then Trump national security advisor John Bolton began his new role in the White House. Earlier this month, Trump said he ousted Bolton from the position over "very big mistakes" and policies disagreements, including decisions concerning the Middle East.

Bolton has countered that he offered to resign the previous day, but the president waved that offer away.

Bossert's comments come amid what is shaping up to be an exceptionally swift launch of a presidential impeachment inquiry.

(MORE: Trump again questions whistleblower account, asks if it's from 'spy' or 'partisan' )  
House Intelligence Committee Chairman Adam Schiff told reporters Friday that his committee is mapping out potential hearings, depositions and subpoenas for its impeachment probe in the weeks ahead, as Democrats issued the first subpoena in an effort centered on President Trump's phone call with the president of Ukraine and a related whistleblower complaint.

Tom Bossert, assistant to U.S. President Donald Trump for the U.S. Department of Homeland Security, speaks during a White House press briefing in Washington, D.C., U.S., on Friday, Sept. 8, 2017.

Tom Bossert, assistant to U.S. President Donald Trump for the U.S. Department of Homeland Security, speaks during a White House press briefing in Washington, D.C., U.S., on Friday, Sept. 8, 2017. Bloomberg via Getty Images

Nearly two-thirds of Americans believe President Trump's encouragement of a foreign leader to investigate Trump's political rival and his family is a serious problem, but only 17% said they were surprised by the president's actions, according to a new ABC News/Ipsos poll.

(MORE: Read the transcript of Trump's call with the Ukraine president )

The poll, conducted by Ipsos in partnership with ABC News, asked Americans about a July phone call between Trump and Ukrainian President Volodymyr Zelenskyy in which Trump urged his Ukrainian counterpart to work with his personal attorney Rudy Giuliani and U.S. Attorney General William Barr to investigate former Vice President Joe Biden and his son, Hunter, according to a memo released by the White House.

The high-velocity push toward an impeachment inquiry has jump-started Democratic consensus and unified a party long torn between what many observers see as political necessity and moral imperative, with a devastating but ultimately inconclusive report from the Mueller investigation in their rear view mirror and the snow-soaked cornfields of February's Iowa caucuses just up the road.

Trump has openly acknowledged that he discussed Biden in a call with Ukrainian president but has characterized the call as perfectly acceptable presidential behavior. Yet, the growing appearance that a U.S. president sought to enlist a foreign in nation in investigating his political rivals has sharply -- and swiftly -- shifted the political dynamic in the nation's capital.

*Editor's Note: A prior version of this story incorrectly reported that George Stephanopoulos served in the Clinton White House during his impeachment. Stephanopoulos left the White House in 1996, two years prior to the impeachment proceedings.*

*ABC News' John Santucci and Katherine Faulders contributed to this report.*

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# Transcript: ABC News' George Stephanopoulos' exclusive interview with President Trump

The unedited transcripts of the president's exclusive interview with ABC News.

By ABC News

June 16, 2019, 7:58 PM • 78 min read



00:05 / 04:27



## Trump says he may not alert FBI if info is offered by foreigners on 2020 candidates

In an exclusive interview with ABC News' Chief Anchor George Stephanopoulos, Trump said if a foreign entity reached out, "I think you might want to listen. There's nothing wrong with listening."

ABC News

Over the course of two days, ABC News' chief anchor George Stephanopoulos spent 30 hours with President Donald Trump, flying on Air Force One to Iowa, traveling in his armored vehicle called "The Beast," greeting him in his West Wing residence, embedding in the Oval Office for a day of meetings, and sitting down for a one-on-one interview in the White House Rose Garden. This aired in a special edition of "20/20," "President Trump - 30 Hours," on Sunday, June 16, 2019.

+ (MORE: Top 5 takeaways of President Trump's interview with George Stephanopoulos)

Below are the unedited transcripts of the president's exclusive interview with ABC News from "The Beast" between events in Iowa, the walk to and in the Oval Office and the Rose Garden.

+ (MORE: EXCLUSIVE: Trump cites lessons from Nixon, says he 'was never going to fire Mueller')

+ (MORE: Trump reveals historic redesign of Air Force One: EXCLUSIVE)

+ (MORE: Trump hits Biden on policy flips: 'He has recalibrated on everything')

## IN 'THE BEAST':

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### ABC News Live



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PRESIDENT DONALD TRUMP: Good event. Nice event. ... (inaudible) ethanol in there. Great crowd, great people. Great people.

STEPHANOPOULOS: This was-- you feel like this is your (inaudible)?

TRUMP: Yeah, I-- I do. I feel it's really-- really a great part of the country for us. Yeah.

STEPHANOPOULOS: This was the first state you ever (inaudible).

TRUMP: That's right. And I came in second. Should have come in first. But this was a caucus state. It was a whole different thing.

STEPHANOPOULOS: Organization.

TRUMP: In the-- (inaudible). And I learned more in Iowa because we actually should have won Iowa easily by anywhere from five to 10 points. But caucus is different. People walk in. You talk to them. You know, it's-- it's like--

*(OVERTALK)*

STEPHANOPOULOS: And they have to show up that night--

TRUMP: Look at the people. These are the people that couldn't get in, by the way. These people couldn't get in. Great people. It's a lot of-- Look at the-- look-- look at the people. They can't get in, George. A little different than my competitors.

STEPHANOPOULOS: Well, you don't have a real competitor. Just Bill Weld on the Republican side.

TRUMP: No, I'm talking about competitors, just generally.

STEPHANOPOULOS: So you feel good about Iowa right now?

TRUMP: Yeah, feel great about Iowa. Feel great about I think virtually every state that we're competing in. I think Iowa's great. I think Ohio and Florida, North Carolina, South Carolina. Pennsylvania I feel really good about. You know, we won--

STEPHANOPOULOS: You're saying--

TRUMP: --Pennsylvania. And it was interesting because Pennsylvania's always been tough to win, but we won it. And-- I think we should be doing great because of steel and all of the jobs that we've produced. They're having the best year they've had in I think 40 or 50 years.

STEPHANOPOULOS: You said Vice President Biden's making a mistake not telling people what you're for. I take that point. What-- elections are about tomorrow, not yesterday. When you go to voters over this next year, what is the big unfinished piece of business you're going to say, "This is what we're going to get done?"



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TRUMP: So we almost had health care done. Health care's a disaster, Obamacare. But we've managed it much better than they managed it. So we've made it serviceable, but it's not great. We almost had it done. We were one vote off, as you know. You know that whole story. And that was a very-- unfortunate situation. We would have had great health care. So we're going to do that if we win the House. If we win back the House, we're going to produce phenomenal health care. And we already have the concept of the plan, but it'll be less expensive than Obamacare by a lot. And it'll be much better health care--

STEPHANOPOULOS: Don't you have to tell people what the plan is?

TRUMP: Yeah, well, we'll be announcing that in about two months. Maybe less. So, yeah, sure you do. But-- but, again, that's-- that's subject to winning back the House, Senate and the presidency. You need the three. But we are--

STEPHANOPOULOS: Because that was one of the big issues that the vice president-- former vice president took on today. He said on health care you've called-- gone to the courts and said, "We've got to overturn Obamacare." That's abandoning people with preexisting conditions.

TRUMP: Well, no. Preexisting conditions-- I was for preexisting conditions. And I still-- you know, I'm very much for preexisting conditions. But Obamacare has been a disaster. Look what--

*(OVERTALK)*

STEPHANOPOULOS: --get charged higher under your plan, right?

TRUMP: No, much lower. Under my plan, they'll be much lower. You'll see that in a month when we-- when we-- introduce it. We're going to have a plan. That's subject to winning the House, Senate, and presidency, which hopefully we'll win all three. We'll have phenomenal health care.

STEPHANOPOULOS: And you're g-- so you're definitely introducing a plan before the election?

TRUMP: Before the election, yes. We'll be having a plan much before the election. Soon. Fairly soon. It's almost--

STEPHANOPOULOS: How about the--

TRUMP: --complete.

STEPHANOPOULOS: How about the economy? Where do you-- how-- how do you read it right now?

TRUMP: Well, I think the economy is fantastic, George. How does-- (inaudible). You have the best unemployment numbers we've had in 51 years. You have-- industrial numbers-- that are phenomenal. You look at GDP, 3.2 percent in the first quarter. People were shocked to see that. And that's despite the fact that I have various trade deals going on, which you have to do. I mean, I could f-- it would be much easier for me just to let

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China and all these countries continue to rip off the United States, but I can't do that. I don't want to do that.

STEPHANOPOULOS: Any concern about the softening job numbers over the last couple months--

TRUMP: No, none-- none-- really none. If we pull off the trade deals, which I think I will, we have a lot of power. With respect to trade, we have a lot of power. And-- we have great numbers. The companies are very strong. They've very liquid. Frankly, if we had a different person in the Federal Reserve that wouldn't have raised interest rates so much, we would have been at least a point and a half higher. I mean, three--

STEPHANOPOULOS: He's your pick.

TRUMP: --3.2 percent is good. He's my pick. I agree. But, you know, we also have people in there that weren't my pick. But he's my pick. And-- I disagree with him entirely. As you know, it's independent.

STEPHANOPOULOS: I was going to ask you about that. What do you make of the critics who say it's just inappropriate for you to be talking about the Fed chairman--

TRUMP: Well, I'm allowed to. And, y-- you know, in the old days, they used to speak to the head of the Federal Reserve often. And it was a part-- very much a part of the administration from the standpoint as they'd talk and they'd-- (inaudible) settle. You have no idea how important it is. But I'm not happy with what he's done. I'm not happy with the fact that they've done quantitative tightening. Now, he doesn't make that decision himself. But I would think that the head of the Federal Reserve has quite a bit of power. No, I'm not happy. Now, if-- if we--

STEPHANOPOULOS: Do you have any concern you're putting him in a box--

TRUMP: Let-- let me explain. Yes, I do. But I'm going to do it anyway because-- I've waited long enough. If he did the interest rate increases half as much, if he didn't do tightening-- tightening means taking money out of the-- out of the till so that people can't use it for doing what they're doing. We call it quantitative tightening. If he didn't do tightening-- if he did nothing or perhaps even loosened, we would be in my opinion, just an opinion, 10,000 points higher than already a very high number. You know, we're-- from the time I got elected, we're about-- we're almost 50 percent up with the stock market. But if he didn't do the tightening and if he didn't do so much of an in-- it's okay to raise interest rates a little bit. But so much, it would have been-- it would have been even better.

STEPHANOPOULOS: But you're not worr--

TRUMP: And-- and I'll-- and I'll tell you something. What I don't like is when you raise the interest rates, there's no inflation-- there's virtually no inflation. When you raise interest rates, that means you're paying more in debt. And I inherited almost \$21 trillion in debt. I inherited that. President

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Obama and Biden, they doubled the debt during their eight years. You know that. And--

STEPHANOPOULOS: It's been going up on--

TRUMP: --I inherited--

STEPHANOPOULOS: --on your watch, too--

TRUMP: Sure. But I have to rebuild the military. They doubled the debt, and they didn't do anything. They doubled the debt on nonsense. I took over a military that was totally depleted. I have to rebuild it. The good news, we're rebuilding it here. We're building America. Everything's made in the U.S.A., and it's great. But I-- you know, it's one of those things. I have to rebuild the military. Otherwise, I mean, what's more important-- than our military? Especially in these days where you have such problems. And I think the stronger we are, the less likely it is that we use the military. We're close to being very, very strong. We're close to being stronger by far than ever before. But I took over a totally depleted military. And you know that. The planes were old. They talk about the grandchildren of pilots were flying the same plane as they were flying many years ago. We have beautiful new F-35s and F-18s and new-- rifles, new uniforms. In the case of the Army, we have the new uniforms that everybody's wanted for years. They're an expensive-- job. You know, you-- it doesn't sound it, but it is. And-- we have-- we have spent a tremendous amount of money on our military. And we did the right thing because we had to rebuild our military. It was totally-- it was in very bad shape. And you can see that when the military sees me. I fixed the vets. The vets-- the VA was in horrible shape. Now, they have choice. And nobody could get choice. John McCain couldn't get it. Nobody could get it. They tried for years. They couldn't get it. I got choice for the vets so that now instead of waiting in line for many, many weeks in some-- you know, in some cases they would wait for months to see a doctor. They died from waiting in line. Now, our vets have choice where they can go out, get a doctor, and we pay for the doctor. And it's--

STEPHANOPOULOS: In prep--

TRUMP: --a great thing.

STEPHANOPOULOS: In preparation for this trip, we went out and talked to a lot of voters here in Iowa, supporters of yours. And a lot of them say they voted for you, they're proud of you, they're going to vote for you again, most of them. Not all of them.

TRUMP: Yeah. But we'll--

STEPHANOPOULOS: But will vote for you--

TRUMP: --we'll take in new ones, too--

STEPHANOPOULOS: But-- but this is what I want to ask you. Here's the concerns that some of them raise. Number one, we did hear a lot about tariffs. That the back-- that the-- farmers are especially concerned that your

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threats of tariffs are-- are going cost them their jobs, are going to cost them their livelihood.

TRUMP: Just wrong. The tariffs are what is allowing us to make great trade deals. If we didn't have tariffs, I couldn't have even spoken to Mexico. You understand that because you saw something that very few people saw. And I wouldn't have even been able to speak to Mexico. If we didn't have tariffs as-- it's a somewhat punitive measure. But if we didn't have tariffs, we wouldn't be able to speak to China. And I'm taking-- out of the billions of dollars that China's paying, I'm taking \$16 billion out to give to farmers because that's what they lost because of China. And I'm making it up. And I'm taking it-- it all comes out of the tariffs that I'm collecting. So the tariffs--

STEPHANOPOULOS: Well, Americans are paying those tariffs.

TRUMP: No, they're not. Because China subsidizes their product in order to keep people working. And the companies-- most of the companies, many of the companies are moving out of China to areas that are tariff free, where they're non-tariff. So there is no tariff. And many of them are coming back to America. People don't understand tariffs, but I understand them. And I also understand the power of tariffs. And because of that, the farmer is going to be a big beneficiary in the end. But we gave \$16 billion to the farmers. And all of that money came out of tariffs that we got from China.

STEPHANOPOULOS: Are you going to have to impose the Chinese tariffs?

TRUMP: I don't mind doing it. I mean, it's a tremendous amount of money. We have-- right now, we're getting 25 percent on \$250 billion. And in the end, we're going to get probably 25 percent or so. And it could be even increased. But 25 percent on \$550-\$585 billion. That's hundreds of billions of dollars coming into our country. We never got 10 cents--

STEPHANOPOULOS: But if it's Americans--

TRUMP: --from China.

STEPHANOPOULOS: --who are paying it--

TRUMP: No, it's not. George, China is subsidizing their product so that the product stays competitive so that they can keep selling. Not that they want to, but that's the way they're going to sell it. So if you take a look at inflation, inflation's hardly risen. I mean, har-- inflation is very low. That's one of the things I have against the Fed. With a low inflation, they should have kept interest rates where they were or just a small increase instead of raising them so much. He made a mistake. The Fed made a mistake. Despite that, we're doing phenomenally well. Despite everything I said, we're doing phenomenally well.

STEPHANOPOULOS: The other thing--

TRUMP: The tariffs have been very beneficial.

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STEPHANOPOULOS: The other thing we're hearing from these-- again, these are voters who support you, still say they're proud of you. They wish you'd cut back on the tweets.

TRUMP: You know, I have it both ways. I have a very unfair press. It's a fake news. It's a corrupt news. I have people that are so dishonest. I mean, I had a case of it recently with the New York Times where they're writing things knowing it was wrong. Knowing. If I don't put it out-- I don't call it tweets. I call it social media. If I don't use social media, I do not get the word out. I have some people that do say that, but I have far more that say-- just today in the-- in the speech I had a woman, "Please don't stop tweeting. Please. That's the only way you're getting the message out." I have so many people that would go-- that would be very unhappy if I ever stopped. And it's not tweet. It's social media. I put it out, and then it goes onto your platform. It goes onto ABC. It goes onto the networks. It goes onto all over cable. It's an incredible--

STEPHANOPOULOS: So for you, it's just--

TRUMP: --way of communicating.

STEPHANOPOULOS: --a tool you're never going to give up?

TRUMP: Well, it's-- it-- how can I communicate like that? I put one out this morning. And as soon as I pressed the button, they said, "We have breaking news." Every network, every station. "We have breaking news." They read my tweet. Why is that bad? And when I'm treated badly by the press-- and nobody's ever been treated badly like me. When I'm treated so badly--

STEPHANOPOULOS: You know that every president says that.

TRUMP: I-- I disagree. Look, it's been acknowledged. Although they do say Abraham Lincoln was treated really badly. I must say that's the one. If you can believe it, Abraham Lincoln was treated supposedly very badly. But nobody's been treated badly like me. And this way I can fight the dishonest media, the corrupt media, the fake news.

STEPHANOPOULOS: And could do-- what they're talking about though is you calling people names. It's demeaning--

TRUMP: Well, you know what? I'll bet they do like it. They may tell you that, but I'll bet they like it, you know? We've gotten great poll numbers recently. Tremendous poll numbers. And a lot of people don't want to talk about it, but they're all Trump voters. They're going to be Trump voters. And that happened in the elections. I mean, one of the things that just happened recently in our election in 2016-- and, by the way, even in the 2018 for Senate, people didn't want to talk about it. They just voted. They voted for Trump people. Now, I campaigned for senators because, you know, you--

STEPHANOPOULOS: And you got hit hard in the House.

TRUMP: Well, I didn't campaign for the House. Remember this also. I wanted to say, "I'm running. I'm running. I'm running." But I wasn't running. There's a big difference when I run and when I just say, "Hey, I

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hope you vote for somebody." But look at Senate. We had 51. They thought they were going to take over the Senate, and we took it from 51 to 53. And we have some incredible new senators right now--

STEPHANOPOULOS: I did see--

TRUMP: --in the Senate. And we didn't get credit for that.

STEPHANOPOULOS: I did see a positive--

TRUMP: We never got credit for that.

STEPHANOPOULOS: --poll number for you today. Quinnipiac Poll showed your approval rating was up 42 (inaudible).

TRUMP: 42 percent?

STEPHANOPOULOS: And-- and before you fight me over the number, let me ask--

TRUMP: No, no. But let me just tell you that Rasmussen just came out today. I'm at 50 percent.

STEPHANOPOULOS: Yeah, that-- that-- Rasmussen has been--

TRUMP: And b-- frankly--

STEPHANOPOULOS: --consistently higher for you. That's-- that's true--

TRUMP: But Rasmussen-- well, I don't know c-- Quinnipiac has never been accurate for me. Rasmussen was the m-- one of the most accurate polls. There were three of them to be exact. One of the three was Rasmussen for the election itself. They called it almost perfectly. Rasmussen today was at 50 percent. And they also say that new people that (inaudible) involved and stay involved in polls, those people are voting for (inaudible).

STEPHANOPOULOS: Here's the thing. Everyone looks at it (inaudible) got to go beyond (inaudible) House races in--

*(OVERTALK)*

STEPHANOPOULOS: How do you do it?

TRUMP: We're having the same conversation (inaudible) announced that I was running (inaudible). And guess what?

*(OVERTALK)*

TRUMP: No, I'm just telling you I'm going to do it the same way I did it the first time. A lot of people don't talk. Even the day of the election, they came out with the exit poll. And everyone said, "Oh, Trump's going to be ((inaudible)." (inaudible) He's a very talented political (inaudible). He said, "You're going to win big tonight. You're going to get maybe three out of six in the college." He said, "You're winning Florida. You're winning North Carolina. We think you're going to win Pennsylvania. You're winning South

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Carolina tremendously. You're winning Ohio. We think we're going win-- Wisconsin and Michigan." And you know what it was? They walk out and they say, "We don't want to talk to you." They say, "Who are you voting for?" "We don't want to talk to you." Almost everyone who said that voted for Trump. They didn't understand it.

STEPHANOPOULOS: I know you have to go. What's your pitch to the swing voter on the fence?

TRUMP: Safety, security, great economy. And, you know, for women-- as you know, I did very well with women last time. I was hearing I wouldn't have. I'd say, "Why? Why? Explain." I did very well with women--

STEPHANOPOULOS: But you didn't win women.

TRUMP: Well, I got 52 percent. And I will tell you-- in my opinion I might have won women. I-- I think that-- hey, Hillary Clinton focused on women, and I did phenomenally well. Many, many, many points above what they thought. Frankly, I think we're going to do tremendously now with African Americans, with Asians, with Hispanics because they have the lowest unemployment numbers they've ever had in the history of the country.

STEPHANOPOULOS: So that's the pitch?

TRUMP: No, I-- I have no pitch. You know what I have? The economy is phenomenal. We've rebuilt our military. We're taking care of our vets. We're doing the best job that anybody's done probably as a first-term president. I think I've done more than any other first-term president ever. I have a phony witch hunt, which is just a phony pile of stuff. Mueller comes out. There's no collusion. And essentially a ruling that no obstruction. And they (inaudible).

*(OVERTALK)*

TRUMP: They found no collusion. And they didn't find anything having to do with obstruction because they made the ruling based on his comments and (inaudible).

*(STEPHANOPOULOS: (inaudible))*

TRUMP: Are you trying to say now that there was collusion even though he said there was no collusion?

STEPHANOPOULOS: He didn't say that.

TRUMP: He said no collusion.

STEPHANOPOULOS: He said (inaudible)--

*(OVERTALK)*

TRUMP: George, the report said no collusion.

STEPHANOPOULOS: (inaudible)

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TRUMP: Yes, I did.

*(OVERTALK)*

TRUMP: You should read it, too, George.

**THE WALK TO AND IN THE OVAL OFFICE:**

STEPHANOPOULOS: Good morning, Mr. President.

TRUMP: George.

STEPHANOPOULOS: How are you? Have a good night?

TRUMP: Very good night. Had a good day and a good night.

STEPHANOPOULOS: How much sleep?

TRUMP: Probably I average four or five hours or something like that. I actually got back last night – you were with us – it was very interesting. I came home and worked a little bit and then--

STEPHANOPOULOS: Are you a big breakfast guy?

TRUMP: Uh I'm not a breakfast guy at all, fortunately. I like the lunches but the dinners is what I really like. And I think you're going to be staying around for this. This is--

STEPHANOPOULOS: Yeah, looking forward to this.

TRUMP: This is going to be something today.

STEPHANOPOULOS: You know, this colonnade. I remember I was with President Obama, in one of his final days in office, he said in some ways this was his favorite part of the White House, where he really made some of his big decisions, what does it mean for you?

TRUMP: It's an incredible part of the White House, it is and you see it all of your life and you know you see president's walking back and forth with others. This is an incredible place. And you have a ramp over there, and the ramp you can see was put in and it actually doesn't qualify under... because it's supposed to be more gradual--

STEPHANOPOULOS: For ADA?

TRUMP: But that was put in for FDR. He didn't want anybody lifting him with the wheelchair. So you have ramps throughout certain areas of the White House. But, uh this one over here was, uh, it's pretty tough to walk down it, actually. I'm always a little bit careful walking down that ramp, it's steep.

STEPHANOPOULOS: Do you feel the weight of the office when you're walking down this colonnade?

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TRUMP: I think about the office walking down. This is a... I – just because you've grown up looking at this colonnade, look there are the cameras in another hour from now we have a ceremony on Poland. But you'll see hundreds of cameras out there and this is what they're looking at. See you grow up looking at it and you say "wow, I'm now a part of it." It's a very special house. The whole White House is a special place.

STEPHANOPOULOS: It's a long way from coming down that escalator, four years ago.

TRUMP: It is, it's a long way. It's been actually a lot fun. Highly competitive, the world is highly competitive, but I think we're doing a great job. I don't think anybody has done more in two and a half years than what I've done with regulation, with taxes, with... actually believe it or not with world events. We get along with a lot of countries that people don't understand but they respect us again.

STEPHANOPOULOS: What's the most fun part of the job?

DONALD TRUMP: I think just the accomplishment of doing a lot of good things for a lot people. We're-

STEPHANOPOULOS: Hardest part?

TRUMP: We're handling the vets, you know, we have choice, you've seen that and so many others things we've been able to do for the vets. The hardest is usually the Congress, I find Congress more difficult than frankly than many of the foreign leaders.

STEPHANOPOULOS: Why is that?

TRUMP: Because they have their own views, you never know exactly but they have their own views and--

STEPHANOPOULOS: But that's democracy, isn't it?

TRUMP: Yeah, I guess it is, but... And I... so many things like the border, the border should be done, George. The border... The Democrats should come in and 15 minutes to an hour we can have it all solved. It's so simple.

STEPHANOPOULOS: But that would mean you'd have to give some stuff as well.

TRUMP: Well, but it's not even giving stuff. The things that we're talking about you shouldn't have to give. It's so-- there are three and four loopholes you solve those loopholes you no longer have a problem at the border. They should want to do it. But they don't want to do it because of political reasons.

STEPHANOPOULOS: Is that your big--

TRUMP: That's why if we can take over the House, we will have things done like never before.

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STEPHANOPOULOS: Is that your biggest unfinished piece of business? I remember we spoke on that first day in June of 2015 you were talking about the border, you were talking about the wall, more people crossing the border than ever before right now.

TRUMP: Well, that's because the economy is so good, they try to come into our country. We have many more people wanting to come in and they come for economic reasons, they not coming for asylum... asylum is a way--

STEPHANOPOULOS: Many are facing violence

TRUMP: Really, they're coming though... most of them for economic reasons, and the country is doing better economically than ever before and everybody wants to crack in. I think we've done a great job on the border. We're apprehending more people than ever before under our new Mexico plan. That's going to help a lot because, you know, you're going to see the numbers go way down. But really we should be able to do it much easier than that. If the Democrats sat down for fifteen minutes we could work it out.

STEPHANOPOULOS: Last time we here, I guess you were sitting, what, in this? Was it in that office what with Nancy Pelosi and Chuck Schumer on the infrastructure? What happened there?

TRUMP: Ah, very basic, I very calmly said "Listen, I just heard you talking about something that's not the appropriate thing for you to be talking about and then we had a meeting afterwards so let's just take a pass." It was a very simple statement, given very calmly. I then came out and made a press conference...

STEPHANOPOULOS: I remember.

TRUMP: --on something unrelated. Totally unrelated, but, uh, wasn't a big deal. Then they walk out and say "he was stomping and romping and slamming the table..." These people are not honest people.

STEPHANOPOULOS: We're about to walk into the Oval Office, where do you make your biggest decisions? Is it in there? Is it upstairs? Is it in your study?

TRUMP: I really - all over. It's in the plane sometimes going to a country. It's in the strangest places. But uh, the Oval Office.

STEPHANOPOULOS: It just hits you?

TRUMP: Ok, the Oval Office is such a special place. I have the biggest people - yesterday I had some of the biggest business people in the world in my office and they have beautiful offices perhaps more beautiful than the Oval Office, although to me there is nothing more beautiful because of what it represents. But they walk into the Oval Office for the first time and they just - they just want to look around. It's a special place.

STEPHANOPOULOS: Show us around... Famous desk.

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TRUMP: So, that's a very famous desk. It's the resolute desk and that was Ronald Reagan, that was--

STEPHANOPOULOS: JFK.

TRUMP: JFK, and there's a very famous picture of John-John right here.

STEPHANOPOULOS: President Clinton used that as well.

TRUMP: President Clinton used it, a number of great presidents used it and frankly I had my choice -- you have your choice of seven desks. They have seven desks and that was the one that immediately -- that was the one that I liked.

STEPHANOPOULOS: How do you -- I mean, do they give you a catalog?

TRUMP: They actually do. They give you pictures of desks. They give you pictures of carpet. This is the Ronald Reagan carpet. They give you pictures of the drapes. You see the drapes? They say - I think we have 12 sets of drapes we can use and I chose those drapes. But, uh... It's really something...

STEPHANOPOULOS: What's the biggest personal touch you've put on the office?

TRUMP: I put a lot of them. The flags. You didn't have flags to any great degree. You had an American flag, but for the most part you didn't have flags. Uh, it's quite a bit different than President Obama. Uh he had some fairly modern paintings, a couple. We didn't want that. We brought it back to Lincoln, Andrew Jackson, Benjamin Franklin, Thomas Jefferson, Hamilton, George Washington, very famous picture of George Washington and I like that.

STEPHANOPOULOS: Do you actually do -- do you actually do work in here? Or is it all for meetings?

TRUMP: I do work in here, I have most of the meetings in here. People like to be in the room. It's very comfortable, and back there I have a tremendous amount of work. In fact, you'd see it's a much different uh, effect. You can't have -- every time we have pictures everyone wants a picture, you don't want to take all things off your desk so I have a desk back here that I actually use much more.

STEPHANOPOULOS: Do you find you can use the power of this setting to get your way? You're talking to those CEOs coming in here...

TRUMP: I don't think about it. I don't really uh, you know, I don't focus on that, but I think probably it's true. If somebody is sitting here and you're in the Oval Office for the first time which most people aren't, it amazes me, I go into a meeting and we'll have twenty five really big executives. I said how many, and they've been here for a long time, how many seen the Oval Office, nobody raises their hands and I say you've never been in? And the heads of royal companies and car companies and other presidents did not make the Oval Office easily available and I do. I - You know when I have

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heads of corporations, and by the way people that are not doing so well also, people that are having problems with life, I bring them in also. So I make it, you know, it's really a very inspiring place.

STEPHANOPOULOS: Tell us about the first time you sat down at that desk as president, I imagine is that where you read the letter from President Obama?

TRUMP: I did. I read the letter there, I don't know if you ever seen the letter. Have you ever seen the letter?

STEPHANOPOULOS: I can't remember actually.

TRUMP: He actually wrote a very beautiful letter, and uh, it's uh, it's very interesting what's happened it's very interesting, but he wrote me a letter which is a custom and he put it right in the drawer, the center drawer and I opened it and I saw the letter I read it and I thought it was very nice and I have it. Uh, right there that's more judges I'm signing, we've signed a 107 judges since I'm in, and I'll get a 145 plus two supreme court judges which we already have and the numbers should be quite a bit higher than that. Ultimately, the judges will go, I inherited almost 145 judges, which is shocking. But they couldn't get them through or something happened at the last two or three years of the Obama administration where he was not getting judges. I'm not talking about Supreme Court judges, which happened also with Merrick Garland. I'm talking about regular judges and court of appeal judges, federal judges, but I had 145, that's a shocking number.

STEPHANOPOULOS: You think that--

TRUMP: So, that's going to be a big percentage of the judiciary. And there are those that say, because of that this will be a big part of the...

STEPHANOPOULOS: Well that's what I was going to ask you, you also have two Supreme Court justices do you think that could be your most lasting impact?

TRUMP: Well it could, I mean people have said that. I don't think of it that way. Because we've given the biggest tax cut in history, we have ANWR, we have, uh, the biggest regulation cut by far.

STEPHANOPOULOS: The tax cut come and go, judges make decisions for generations...

TRUMP: They do and they do and regulation cuts come and go, but the reason the economy is so good and the reason that so many people are pouring up through Mexico and wanting to come into our country, including people from Mexico is because economy is so powerful. It's so good. So, that's all important, but there are those that say the thing I've done best is judges, and we'll see.

STEPHANOPOULOS: Before you got here, you--

TRUMP: Considerably a big -- it's certainly a big number.

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STEPHANOPOULOS: --already sent out three tweets this morning. I'm usually at my desk between 6:30 and 7 when they start to come in, and it seems like you're very conscious of kind of - you're going to set the news for the day before all of us do.

TRUMP: No, I don't think of it that way. It obviously didn't work because I watched your show this morning. I watched Good Morning America and they had something about the polling, and it's really suppression polling. It's fake polling, but in that case it was just made up polling, and I had--

STEPHANOPOULOS: Made up?

TRUMP: I had the same thing and-- made up, I mean, they give you phony numbers, they give you numbers, they said that they have access to numbers, which I don't believe they have access to. But-but I went through it in 2016, I was going to be tied in Texas, it was going to be very close, I won by a lot. I was going to be tied Utah, I won by a lot now I was going to lose Pennsylvania, I won it. I was going to lose North Carolina, I won it. I mean it was all phony polling. It's actually phony polling and I believe it's suppression. They suppress, they want to suppress the minds of people so they don't bother going out and voting.

STEPHANOPOULOS: But you think there's a real conspiracy?

TRUMP: No, I just think it's just a bad group of people, and it shouldn't be allowed, but that's no different than the fake news and the fake news is at a level that it's never been at before.

STEPHANOPOULOS: You and I, we know we disagree about that, but we have a whole day ahead to go on this. Before we go, one of the things you have as president is access to all the information all the mysteries out there I was just struck in the last couple weeks, we're reading more and more reports of navy pilots seeing lots and lots of UFOs. Have you been briefed on that?

TRUMP: Yeah, I have-- I have.

STEPHANOPOULOS: What do you make of it?

TRUMP: I think it's probably, uh, I want them to think whatever they think, they do say, I mean, I've seen and I've read and I've heard, and I did have one very brief meeting on it. But people are saying they're seeing UFO's, do I believe it? Not particularly.

STEPHANOPOULOS: Do you think you'd know if there were evidence of extraterrestrials?

TRUMP: Well, I think my great pilots-- our great pilots would know. And some of them really see things that are a little bit different than in the past, so we're going to see, but we'll watch it. You'll be the first to know.

STEPHANOPOULOS: Mr. President, thank you. Have a good day.

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TRUMP: Thank you, George. ... Different things. Judges get things like this too, these are also other positions.... United States--

STEPHANOPOULOS: I still have mine framed somewhere

TRUMP: These are ambassadors. That's really something, isn't it? Secretary of the Interior. This is, uh, let's see, United States district judge of the Eastern District of Missouri. Great state, Missouri.

STEPHANOPOULOS: You won that pretty well.

TRUMP: I won it well. I won it well. This is...United States District Judge, Western District of North Carolina, great state. But you see, all the judges and many of these President Obama just, something happened, he didn't..

STEPHANOPOULOS: He ran into Mitch McConnell, didn't he?

TRUMP: I don't know, I mean, perhaps. But I ended up with 145 judges, nobody has ever had anything like that happen.

STEPHANOPOULOS: The difference a Senate can make.

TRUMP: It's a tremendous difference. United States District Court; Utah. Another great one, right? Utah.

STEPHANOPOULOS: You know, this just made me think of something. Several of even your Republican senators when you came in where kind of skeptical of you. And now it seems like they are 100 percent in line, what happened?

TRUMP: I have a great relationship-- hey, they found out I am very smart and I know what I'm doing. You know, they didn't know I was never a politician before. I had, what, 15 debates and we won every debate. According to every poll, I mean I can only tell you by the polls. But every poll, they had many polls, doing many debates, I never lost one poll I think they've gained a certain respect.

STEPHANOPOULOS: And respect for your base.

TRUMP: And they respect my base. I respect my base. I think I have the greatest base in the history of politics because they are not believers in false things. Now, I have to explain it and that's one of the great things about social media. If you do a bad story, I can explain it away. For instance, on Good Morning America today they had that phony polling information. I explained to you last night that it was phony, but you didn't do anything about it. You should have, but it was late in the evening and perhaps you didn't get a chance.

STEPHANOPOULOS: I didn't see the piece this morning. I've listened to, I've studied those polls, I've heard the explanations--

TRUMP: Ultimately, it doesn't matter.

STEPHANOPOULOS: But, why does it bother you so much?

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TRUMP: Because, it's untrue. I like the truth. I'm actually a very honest guy. If I thought they were correct, I wouldn't be complaining at all. I understand that. It's like the witch hunt that goes on. No collusion with Russia, there was no collusion. And what bothers me--

STEPHANOPOULOS: As you know, that's not what--

TRUMP: You know, can I, it's what it says--

STEPHANOPOULOS: That's not what Robert Mueller found.

TRUMP: That's what it says. It said no collusion. You know what, nobody even brings Russia up anymore. They talk about phase two but it's a total phony deal. If it weren't, if I colluded with Russia, it wouldn't bother me nearly as much. What bothers me, is when you did nothing wrong and they have a phony witch hunt. That bothers me. And Mueller, who hates Trump, he is a never Trumper and then he puts--

STEPHANOPOULOS: What evidence do you have that he hates you?

TRUMP: George, I know he hates me. And then he puts 18 people on who are Democrats.

STEPHANOPOULOS: Not all Democrats.

TRUMP: Well, they are very close. And they were contributors to Hillary and some of them even worked for Hillary Clinton.

STEPHANOPOULOS: Robert Mueller is a Republican.

TRUMP: And Weissmann was a bad guy. And they put all these people on. So I am being judged by 18 people that truly dislike Donald Trump. I mean in many cases hate. Weissmann was at Hillary Clinton's, it was supposed to be a party, it turned out to be a wake. It turned out to be a funeral. But, Weissmann was there.

STEPHANOPOULOS: You called Robert Mueller honorable, why the switch?

TRUMP: I'm not switching or anything. I would hope he is honorable. But you know what, he gave us no collusion and that was a very big thing.

STEPHANOPOULOS: He did not say that.

TRUMP: And frankly, frankly, he did say that. He said there was no collusion. George, read the report.

STEPHANOPOULOS: He said he explicitly didn't look at collusion-- I did. He said there was insufficient evidence that said there was a conspiracy. I read every page.

TRUMP: Excuse me, read the report, read the conclusion of the report, just read it. Ok, I mean look you are one that said Donald Trump is not going to win and then you smiled when I got into the race, and you laughed. You and Maggie Haberman would laugh 'haha' that was so funny and I will give

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your deputy chairman of the DNC credit. Because he looked at the two of you and said, sorry to tell you but Donald Trump is going to win.

STEPHANOPOULOS: And you are President of the United States today.

TRUMP: And you laughed because you thought it was ridiculous and Maggie Haberman of the New York Times who knows nothing about me, by the way, I rarely speak to her, she laughed and thought it was so funny. The people that didn't think it was funny were the people that voted for me.

STEPHANOPOULOS: And you are here right now. You are President of The United States.

TRUMP: I am, I am, that's true.

STEPHANOPOULOS: Yet it seems like you just feel this need to push back at perceived enemies.

TRUMP: No. At false stories, at fake news. Because nobody has any idea how corrupt the media is. They are corrupt. Not all of it, fortunately. But the media is corrupt.

STEPHANOPOULOS: You word it all by continuing to say that the media is corrupt, that this is all fake news but when you need the media at a time of national crisis we're not going to have the kind of unity we need.

TRUMP: I'm not worried about it, no. I'm not worried about it. We are doing very well and we are going to be just fine. I am just saying, I know stories, I know what I did, what I didn't do. When I have someone writing a story that is so opposite the facts, and a lot of the people out there now they believe me - the media has gone way, way down in terms of approval numbers. I think they are lower than Congress right now. And you know what, when they started, I think they were in the 90s, now they are in the teens.

STEPHANOPOULOS: I'm not sure the media has ever been in the 90s, but to keep talking about the truth and we are trying to stay on the facts as well and you know you have been cited many times for not telling the full truth with Robert Mueller, he didn't look at collusion, he found 126 contacts between your campaign and Russia, said it was not a conspiracy, that is true.

TRUMP: Excuse me, what about Hillary Clinton? Hillary Clinton conspired with Russia. She had somebody that came out of Russia. They got information from Russia. Excuse me. Hillary Clinton was totally involved with it. That's the one - if you talk about collusion with Russia take a look at Christopher Steele, all his contacts with Russia which by the way she paid for, and turned out to be a phony deal, which everyone is now admitting that. No George, all I want is the truth. All I want is fairness.

STEPHANOPOULOS: But you say that for example you were pursuing a Trump Tower in Moscow during the campaign and denying any relationship with Russia.

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TRUMP: George, let me tell you: I didn't even do a deal in Moscow, do you know we, I don't even think they had--

STEPHANOPOULOS: You were pursuing it.

TRUMP: Excuse me, excuse me. Pursuing, what does pursuing mean? You know because someone walks in, says, "Hey we're looking at..." Do you know that I don't even think they had a site? I don't even think they knew who was going to do the deal. It was a concept of a deal, more of a concept than anything else. It was a concept of a deal someplace in Russia, probably in Moscow, and I was looking at places all over the world--

STEPHANOPOULOS: But didn't voters have a right to know that?

TRUMP: I wouldn't mind telling them. There's nothing wrong with it--

STEPHANOPOULOS: But if you--

TRUMP: In fact I was, I didn't consider that pursuing a deal when you don't even have a site. Do you know how many people, how many things I look at? You didn't even have a site in Moscow, they didn't know what they were doing in Moscow, there was virtually no work done on it by me certainly, by me. By the way, by my son, by Don. And, I'm looking at things all over the world. When you will see my financial statement, at some point I assume it's going to be released, you'll be very impressed by the job I've done. Much, much bigger, much, much better than anybody--

STEPHANOPOULOS: Which financial statement?

TRUMP: Uhh, they're after my financial statement. Now, they should be after everyone else's financial statement but, uhh, they are after, the Senate, they'd like to get my financial statement. At some point, I hope they get it--

STEPHANOPOULOS: You going to turn it over?

TRUMP: No, at some point, I might, but at some point I hope they get it because it's a financ--, it's a fantastic financial statement. It's a fantastic financial statement. And let's do that over, he's coughing in the middle of my answer.

STEPHANOPOULOS: Yeah. Okay.

TRUMP: I don't like that, you know, I don't like that.

STEPHANOPOULOS: Your chief of staff.

TRUMP: If you're going to cough, please leave the room. You just can't, you just can't cough. Boy oh boy. Okay, do you want to do that a little differently than uhh--

STEPHANOPOULOS: Yep, thank you.

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TRUMP: So at some point--so at some point, I look forward to, frankly, I'd like to have people see my financial statement because it's phenomenal--

STEPHANOPOULOS: It's up to you--

TRUMP: No, it's not up to me. It's up to lawyers, it's up to everything else. But they're asking for things that they should never be asking for, that they've never asked another president for. They want to go through every deal that they've ever done, they've--what they're doing is a disgrace.

STEPHANOPOULOS: You know other presidents have turned over their tax returns.

TRUMP: They're trying to do: step, step, step. They want to keep it going as long as possible to try to demean and hurt as much as possible so they can possibly win the presidential election. They're not going to win the presidential election. Nobody's done, in two and a half years, the job I've done as president. The economy is one of the best in the history of our country. Taxes are lower than they've been, almost ever, almost ever, certainly in the last fifty years. We've done a job with the vets. We've done a job with just about everything, even Obamacare, it was almost terminated, except for one vote by John McCain, but it was almost terminated. If it would've been terminated, we would have great--

STEPHANOPOULOS: Most of (inaudible) wanted (inaudible) to be terminated--

TRUMP: No, people hate Obamacare. It's too expensive, it's not good, but if we win the House, we win the Senate, we win the presidency. You're going have the greatest healthcare that anybody's ever had.

STEPHANOPOULOS: And you said, yesterday you told me, you're going have a plan, in what, the next couple of weeks?

TRUMP: I'm going have a plan over the next month--

STEPHANOPOULOS: Month--

TRUMP: --for healthcare. And it's going be a great plan. Now, that's all subject because the Democrats won't vote for it. It's not their kind of a thing, because it's too good, but we're going have a great healthcare plan, but we have to win the House, we have to win the Senate, we have to win the presidency.

STEPHANOPOULOS: Mr. President, thank you.

TRUMP: Thank you very much. Do you agree with the cough? I hate to have a cough in the middle of a (inaudible). ... No, but don't you agree with that? Some (inaudible)...look, here's another judge. Here's a, uh, an intelligence advisor board. It's pretty amazing. (inaudible) three or four judges pretty much every other day.

STEPHANOPOULOS: Pretty satisfying part of the job?

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TRUMP: I love it. And these are great people. Uh, we're going --we're very careful in judges. We're, umm, getting phenomenal--in fact, we have very good marks on the judges we've appointed. And they're not judges you might like, but they're judges that a lot of folks that like me, they like them a lot--

STEPHANOPOULOS: You're a fighter. You, you, it feels like you're in a constant kind of churn--

TRUMP: Yeah, uh, my life has always been a fight. And I enjoy that I guess, I don't know if I enjoy it or not, I gue--sometimes I have false fights like the Russian witch hunt. That's a false fight. That's a made-up, uh, hoax. And I had to fight that--

STEPHANOPOULOS: The first line of his report says they had a systematic attempt at interfere in (inaudible) relations.

TRUMP: They did, but not me. And they also said, okay, that we rebuffed them. Okay?

STEPHANOPOULOS: Well they said you're (inaudible).

TRUMP: That the Trump campaign. Excuse me. The campaign, the Trump campaign rebuffed them. We had nothing to do with Russia. Hillary Clinton had much more to do with Russia than anything having to do without campaign. It said very specifically that not only that we didn't have to do, but we rebuffed them. Now anything having to do with Russia had nothing to do with our campaign.

STEPHANOPOULOS: Well, Paul Manafort--

TRUMP: Paul Manafort, they have Paul Manafort on taxes and many other things. Nothing to do with our campaign.

STEPHANOPOULOS: Giving polling information to the Russians--

TRUMP: I don't know anything about that. What difference does polling information make? It doesn't matter. He was maybe trying to do something for an account or something. Who knows? But they said specifically that there was nothing to do, and we in fact rebuffed them--

STEPHANOPOULOS: They said there were hundreds (inaudible)--

TRUMP: It's a phony--

STEPHANOPOULOS: --what they said is that--

TRUMP: They also said that there were bloggers in Moscow and they said specifically about the bloggers in Moscow, had nothing to do with Trump, had nothing to do with the--and there were like 32 or 36 bloggers. We have nothing to do with bloggers in Mo--in Moscow. I'll tell you, you talk about collusion, take a look at the collusion with the Democrat party and Facebook and Google and Twitter. That's called collusion, that's called real collusion. Not where somebody buys some ads and the other thing, having

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to do with Russia. They were also helping the Clinton campaign, you know that. It wasn't just Trump. And Putin, I will say this: if he had it, it was up to him. He would much rather have Hillary Clinton be president right now. And all of these countries would rather have Biden or anybody else but Trump.

STEPHANOPOULOS: He said he was trying to help elect you. He said that explicitly.

TRUMP: Well he might've said that after I won, because it's a smart thing to say. Okay?

STEPHANOPOULOS: And Mueller says that he's trying to do that--

TRUMP: Mueller said that we rebuffed Russia, that we pushed them away, that we weren't interested. Read the report.

STEPHANOPOULOS: I have read the report. On that though your son Don Jr. is up before the Senate Intelligence Committee today, and again, he was not charged with anything. In retrospect though--

TRUMP: I mean not only wasn't he charged, if you read it, with all of the horrible fake news, I mean, I was reading that my son was going to go to jail. This is a good young man. That he was going to go to jail and all of these horrible stories. And then the report comes out and they didn't even say, they-they--hardly talked about him.

STEPHANOPOULOS: (inaudible) going to the FBI when he got that email.

TRUMP: Okay, let's put yourself in a position: you're a congressman, somebody comes up and says, "Hey I have information on your opponent." Do you call the FBI?

STEPHANOPOULOS: (inaudible) if it's coming from Russia you do.

TRUMP: I'll tell you what: I've seen a lot of things over my life. I don't think in my whole life I've ever called the FBI. In my whole life. You don't call the FBI. You throw somebody out of your office, you do whatever you--

STEPHANOPOULOS: Al Gore got a stolen briefing book. He called the FBI.

TRUMP: Well, that's different. A stolen briefing book. This isn't a (inaudible). This is somebody who said "We have information on your opponent." Oh, let me call the FBI. Give me a break, life doesn't work that way.

STEPHANOPOULOS: The FBI Director says that's what should happen.

TRUMP: The FBI Director is wrong. Because, frankly, it doesn't happen like that in life. Now, maybe it will start happening. Maybe today you think differently, but two or three years ago, if somebody comes into your office with oppo research--they call it oppo research--with information that might be good or bad or something, but good for you, bad for your opponent, you don't call the FBI. I would guarantee you that 90 percent, could be 100

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percent of the congressmen or the senators over there, have had meetings, if they didn't they probably wouldn't be elected, on negative information about their opponent--

STEPHANOPOULOS: From foreign countries?

TRUMP: They don't pro--possibly. Possibly. But they don't call the FBI. You don't call the FBI every time some--you hear something that maybe--. Now, you see the people. The meeting, it also sounds to me, I don't know anything about that meeting, but it sounds to me like it was a big nothing. That meeting was a big nothing. But I heard about my son, who is a great young man, going to jail over a meeting where somebody said I have information on Hillary Clinton. She's the one who should be in jail. She deleted 33--

STEPHANOPOULOS: She should be in jail?

TRUMP: She deleted 33,000 emails from, sent by the United States Congress. They gave a subpoena to Hillary Clinton for 33,000 emails. After the subpoena was gotten, she deleted them. That's called obstruction. And her lawyer should also be looked at because her lawyer, she's got to have the greatest lawyer on earth because she does that, he did the deleting supposedly, not only did they delete, but they acid washed them.

STEPHANOPOULOS: That, that's been investigated.

TRUMP: Now that's called the--no, no. No, no. It's being investigated I assume now.

STEPHANOPOULOS: It's been investigated.

TRUMP: I don't know, I stay uninvolved. I stay totally uninvolved--

STEPHANOPOULOS: You haven't asked (inaudible) to take a look into--

TRUMP: --and I don't talk to, I don't talk to. We have a great attorney general now. I don't talk to my attorney general about that, but I'll tell you what: when you send 33...They requested 33,000 emails. She got the request. They deleted every one of them. Okay? If you did that, you would've been put in jail--

STEPHANOPOULOS: Your campaign this time around, if foreigners, if Russia, if China, if someone else offers you information on opponents, should they accept it or should they call the FBI?

TRUMP: I think maybe you do both. I think you might want to listen, I don't, there's nothing wrong with listening. If somebody called from a country, Norway, "We have information on your opponent." Oh, I think I'd want to hear it.

STEPHANOPOULOS: You want that kind of interference in our elections?

TRUMP: It's not an interference, they have information. I think I'd take it. If I thought there was something wrong, I'd go maybe to the FBI. If I thought

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there was something wrong. But when somebody comes up with oppo research, right, that they come up with oppo research. Oh, let's call the FBI. The FBI doesn't have enough agents to take care of it, but you go and talk honestly to congressmen, they all do it, they always have. And that's the way it is. It's called oppo research.

STEPHANOPOULOS: Surprising. Thank you.

TRUMP: Thank you. Okay. Fine.

**ONE-ON-ONE SIT-DOWN IN THE ROSE GARDEN:**

STEPHANOPOULOS: So I was listening to you introduce the first lady in there. And it made me think of this: How is Barron doing?

TRUMP: Barron's doing fantastically. He's here. He likes soccer. He's doing a great job.

STEPHANOPOULOS: He likes the White House?

TRUMP: He likes the White House. Likes it.

*(OVERTALK)*

TRUMP: --it, it's not too tough.

STEPHANOPOULOS: Not too shabby. We-- we've spoken on a lot of the big moments over the last few years--

TRUMP: George, are we on now?

STEPHANOPOULOS: Yeah, we're on.

TRUMP: Oh, okay.

STEPHANOPOULOS: Yeah. One year ago today, we were in Singapore right after your meeting with Kim Jong Un. And you told me that you trust him. And you also put out that tweet. "There's no longer a nuclear threat from North Korea." But they-- there is a nuclear threat today, isn't there--

TRUMP: Well, it could change. I would say not much. There's been no testing, no anything. But it could--

STEPHANOPOULOS: But they have stockpiles.

TRUMP: --change, George. It could change. And when it changes, I'll let you know. But right now-- I will actually show you the letter. But-- I'd show it to you a little bit off the record. But it was-- a very nice letter. But I've received many very nice letters. And he's a very tough guy. He's a very smart person. He doesn't treat a lot of people very well, but he's been treating me well. Now, at some point that may change. And then I'll have to change, too. But right now, we have a very good, you know, relationship. We have a really very strong relationship--

STEPHANOPOULOS: So you still trust him?

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TRUMP: Well, look, I-- I don't-- I-- first of all, if I didn't, I couldn't tell you that. It would be very insulting to him. But the answer is, yeah, I believe that he would like to do something. I believe he respects me. It doesn't mean it's going to get done. This has been going on for many, many decades with the family. But I get along with him really well, I think I understand him, and I think he understands me. And there's never been a relationship with him or his family. And that was at his choice and their choice. They never wanted to have a relationship with us.

STEPHANOPOULOS: But there have been these cycles, as you know, with the family, with North Korea-- with President Clinton, with President George W. Bush.

*(OVERTALK)*

TRUMP: And everybody gave him a lot. President Clinton gave him billions and billions of dollars and got nothing. I've given nothing. Now--

STEPHANOPOULOS: But do you worry that he--

TRUMP: --at some point--

STEPHANOPOULOS: --could be playing you, too?

TRUMP: Well, look, I put on sanctions. The sanctions are on. We've gotten our hostages back. We've gotten-- the remains. And they continue to come back, the remains of our-- our great heroes from the past--

STEPHANOPOULOS: Did they try to make you pay for Otto Warmbier?

TRUMP: He-- w-- when you say "me," not me--

STEPHANOPOULOS: The United States.

TRUMP: Because I didn't know him at that time. That was a very different deal. But here's the bottom line. I ended it. We didn't pay. We never paid. What he did with other people in the State Department, that's irrelevant. And it might not be him. It might be his people. But we never paid for Otto. And I have great respect for Otto's parents. And what happened to Otto is horrible, horrible. But we never paid for Otto. And I will tell you I ended it. But that was before I knew him. I didn't know him at all. That was a long time ago now it seems. But a lot of things have happened. And there's been no nuclear testing. There's been essentially no testing whatsoever except for very short range. And that's something that a lot of nations test frankly, what he tested. I think we've made tremendous progress. Now, I will let you know if it goes the other way. And it can, and it can happen instantly. But we've done a very good job. George, prior to my getting here, nuclear testing all over the place. Moving mountains. I mean, moving-- this was serious nuclear stuff. There's nothing like that. You don't even hear about anything.

STEPHANOPOULOS: Do you think he's still building nuclear weapons?

TRUMP: I don't know. I hope not. He promised me he wouldn't be. He promised we-- me he wouldn't be testing. I think he'd like to meet again.

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And I think he likes me a lot. And I think-- you know, I think that we have a chance to do something.

*(OVERTALK)*

TRUMP: I'll tell you what he likes. He's a very smart person. And that country has-- almost of any undeveloped country anywhere in the world, that country has the chance to be economically a behemoth. And he can--

STEPHANOPOULOS: If he released-- if he stopped--

TRUMP: --lead it. And he can lead it--

STEPHANOPOULOS: --imprisoning his own people and starving his own people.

TRUMP: I'm not talking about that. I'm talking about from an economic standpoint. He's between China, Russia, and speak. It's all in the oceans. It's phenomenal. It's-- it's a phenomenal location. That country can be so rich. And he knows that. And I think he really wants to do that. And the only way he's going to do it is it's going to do it-- has to do it in a non-nuclear way.

STEPHANOPOULOS: It appears--

TRUMP: And that's what we care about.

STEPHANOPOULOS: It appears that meeting with you is dangerous for members of his negotiating team.

TRUMP: Somebody said, "Well, I guess he's a tougher negotiator maybe than we thought." The fact is that I don't know what happened with the five people. One person I think (SIREN) that we spotted. You know, the-- the lead. And he certainly seemed to be healthy. I have no idea whether or not anything happened to anybody else. You know, you hear all sorts of stories, but I don't know that--

STEPHANOPOULOS: What--

TRUMP: --they're true. And you would never know and probably wouldn't be able to find out very easily.

STEPHANOPOULOS: Not easy. It's a closed society. One final question on that. You had that question yesterday about-- Kim Jong Un's half-brother and who may have been a CIA asset before your time. You said it wouldn't happen on your auspices. Explain what you meant by that.

TRUMP: Well, they say he worked for the CIA. And I think frankly that we're beyond that point in terms of a relationship. And I don't think it would have to happen. I think that Kim Jong Un-- and you've heard many bad things about him, but you've heard from me different things. I think that Kim Jong Un wants to see a very-- has a chance to do something that would be unique. He could have almost an instantaneously wealthy behemoth. It could be an incredibly wealthy, successful--

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STEPHANOPOULOS: So we don't have to spy on--

TRUMP: --country.

STEPHANOPOULOS: --North Korea anymore?

TRUMP: Well, I-- I'm not going to say we're going to or we're not going to. But it didn't happen during my-- with respect to his brother, it didn't happen during my auspices, during the time that I'm here.

STEPHANOPOULOS: Lift a veil on your strategy here. You know, I listen to you every single day. All Americans do. Especially over these last couple days. You know, you-- "The-- the-- the press are enemy of the people. Fake news. Joe Biden's a loser, low IQ." Yet all these warm words--

TRUMP: And other people are very good. No, I--

STEPHANOPOULOS: --for Kim Jong-- no, but explain the strategy--

TRUMP: I say nice things about you.

STEPHANOPOULOS: Why-- why--

TRUMP: Maybe you're in that category.

STEPHANOPOULOS: You never know. But I-- but w-- th-- there seems to be a dissonance there.

TRUMP: I don't think so. I say a lot of nice things about a lot of people that are very soft and nice. And I say good things about lots of people. Look, I'm running-- I'm in charge of a very, very special gift. It's this incredible country. I'm dealing with people. Some might be nice, and some might not be nice. But I've done a great job. You know, when I got elected, everyone thought we were going to be at war the following day. Hasn't turned out to be. And our country is now more respected than it's been in many, many decades. We're more respected now than we were in many decades. I've been rebuilding the military. Our military was totally depleted between President Bush with the Middle East and, you know, just-- it was a terrible decision to go into the Middle East. Terrible, terrible. I-- I happen to think it was the worst decision made in the history of our country, going into the Middle-- it's like quicksand. And, by the way, Iraq did not knock down the World Trade Center. It was not Iraq. It were other people. And I think I know who the other people were. And you might also. But-- it was a terrible decision--

*(OVERTALK)*

TRUMP: It was a terrible decision to go into the Middle East. Terrible. We're now up to almost \$8 trillion. And when we want to build a roadway, a highway, a school, or something, everyone's always fighting over money. It's ridiculous. So that was a bad decision. President Obama didn't spend money on military. It wasn't his thing. He didn't want to spend. So I inherited a very depleted military. You can't have a depleted military today.

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And we have now a military that's very close to being at a level that we haven't had it in many, many decades.

STEPHANOPOULOS: We talked about Russia before, but we haven't talked about Robert Mueller's evidence on obstruction of justice. The attorney general said you didn't commit obstruction of justice. Robert Mueller said he's not reaching a decision-- could not exonerate you. And he laid out all that evidence. More than a thousand former federal prosecutors--

TRUMP: Oh, that's-- but they're all--

STEPHANOPOULOS: --have looked at--

TRUMP: --politicians. Hey George. Look, I know more about prosecutors than you'll ever know. They're politicians. I could get you 5,000 that would also say that there's nothing. You know, I-- I saw their names. And these are all-- many of them are Trump haters. Many of them if you look at the names.

STEPHANOPOULOS: Many Republicans, too--

TRUMP: I could get you thousands. You know how many prosecutors there have been over the-- if you add them all up? We could get you thousands of prosecutors. I've been treated so unfairly because I never did anything. There was no crime. The crime was committed by the Democrats. It was committed by your friend Hillary Clinton. The crime was committed by them. The crime was committed by Comey and all of these people. Now, we're going to find out. Because I guess there's an investigation. I stay away from it, but I guess there's an investigation going on. George, I could get you thousands of prosecutors that say this is the most unfair-- you take a man like Alan Dershowitz, who's a very brilliant guy. He thinks this is one of the worst things ever to happen to our country because I've been unfairly treated. Even a question like that's unfair.

STEPHANOPOULOS: The-- the question--

TRUMP: But they're taking-- they're taking people and you're taking people, and you're-- I could get you thousands of prosecutors--

STEPHANOPOULOS: Mr. President, there's nothing unfair about the question.

TRUMP: --to say whatever I want them to say--

STEPHANOPOULOS: One of the-- one of those prosecutors today, Kamala Harris, running for president--

TRUMP: Oh, give me a break. She's running for president. She's doing horribly. She's way down in the polls.

STEPHANOPOULOS: She said she would have no choice--

TRUMP: And I must say Pocahontas is--

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STEPHANOPOULOS: --but to prosecute you.

TRUMP: --really-- cleaning her clock. And I heard she made that statement. And you know what? Who wouldn't? Probably if I were running in her position, I'd make the same statement. There was no crime. There was no Russia collusion. There was no Russia, I'll put it in your language, conspiracy, which is even better than collusion. You know, the word "collusion" is a softer word than "conspiracy." If you look at what Robert Mueller wrote-- who's no lover of Donald Trump I will tell you. Frankly, he was conflicted. He shouldn't even be allowed to do it. No special counsel should have ever been appointed. You know why? Because there was no crime.

STEPHANOPOULOS: But he lay--

TRUMP: They had no-- excuse me. They had no evidence of crime.

STEPHANOPOULOS: He lays out a lot of evidence, including the episode where you ask your White House counsel, Don McGahn-- you tell him, "Mueller has to go." You call him twice--

TRUMP: Yeah, it--

STEPHANOPOULOS: --and say, "Mueller has to go. Call me when it's done."

TRUMP: And there-- now, the story on that very simply, number one, I was never going to fire Mueller. I never suggested firing Mueller. Do I think--

STEPHANOPOULOS: That's not what he said.

TRUMP: Excuse-- I don't care what he says. It doesn't matter. That was to show everyone what a good counsel he was. Now, he may have gotten confused with the fact that I've always said, and I've said it to you, and I've said to anybody that would listen Robert Mueller was conflicted. He was conflicted because we had a business transaction where I wouldn't give him back a deposit--

STEPHANOPOULOS: But Mueller writes about that--

TRUMP: --that he wanted. Excuse me.

STEPHANOPOULOS: He writes about that. Steve Bannon told you it was ridiculous.

TRUMP: It's--

STEPHANOPOULOS: Don McGahn--

*(OVERTALK)*

TRUMP: Steve Bannon is trivial. Doesn't even know about it or hardly would kb at it. But he had a total conflict. He also happened to have a very good friendship and relationship with Comey. So if Mueller has a

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relationship with Comey and a very close relationship, right then and there he's conflicted.

STEPHANOPOULOS: But why would Don McGahn lie--

TRUMP: But we had a business-- wait a minute--

STEPHANOPOULOS: Why would he lie under oath? Why would he lie--

*(OVERTALK)*

TRUMP: Because he wanted to make--

STEPHANOPOULOS: --Robert Mueller?

TRUMP: --himself look like a good lawyer. Or-- or he believed it because I would constantly tell anybody that would listen, including you, including the media, that Robert Mueller was conflicted. Robert Mueller had a total conflict of interest--

STEPHANOPOULOS: And has to go?

TRUMP: I never s-- I didn't say that. If I-- look, Article II I would be allowed to fire Robert Mueller. There was n-- assuming-- assuming I did all of the things, I said I want to fire him, number one, I didn't. He wasn't fired. Okay? Number one, very importantly. But more importantly, Article II allows me to do whatever I want. Article II would have allowed me to fire him.

STEPHANOPOULOS: So it sounds like you--

TRUMP: But I wasn't going to fire. You know why? Because I watched Richard Nixon go around firing everybody, and that didn't work out too well. So very simply, Article II would allow me to do it. But Don McGahn thought he did a great favor. And maybe he even believes it. But that never happened. And I have people that will tell you it didn't happen.

*(OVERTALK)*

TRUMP: Because I didn't want to fire Mueller, but I thought Mueller frankly should not have been appointed--

STEPHANOPOULOS: He has documentation.

TRUMP: Let-- let me just tell you something. Robert Mueller had a conflict. I would say it to anybody that would listen. He was totally conflicted. He had numerous conflicts. One of them was the fact that he applied for the job to be the FBI-- the head of the FBI. And, by the way--

STEPHANOPOULOS: Steve Bannon said he didn't. That's in the report--

TRUMP: Steve Bannon wouldn't know. Steve Bannon has no idea. Steve Bannon was not in the room. He was in line. I can get you two people that work in the White House office, in the Oval Office to tell you he was standing in line along with other people applying for the job. I was

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interviewing people. That's when we made a deal with Chris Wray. Robert Mueller wanted the job. He wanted to go back as the FBI director. That's perfectly fine. But I told him no. And then the next day he's appointed special prosecutor or shortly thereafter. I think it was actually the next day. He's appointed special counsel? That's a conflict--

STEPHANOPOULOS: The report says he didn't--

TRUMP: George, that's a conflict. It was in the papers--

STEPHANOPOULOS: But the-- the report says he didn't--

TRUMP: It was in--

STEPHANOPOULOS: --apply. But let-- let's-- I want to talk--

TRUMP: It was in-- George, it was in the newspapers. He came into my office. He wanted to be FBI director again. And I said no.

STEPHANOPOULOS: The report--

TRUMP: That's a conflict.

STEPHANOPOULOS: The report says that's not true. But let's talk about this Article II thing.

*(OVERTALK)*

TRUMP: Excuse me. Don't-- don't just, you know, shove it out like that. He applied for a job. I said no. And the next day, he's my-- he's my person that's going to be taking a look at me? Also, business conflict. Also, we had a conflict with-- with Comey. He had a-- his friend is Comey. So don't tell me about this, George.

STEPHANOPOULOS: You talk about Article II. So your position is that you can hire or fire anybody, stop or start--

*(OVERTALK)*

TRUMP: That is the position of a lot of great lawyers. That's the position of some of the most talented lawyers. And you have to have a position like that because you're the president. But without even bringing up Article II, which absolutely gives you every right--

STEPHANOPOULOS: So a president can't obstruct justice?

TRUMP: A president can run the country. And that's what happened, George. I run the country, and I run it well.

STEPHANOPOULOS: When the president does it, it's not illegal?

TRUMP: I'm just saying a president under Article II-- it's very strong. Read it. Do you have Article II? Read it.

STEPHANOPOULOS: I know what Article II says--

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TRUMP: Read it. No, read it.

STEPHANOPOULOS: I don't have it--

TRUMP: Go ahead.

STEPHANOPOULOS: --in front of me. I--

TRUMP: Read it for your audience.

STEPHANOPOULOS: It-- it-- it talks about executive power. But your position--

TRUMP: Okay, George.

STEPHANOPOULOS: --under--

TRUMP: You know what? Let's get onto another subject that's a very simple subject, Article II, But besides that, Mueller had conflicts.

STEPHANOPOULOS: But if you answer these questions to me now, why not answer them to Robert Mueller under oath?

TRUMP: Because they were looking to get us for lies or slight misstatements. I looked at what happened to people, and it was very unfair. Very, very unfair. Very unfair.

STEPHANOPOULOS: So you-- it was the right thing not to answer the questions?

TRUMP: Go ahead. Have a drink.

STEPHANOPOULOS: Happy to. So I'm listening to you. You're not worried about being prosecuted once you leave office?

TRUMP: Did nothing wrong, George. Did nothing wrong. There was no collusion. (SIREN) You don't even hear Russia mentioned anymore. Are you guys okay? ... There was no collusion. You don't even hear Russia mentioned anymore. Russ- Russia's not mentioned. Now, it's all about obstruct-- obstruction of what? They built up a phony crime. They hired a man that hated Trump. He hired 18 people that were Democrats that hated Trump. Some of them contributed to Clinton's campaign. A couple of them worked for Clinton. I mean, what kind of a rigged deal is this? (THROAT CLEARING) And then on top of it, after two years and after being the most transparent in history, I gave them 1.5 million pages of documents, right? I gave them four or five hundred witnesses. I let Don McGahn testify. I let him say-- he was the White House counsel. I let him testi--

STEPHANOPOULOS: But you knew he was--

*(OVERTALK)*

STEPHANOPOULOS: --an interview. You didn't answer questions on obstruction.

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TRUMP: Wait a minute. Wait a minute. I did answer questions. I answered them in writing.

STEPHANOPOULOS: Not on obstruction--

TRUMP: I don't know about this-- I don't know. I answered a lot of questions. They gave me questions. I answered them in writing.

STEPHANOPOULOS: Not on obstruction.

TRUMP: Look. George, you're being a little wise guy, okay-- which is, you know, typical for you. Just so you understand. Very simple. It's very simple. There was no crime. There was no collusion. The big thing's collusion. Now, there's no collusion. That means they set-- it was a setup. In my opinion, and I think it's going to come out.

STEPHANOPOULOS: Who set it up--

TRUMP: I hope it's going to come out. We're going to find out very soon. Because I really believe it's going to come out. When you look at Strzok, these FBI guys that were lowlives, when you look-- because the FBI's the greatest. But these-- the top people were absolutely lowlives. When you look at Strzok and Page and they're talking about an insurance policy just in case she loses, that was the insurance policy--

STEPHANOPOULOS: You know, I've heard you talk about that--

TRUMP: I went--

STEPHANOPOULOS: --before.

TRUMP: George, I went through the insurance policy.

STEPHANOPOULOS: I understand that. But if they were determined to prevent you from becoming president, why wouldn't they leak it beforehand?

TRUMP: You know what--

STEPHANOPOULOS: It didn't come out before the election--

TRUMP: You'd have to ask them. Oh, they tried. They tried. You know, it's an amazing thing. Probably one of the few times I respected the press is that the f-- the dossier, that fake news dossier, that fake pile of garbage that Comey knew about and all of these people-- and they paid a fortune for-- and Hillary Clinton paid for it. And the Democrats, okay? And they got information from Russia that turned out to be false. But that fake dossier, if you like that, they used that all over the place. And the one time I respected the press because they did the right thing, they wouldn't print it. They couldn't get it printed. They tried it to be before the election. If that would have happened before the election, I could have lost.

STEPHANOPOULOS: But it didn't.

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TRUMP: No, no. Because the newspapers would not print it. I cannot believe it. Because I've-- I've so lost confidence in press. I've so lost-- as you probably know, I've so lost confidence in media. I think it's disgraceful. They do societies that are so false. Everything-- I mean, almost everything. They do so many false. The one time, they could not get the fake dossier printed prior to the election. It came out a number of weeks after the election, and it didn't mean, you know, as much except I said, "Boy, that's terrible. What a fake deal that is." But had that been printed before the election, that could have changed the whole election. And that's what they wanted to do: steal. And Comey and all these lowlives, they wanted to have that fake dossier, which was all phony stuff. They wanted it to go out before the election, George. And you know what? Had that gone out before the election, I-- I don't think I could've-- I don't think I would've had enough time to defend myself--

STEPHANOPOULOS: You clearly believe there was-- a group of people working against you. Do you think President Obama was behind it?

TRUMP: I would say that he certainly must have known about it because it went very high up in the chain. But you're going to find that out. I'm not going to make-- that statement quite yet. But I would say that President Obama had to know about it.

STEPHANOPOULOS: How are you going to put this behind you?

TRUMP: Well, I would put it behind. I wouldn't have answered any of these questions. I wouldn't have made the statement except you start off with your first question is about this.

STEPHANOPOULOS: My first question was about Barron, and I had a ton of questions--

TRUMP: Okay, Barron. Okay.

STEPHANOPOULOS: --on North Korea.

TRUMP: Good, you said about Barron. You get immediately onto this. People are fixated. No collusion, no obstruction. Because the attorney general, who's a great gentleman and a highly respected man, based on the evidence given said, "There's no obstruction here." And Rod Rosenstein--

STEPHANOPOULOS: Your hand-picked attorney general.

TRUMP: --agreed with him. Rod Rosenstein-- which is a big thing. He agreed with him.

STEPHANOPOULOS: And you think that's the final word? You're not worried about what happens in Congress?

TRUMP: Look. The Republicans in the Senate, every single one of them that I see know this is a witch hunt. They get it 100 percent. And that's what matters. The Democrats are going to do it only because they might think it helps them. I think it actually hurts them in the election. But there's never been a time in the history of our country where somebody was so

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mistreated as I have been. And this should never, ever be allowed to happen to another president again. A previous administration used the intelligence data and the intelligence agencies to spy on my campaign.

STEPHANOPOULOS: Do you believe that President Obama spied on your campaign--

TRUMP: I don't know. But hopefully we're going to find out.

STEPHANOPOULOS: Final question. When this is all over, whether it's a year and a half from now or five and a half years from now, how do you want to be remembered as president?

TRUMP: As a president that loved the people, took care of the people, made our economy tremendous, built up our military, took care of our vets. Our vets are doing fantastically now with choice. Somebody that really loved the country and did a great job, whether it's four years or hopefully it's eight years. Because I still have work to do. Somebody that did a really great job for the country.

STEPHANOPOULOS: Mr. President, thank you for your time.

TRUMP: Thank you very much.

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# DEFENSE DEPARTMENT UKRAINE DOCUMENTS RELEASED TO AMERICAN OVERSIGHT



Late on Friday evening, the Department of Defense released five pages of records to American Oversight — including emails sent by Secretary of Defense Mark Esper — in response to the watchdog group’s Freedom of Information Act lawsuit seeking records related to the Trump administration’s efforts to pressure Ukraine to interfere in the 2020 election.

While heavily redacted, based on facts developed through the impeachment inquiry and independent journalism, the emails show senior officials in the Pentagon and the Office of Management and Budget engaged on the issue of aid to Ukraine at a time when the president himself was insisting on freezing such aid.

“As OMB and Defense officials debated the finer points of military aid funding, we know that none of their effort or apparent confusion over funding for Ukraine would have been necessary but for the president and his shadow foreign policy,” said Austin Evers, executive director of American Oversight. “It is deeply troubling to see so many public servants dragged, perhaps unwittingly, into the president’s extortion scheme.”

The records produced to American Oversight on Dec. 20, 2019, came in response to a lawsuit seeking senior officials’ emails relating to the Trump administration’s effort to pressure Ukraine to investigate the president’s political rivals. The production includes emails sent by Esper in August 2019 and Deputy Secretary David Norquist in September and October 2019.

This is the second production of Ukraine-related records obtained by American Oversight, and, like State Department records released in late November <<https://www.americanoversight.org/state-department-releases-ukraine-documents-to-american-oversight>>, these records were also not released to Congress during the House impeachment inquiry, despite congressional subpoenas.

**Click here to download the records** <<https://www.americanoversight.org/wp-content/uploads/2019/12/ao-v-omb-dec-20-2019-dod-release.pdf>>.

PUBLISH DATE: JANUARY 13, 2020

# ENERGY DEPARTMENT AGREES TO RELEASE UKRAINE DOCUMENTS THIS MONTH



In a court filing on Monday, the Department of Energy agreed to release multiple categories <https://www.americanoversight.org/document/joint-status-report-american-oversight-v-doe-perry-and-brouilletes-ukraine-records-and-communications> of Ukraine-related records to American Oversight, including former Secretary Rick Perry's communications with high-level Ukrainian officials, associates of Rudy Giuliani, and outside groups associated with U.S. energy interests in Ukraine.

In October, American Oversight sued the department <https://www.americanoversight.org/new-lawsuit-seeks-perry-and-brouillette-ukraine-documents-and-communications-about-biden-investigation-effort> for records of the May 2019 delegation to Ukraine led by then-Secretary Perry as well as for documents related to the effort to pressure Ukraine to announce an investigation into former Vice President Joe Biden. Monday's joint status report agrees to prioritize delegation records as well as Perry's and former Chief of Staff Brian McCormack's communications in its first production, scheduled for Jan. 28. Subsequent productions are scheduled for Feb. 4 and March 16.

American Oversight has five other lawsuits for Ukraine records, and last week obtained more than 70 pages calendars and text messages of Kurt Volker, the former special envoy to Ukraine who had assisted Giuliani in arranging a meeting with a top Ukrainian official. Volker's calendars showed minimal entries, raising further questions, and the texts appear duplicative of those he provided to House investigators in the impeachment inquiry.

Prior document releases to American Oversight include the November release of State Department documents showing March 2019 phone calls between Giuliani and Secretary of State Mike Pompeo (with the aid of the Oval Office) and the December release of Defense Department documents showing senior Pentagon and Office of Management and Budget officials engaged in the issue of aid to Ukraine. These, as well as the release of (highly redacted <https://www.justsecurity.org/67863/exclusive-unredacted-ukraine-documents-reveal-extent-of-pentagons-legal-concerns/>) records to the Center for Public Integrity <https://publicintegrity.org/national-security/trump-administration-officials-worried-ukraine-aid-halt-violated-spending-law/> are further evidence of the Trump administration's obstruction and the importance of the Freedom of Information Act in forcing the release of documents.

## American Oversight's lawsuit against the Department of Energy

<https://www.americanoversight.org/document/complaint-american-oversight-v-doe-perry-and-brouillettes-ukraine-records-and-communications> seeks the following records:

- Communications between Perry, McCormack or then–Deputy Secretary Dan Brouillette and various outside contacts including Naftogaz, Igor Fruman, and Lev Parnas;
- Emails sent by Perry, Brouillette, and McCormack containing any of three dozen terms, including “Biden,” “Giuliani,” or “Zelensky”;
- Records relating to 2019 meetings between Perry and Ukrainian officials, including briefing materials, meeting summaries, communications about the meetings, and expense records;
- Perry’s and McCormack’s communications with Giuliani or about any efforts to pressure the Ukrainian government to open a political investigation; and
- Any guidance or directives issued to or by McCormack with relation to the Bidens or Burisma Holdings.

### Part of Investigation:

#### The Trump Administration's Contacts with Ukraine

<https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>

#### Rick Perry's Energy Industry Connections — in the U.S. and Abroad

<https://www.americanoversight.org/investigation/rick-perrys-energy-industry-connections-in-the-u-s-and-abroad>

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DOE-19-0999 <<https://www.americanoversight.org/foia/doe-19-0999>>  
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### **Case #**

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PUBLISHED: JANUARY 13, 2020

# **JOINT STATUS REPORT: AMERICAN OVERSIGHT V. DOE – PERRY AND BROUILLETTE’S UKRAINE RECORDS AND COMMUNICATIONS**

Joint Status Report filed by American Oversight and the Department of Energy in American Oversight’s lawsuit seeking the release of Secretary Rick Perry’s communications with high-level Ukraine officials; with outside groups associated with U.S. energy interests in Ukraine; and with particular associates of President Trump’s personal lawyer Rudolph Giuliani. American Oversight is also requesting records regarding the U.S. delegation, led by Perry, to Ukrainian President Zelensky’s inauguration, including the records of former Chief of Staff Brian McCormack.

The Department of Energy agreed to make the first production of records on Jan. 28, 2020, prioritizing Perry’s and McCormack’s communications as well as records related to the delegation. Subsequent productions are scheduled for Feb. 4 and March 16.

**Part of Investigation:**

The Trump Administration's Contacts with Ukraine

<<https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>>

Rick Perry's Energy Industry Connections — in the U.S. and Abroad

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**DEPARTMENT OF ENERGY**  
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## Status

Open

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**DOE-19-0999** <<https://www.americanoversight.org/foia/doe-19-0999>>

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**Complaint: American Oversight v. DOE — Perry and Brouillette's Ukraine Records and Communications**

Department of Energy

**LITIGATION**

<<https://www.americanoversight.org/document/complaint-american-oversight-v-doe-perry-and-brouillettes-ukraine-records-and-communications>>

October 9, 2019

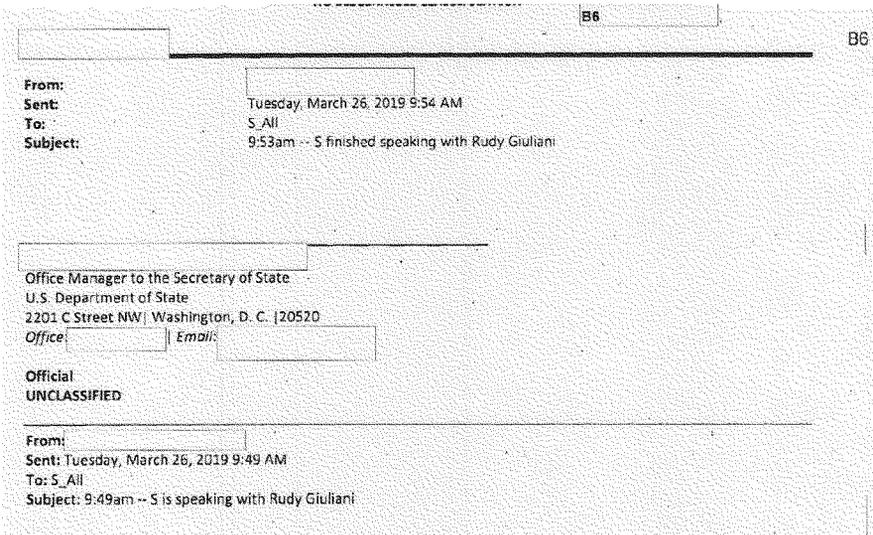
**FOIA to DOE Seeking Sent Emails of Senior Officials Regarding Ukraine**

Department of Energy

**FOIA REQUEST**

PUBLISH DATE: NOVEMBER 22, 2019

# STATE DEPARTMENT RELEASES UKRAINE DOCUMENTS TO AMERICAN OVERSIGHT



On Friday evening, the State Department released nearly 100 pages of records in response to American Oversight's lawsuit seeking a range of documents related to the Trump administration's dealings with Ukraine.

Among other records, the production includes emails that confirm multiple contacts in March of 2019 between Secretary of State Mike Pompeo and Trump lawyer Rudy Giuliani, at least one of which was

facilitated by President Trump’s assistant Madeleine Westerhout.

American Oversight is reviewing the production to assess whether the State Department has fully complied with the court’s order. Notes on what we’ve found are below. <https://www.americanoversight.org/state-department-releases-ukraine-documents-to-american-oversight#in-the-documents>

### **You can download the documents here**

[https://www.americanoversight.org/wp-content/uploads/2019/11/ao\\_state\\_ukraine\\_docs\\_11-22.pdf](https://www.americanoversight.org/wp-content/uploads/2019/11/ao_state_ukraine_docs_11-22.pdf). **They are also available below.**

## **Statement from American Oversight Executive Director Austin Evers**

“We can see why Mike Pompeo has refused to release this information to Congress. It reveals a clear paper trail from Rudy Giuliani to the Oval Office to Secretary Pompeo to facilitate Giuliani’s smear campaign against a U.S. ambassador.

“This is just the first round of disclosures. The evidence is only going to get worse for the administration as its stonewall strategy collapses in the face of court orders.

“That American Oversight could obtain these documents establishes that there is no legal basis for the administration to withhold them from Congress. That conclusively shows that the administration is engaged in obstruction of justice. The president and his allies should ask themselves if impeachment for obstruction is worth it if the strategy isn’t even going to be effective.

“This lawsuit is just one of several American Oversight is pursuing to bring transparency to the Ukraine investigation. The public should expect more disclosures, over the administration’s strong objection, for the foreseeable future.”

## In the Documents

**New:** The documents show a **March 26, 2019, call between Rudy Giuliani and Mike Pompeo**

<<https://www.documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p39/a537060>>. (Page 39 of document)

A March 28, 2019, email includes a list of scheduled calls for Pompeo. Calls include Rudy Giuliani on March 29

<<https://www.documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p46/a537065>>, and **Rep. Devin Nunes on April 1, 2019** <<https://documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p47/a537064>>.

On March 27, 2019, **Rudy Giuliani’s assistant contacted Madeleine Westerhout** <<https://www.documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p55/a537063>>, **who was serving as the president’s Oval Office gatekeeper at the time.** She asked Westerhout for a “good number” for Pompeo, adding that she had “been trying and getting nowhere through regular channels.” Westerhout contacted someone at the State Department to ask for a number she could provide. (Page 55)

During his closed-door testimony, career diplomat David Hale mentioned two calls <<https://docs.house.gov/meetings/ig/ig00/cprt-116-ig00-d018-u1.pdf>> between Pompeo and Giuliani, one on March 28, 2019, and one

on March 29. The documents include a March 28 email to Hale indicating that Pompeo had been the one to request a call with Giuliani. (Page 45)

The March 29 call appears on page 46, and the confirmation of its scheduling is on page 44.

Also in the documents: An April 5 letter

<<https://www.documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p17/a537067>> to the State Department from six former U.S. ambassadors to Ukraine (including Bill Taylor), expressing their concern about the attacks on U.S. Ambassador to Ukraine Marie Yovanovitch. (Page 13)

On April 12, 2019, Reps. Steny Hoyer and Eliot Engel

<<https://www.documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p28/a9>> wrote to Pompeo, also expressing their concern (page 28). The State Department responded on June 11 <<https://www.documentcloud.org/documents/6557889-state-department-records-of-giuliani-and-ukraine.html#document/p34/a537068>>, saying “Yovanovitch was due to complete her three-year diplomatic assignment in Kyiv this summer.” (Page 34)

**Note:** *The State Department did not produce a formal directive recalling Yovanovitch or a formal readout of Trump’s July 25 call with Zelensky. Both of these were covered by the court’s production order.*

**Part of Investigation:**

The Trump Administration's Contacts with Ukraine

<https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>

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### **Jurisdiction**

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### **Entity**

Department of State <<https://www.americanoversight.org/entity/department-of-state>>

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STATE-19-0624 <<https://www.americanoversight.org/foia/state-19-0624>>

STATE-19-0625 <<https://www.americanoversight.org/foia/state-19-0625>>

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19-2934 <<https://www.americanoversight.org/case/19-2934>>

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PUBLISH DATE: JANUARY 10, 2020

# STATE DEPARTMENT'S RELEASE OF VOLKER CALENDARS AND TEXT MESSAGES RAISES FURTHER QUESTIONS

[7/10/19, 3:53:48 PM] Gordon Sondland: Missed voice call  
 [7/10/19, 9:57:14 PM] Kurt Volker: Hi Gordon sorry I missed you earlier. Can talk tomorrow early morning? Kurt  
 [7/10/19, 10:24:41 PM] Gordon Sondland: Will call  
 [7/10/19, 10:30:45 PM] Gordon Sondland: Missed voice call  
 [7/22/19, 4:27:55 PM] Kurt Volker: Orchestrated a great phone call w Rudy and Yermak. They are going to get together when Rudy goes to Madrid in a couple of weeks.  
 [7/22/19, 4:28:08 PM] Kurt Volker: In the meantime, Rudy is now advocating for phone call  
 [7/22/19, 4:28:26 PM] Kurt Volker: I have call into Fiona's replacement and will call Bolton if needed.  
 [7/22/19, 4:28:48 PM] Kurt Volker: But I can tell Bolton and you can tell Mick that Rudy agrees on a call, if that helps  
 [7/22/19, 4:30:10 PM] Gordon Sondland: I talked to Tim Morrison. (Fiona's replacement). He is pushing but feel free as well.  
 We still meeting in Kyiv Fri?  
 [7/22/19, 4:30:35 PM] Kurt Volker: Yes Morrison. We're talking in 5  
 [7/22/19, 4:31:05 PM] Kurt Volker: And yes do come to kyiv! I'll go east on Thursday (welcome there too) and go to kyiv on Friday.  
 [7/22/19, 4:32:00 PM] Gordon Sondland: Tim is a good guy. Tell him we are in touch and synced. I wont make East but will be in Kyiv Thu night/all day Fri  
 [7/22/19, 4:33:52 PM] Kurt Volker: Great!

Non Responsive

Late on Friday night, the State Department released 71 pages of Ukraine-related records to American Oversight, including text messages of Kurt Volker, the former special envoy to Ukraine, and his calendars. You can view the documents [here](https://www.americanoversight.org/document/state-records-of-communications-and-calendar-entries-for-ukraine-special-representative-kurt-volker).

<https://www.americanoversight.org/document/state-records-of-communications-and-calendar-entries-for-ukraine-special-representative-kurt-volker>

Volker's calendars, while sparsely populated, cover a date range of March to September 2019. The entries contain little information, and are seemingly missing a lot of key details, especially for an official who traveled extensively and attended frequent meetings. The entries also regularly copy Volker's nongovernmental email account, which raises questions about whether additional records exist elsewhere.

The text messages released appear to be duplicative of texts that Volker provided House investigators in the impeachment inquiry. They include communications with Ambassador to the EU Gordon Sondland and Ambassador Bill Taylor, as well as with Andrey Yermak, a top adviser to Ukrainian President Volodymyr Zelensky, whom Volker put in touch with Trump personal attorney Rudy Giuliani <https://www.documentcloud.org/documents/6616807-state-records-of-communications-and-calendar.html#document/p70/a543097>.

"Kurt Volker was on both sides of the so-called official and unofficial channels with Ukraine," said American Oversight Executive Director Austin Evers. "While tonight's production appears to contain documents Volker already provided to Congress, the absence of calendar entries documenting his extensive travels and meetings, as well as his practice of copying a non-governmental email account on correspondence, suggests Volker may have maintained relevant documents outside of government systems."

American Oversight will seek answers and pursue any additional documents if they exist. And more document productions in this lawsuit — which seeks Volker's calendars and his communications with or about Giuliani as well as State Department senior officials' emails referencing Giuliani, former Vice President Joe Biden, or Ukrainian-born businessmen Lev Parnas and Igor Fruman — are still to come. In December, the court ordered the State Department to

prioritize the calendar entries and text messages, and to process 300 pages per month. American Oversight expects a second production of documents in early February.

American Oversight has five other Ukraine-related lawsuits, and on Wednesday received its second document production in another lawsuit for State Department records related to Giuliani and his efforts. You can view those [here <https://www.americanoversight.org/state-department-releases-additional-ukraine-documents-to-american-oversight>](https://www.americanoversight.org/state-department-releases-additional-ukraine-documents-to-american-oversight).

### **Part of Investigation:**

[The Trump Administration's Contacts with Ukraine](https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine)

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### **Jurisdiction**

Federal [<https://www.americanoversight.org/jurisdiction/federal>](https://www.americanoversight.org/jurisdiction/federal)

### **Entity**

Department of State [<https://www.americanoversight.org/entity/department-of-state>](https://www.americanoversight.org/entity/department-of-state)

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**FOIA ID #**

STATE-19-1062 <<https://www.americanoversight.org/foia/state-19-1062>>

STATE-19-1154 <<https://www.americanoversight.org/foia/state-19-1154>>

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19-3058 <<https://www.americanoversight.org/case/19-3058>>

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Department of Energy

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January 10, 2020

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#### **NEWS**

## Conflicting White House Accounts of 1st Trump-Zelenskiy Call

 [usnews.com/news/politics/articles/2019-11-15/rough-transcript-of-first-trump-zelenskiy-call-released](https://www.usnews.com/news/politics/articles/2019-11-15/rough-transcript-of-first-trump-zelenskiy-call-released)



The Associated Press

By DEB RIECHMANN, ZEKE MILLER  
and JILL COLVIN, Associated Press



WASHINGTON (AP) — President Donald Trump released the rough transcript Friday of a congratulatory phone call he had with the

incoming president of Ukraine, holding it out as evidence he did nothing wrong. Instead, the memorandum shows how White House descriptions of Trump's communications with foreign leaders at times better reflect wishful thinking than the reality of the interactions.

As the House opened its second day of public impeachment hearings on Capitol Hill, Trump released the unclassified record of his April 21 call with then President-elect Volodymyr Zelenskiy. The document bears little resemblance to the paragraph-long official summary of the conversation that the White House released the same day as the 16-minute call.

The discrepancy highlights the gulf that often exists between the message that U.S. national security officials want to deliver to world leaders and the one that is actually delivered by Trump.

For years, U.S. officials have stressed the importance of trying to support democratic norms and root out corruption in Ukraine, which has been fighting a war of attrition against Russian-backed separatists since Russia invaded and later annexed Crimea in 2014.

To that end, the official readout of the Zelenskiy call reported that Trump noted the "peaceful and democratic manner of the electoral process" that had led to Zelenskiy's victory in Ukraine's presidential election.

But there is no record of that in the rough transcript released Friday. Instead, it said Trump praised a "fantastic" and "incredible" election.

Current and former administration officials said it was consistent with a pattern in which Trump veers from — or ignores entirely — prepared talking points for his discussions with foreign leaders, and instead digresses into domestic politics or other unrelated matters. In the Ukraine call, for example, Trump praised the quality of the country's contestants in a beauty pageant he used to oversee and compared Zelenskiy's election to his own in 2016.

"When I owned Miss Universe, they always had great people," Trump told Zelenskiy of his country.

The original readout also said Trump "underscored the unwavering support of the United States for Ukraine's sovereignty and territorial integrity." But there's no indication of that in the rough transcript.

Likewise, the readout said the president expressed his commitment to help Ukraine "to implement reforms that strengthen democracy, increase prosperity, and root out corruption." The word "corruption" is not mentioned in the rough transcript of the actual call.

Corruption did feature prominently in Trump's second call with Zelenskiy on July 25, the call that helped spark the impeachment drama.

It's highly unusual for a president to release the rough transcripts of calls with foreign leaders, which are generated by voice transcription software and edited by officials listening in on the calls to ensure they are accurately memorialized. Official readouts, by contrast, are issued as news releases meant to further foreign policy aims. They are typically the only public accounts of the calls that presidents have with their counterparts.

Several current and former administration officials told The Associated Press that the readouts of Trump's calls with foreign leaders are often pre-written, reflecting official U.S. policy and what National Security Council officials hope the leaders will discuss and the talking points they provide to guide the president's conversations.

Those readouts are supposed to be revised after the calls to reflect what actually transpired. But that doesn't always happen, according to seven current and former administration officials who spoke on condition of anonymity to describe internal deliberations.

Such a revision didn't happen in this case, according to a person familiar with the matter. The person said that, as usual, a draft readout of the call had been written in advance based on talking points and had been approved by then-National Security Adviser John Bolton. That draft included reference to Trump raising the issue of corruption, which the NSC had recommended, with specific talking points included in Trump's briefing materials.

But the president did not raise the issue. And since the call occurred on a Sunday, the person said, the White House may not have updated the press release before it was publicly released.

Other officials noted that staffers tasked with writing readouts typically haven't listened in on the president's calls and instead rely on others to brief them. They are often under a time crunch driven by NSC staffers eager to have the U.S. readouts come out before the other nations releases their own accounts. Sometimes, they said, the administration simply doesn't want to recount everything discussed. Other times, they have decided the best course of action is not to release a readout at all.

Asked why the rough transcript released Friday differs so much from the readout, White House spokesman Hogan Gidley said it is "standard operating procedure for the National Security Council to provide readouts of the president's phone calls with foreign leaders." This one, he said, "was prepared by the NSC's Ukraine expert."

The current Ukraine expert at the NSC is Lt. Col. Alexander Vindman, who testified to lawmakers last month behind closed doors and is scheduled to give public testimony Tuesday.

Gidley added, "The president continues to push for transparency in light of these baseless accusations and has taken the unprecedented steps to release the transcripts of both phone calls with President Zelenskiy so that every American can see he did nothing wrong."

The Obama administration made it practice to issue fairly general readouts that offered only broad details about the president and vice president's conversations with foreign leaders. It was the Obama administration's practice to assign someone who was listening in on the call to draft the readout for the media to ensure that what was being said about the call was accurate, according to a senior Obama administration official who took part in drafting readouts.

To write a readout that included things that weren't discussed was "out of bounds," said the official.

It was practice to leave some details out of readouts to protect sensitive matters discussed on the call. But never were details or facts added or made up during the Obama and George W. Bush administrations, said another official who worked on national security matters in both those White Houses.

Ned Price, a former NSC spokesman under Obama and now director of policy at National Security Action, said it wasn't uncommon for readouts to provide a "more artful and formal recap" of a foreign leader call.

"But it's certainly not normal for the readout to be nearly entirely divorced from the reality of the call," he said. "The discrepancies between the transcript and the readout in this case are profound."

Under the current process, readouts and rough transcripts are produced separately. The rough transcripts are created by those who listen in on the call and policy experts in the NSC, while readouts are prepared by media teams in the NSC and the White House press secretary's office.

However, one of the former Trump White House officials familiar with the process said there is no "procedural step" in place to ensure the two are in agreement.

Another former Trump administration official familiar with the process said draft readouts of calls were written ahead of time, but since Trump does not adhere to talking points for meetings or calls, "it's a crap shoot on what is actually said."

—

AP writers Aamer Madhani and Jonathan Lemire contributed to this report.

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## Putin says Trump was impeached for 'far-fetched' reasons

AP [apnews.com/0530c2e93d9d5186d0a807888c1c0bb0](https://apnews.com/0530c2e93d9d5186d0a807888c1c0bb0)

December 19, 2019

MOSCOW (AP) — Russian President Vladimir Putin said Thursday that U.S. President Donald Trump was impeached for “far-fetched” reasons, calling the move by Democrats a continuation of their fight against the Republican leader.

“It’s simply a continuation of internal political struggle,” Putin said at his end-of-year news conference in Moscow. “The party that lost the (2016) election, the Democratic Party, is trying to achieve results by other means.”

He likened Trump’s impeachment to the earlier U.S. probe into collusion with Russia, which Putin played down as groundless. Former special counsel Robert Mueller concluded earlier this year that the Russian government interfered in the 2016 U.S. presidential election in a “sweeping and systematic fashion.”

“Now they invented some sort of pressure on Ukraine,” Putin said, referring to the investigation of Trump’s trying to enlist the president of that country to announce investigations of his political rival as he withheld U.S. aid to Kyiv.

Trump on Wednesday became only the third American president to be impeached. The historic vote in the House of Representatives split along party lines over a charge of abusing his power. The House also approved a second article that he obstructed Congress in its investigation.

Noting the Republicans have a majority in the Senate, where a trial of Trump will be conducted, Putin said “they will be unlikely to remove a representative of their own party from office on what seems to me absolutely far-fetched reasons.”

Turning to the New START nuclear arms reduction treaty with the U.S. that expires in 2021, Putin said that Russia is ready to extend it “even tomorrow,” warning that the demise of the last U.S.-Russian arms control deal will remove the final barrier stemming an arms race.

Putin spoke on a variety of issues during the marathon news conference that lasted for more than four hours and was dominated by local issues, such as Russia’s ailing health care system and federal subsidies for the regions.

The 67-year-old Russian president, who marks two decades in power later this month, remained coy about his political future. He wouldn’t answer if he could potentially extend his rule by shifting into a new governing position to become the head of a union between Russia and neighboring Belarus.

Putin served two four-year terms as president in 2000-2008, then moved into the premier’s position to observe a constitutional limit of two consecutive terms. He was re-elected in 2012 and 2018, and his current six-year terms runs through 2024.

He suggested modifying the law to limit a president to two terms altogether, which some observers said could signal his intention to stay at the helm by shifting into another position and reduce the power of presidency.

The Russian president left the door open to amending the Russian Constitution to change the distribution of powers of the president, the Cabinet and parliament, but noted that revisions must be made carefully after a broad public discussion.

Asked about costly business projects reportedly run by his two daughters, whom the Kremlin has carefully kept out of the public eye, Putin praised the initiatives but stopped short of confirming any details about them.

Putin opened the news conference by warning about new challenges posed by global climate change, saying that global warming could threaten Russian Arctic cities and towns built on permafrost and trigger more fires and devastating floods.

He emphasized that Russia has abided by the Paris agreement intended to slow down global warming. At the same time, he noted that the U.S. and China, which are responsible for a large share of greenhouse gas emissions, aren't part of the deal.

Putin also hailed the economic achievements of his rule, pointing that Russia has become the world's largest grain exporter, surpassing the U.S. and Canada — a dramatic change compared to the Soviet Union that heavily depended on grain imports.

The Russian economy had suffered a double blow of a drop in global oil prices and Western sanctions that followed Moscow's 2014 annexation of Crimea. It has seen a slow recovery since 2017 after a two-year stagnation.

Russia's ties with the West have remained at post-Cold War lows, but Putin argued that Russia has recovered and become more resilient to shocks from Western penalties and fluctuations in global energy prices.

He deflected Western criticism, saying that he sees his mission in protecting Russia's national interests and pays little attention to negative diatribes.

Noting the continuing strain in relations with Britain, Putin praised Prime Minister Boris Johnson for winning a strong parliament majority in his general election and held the door open for improving ties.

"He came out the winner because he had felt the British society's sentiments more acutely," he said.

Putin voiced hope for further moves to settle the conflict in eastern Ukraine following his talks in Paris on Dec. 9 with the leaders of Ukraine, France and Germany.

He said that the 2015 peace agreement signed in Minsk and brokered by France and Germany must be observed, rejecting Ukrainian President Volodymyr Zelenskiy's push for revising it.

"If we start revising the Minsk agreement, it will lead to deadlock," Putin said.

The fighting in eastern Ukraine, which flared up in 2014 after Russia's annexation of Crimea, has killed more than 14,000.

Putin, who once lamented the 1991 breakup of the Soviet Union as the greatest geopolitical catastrophe of the 20th century, had some harsh words to say about Soviet founder Vladimir Lenin.

He lambasted Lenin's policies on ethnic issues, saying that his idea to grant broad autonomy to ethnic-based Soviet republics, including their right to secede, paved way for the Soviet breakup once the Communist Party's hold on power started to loosen.

At the same time, Putin rejected the push for taking Lenin's embalmed body out of the Red Square tomb and burying it, saying that it would offend older people who still see the Soviet founder as a powerful symbol.

He noted that the Soviet demise spawned expectations of a "unipolar world" in which the U.S. dictates terms to others, adding that such "illusions" quickly collapsed. Putin said that China has come to challenge the U.S. as the global economic powerhouse and hailed increasingly close ties between Moscow and Beijing.

Putin dismissed reports of an emerging military alliance between Russia and China, but noted that Moscow was helping Beijing to develop an early warning system to spot ballistic missile launches. Only Russia and the U.S. currently have the system that includes ground-based radar and satellites.

"It will allow our strategic partner to boost its defense capability," he said.

The Latest: Ousted Ukraine ambassador has her say in hearing

## has her say in hearing

November 16, 2019



WASHINGTON (AP) — The Latest on President Donald Trump and House impeachment hearings (all times local):

7:10 p.m.

Attorney General William Barr says congressional Democrats are drowning government agencies with an “avalanche of subpoenas” in order to “incapacitate” the executive branch.

Barr spoke Friday at the Federalist Society’s dinner in Washington. His comments came as Congress held a second public hearing in the House impeachment inquiry.

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The Latest: Ousted Ukraine ambassador has her say in hearing

Barr says the “cost of this constant harassment is real.”

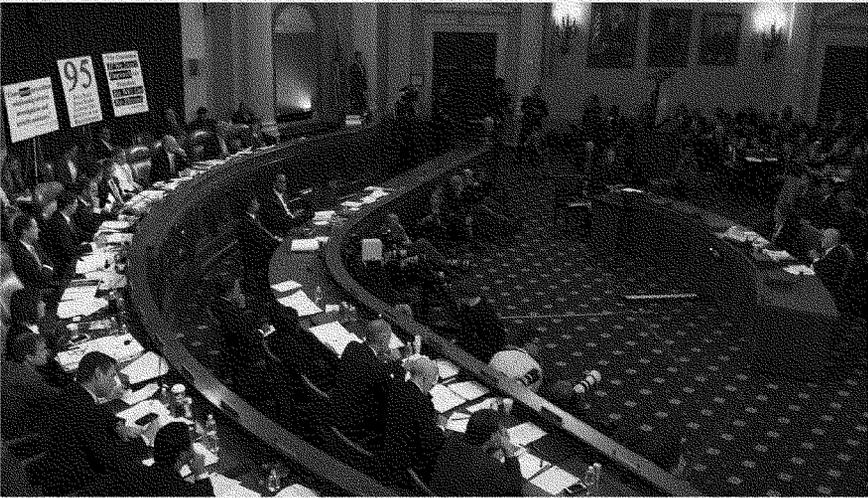
The attorney general also took a swipe at liberals who label themselves as part of “the resistance.” He said they “essentially see themselves engaged in a war to cripple by any means necessary.”

He also accused liberal lawmakers of being “engaged in a systematic shredding of norms and undermining of the rule of law.”

3:22 p.m.

The second open House impeachment hearing is over.

Former U.S. Ambassador to Ukraine Marie Yovanovitch testified for about five hours on Friday, telling investigators about her ouster in May at President Donald Trump’s direction and how she felt as she found out that he had criticized her in a July phone call with Ukraine’s president.



She also said it was “intimidating” as Trump went after her again on Twitter as she testified.

Democrats are investigating Trump’s dealings with Ukraine and a shadow foreign policy there led by his lawyer, Rudy Giuliani. They said that Yovanovitch’s ouster set the stage for the

The Latest: Ousted Ukraine ambassador has her say in hearing

president's appeals to Ukraine's leader to investigate Democrats.

The House Intelligence Committee will hear from eight more impeachment witnesses next week.

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3 p.m.

President Donald Trump says he wasn't trying to intimidate a witness in the House impeachment inquiry with his tweet and he's entitled to speak his mind as the investigation plays out.

Trump says of impeachment, "it's a political process, it's not a legal process." He says: "I'm allowed to speak up."

Trump tweeted critically about Marie Yovanovitch, the former U.S. ambassador to Ukraine, as she was testifying Friday before the House Intelligence Committee.

Yovanovitch said she found Trump's message "very intimidating" and Democratic committee chairman Adam Schiff suggested it could be used as evidence against the president. He said: "some of us here take witness intimidation very, very seriously."

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2:35 p.m.

The former U.S. ambassador to Ukraine says a political ally of President Donald Trump suggested she "send out a tweet, praise the president" when it became clear she was abruptly losing her job.

Marie Yovanovitch described her exchange with Gordon Sondland at the House impeachment hearing Friday. She says she rejected the advice.

Sondland was a Trump campaign contributor who'd become a State Department envoy to the European Union but wielded influence over U.S. policy in Ukraine.

Yovanovitch said Sondland's advice was to "go big or go home," which he explained meant lauding Trump.

She says she didn't do it because, "It felt partisan, it felt political" and inappropriate for an ambassador.

Yovanovitch was removed even though State Department officials told her there'd been no

The Latest: Ousted Ukraine ambassador has her say in hearing

complaints about her job performance.

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2:10 p.m.

The White House says President Donald Trump's tweets criticizing former U.S. Ambassador Maria Yovanovitch as she testified before the House as part of its impeachment inquiry was "not witness intimidation."

Trump has drawn criticism for tweeting early in Yovanovitch's testimony that everywhere the career diplomat was posted "turned bad."

Yovanovitch said the tweets were "very intimidating" to her and other witnesses.

But White House spokeswoman Stephanie Grisham says Trump did nothing wrong. She says in a statement that the tweets were "simply the President's opinion, which he is entitled to."

She's also criticized the hearing as a "partisan political process" and "totally illegitimate, charade stacked against the President."

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1:45 p.m.

A Republican lawyer has asked former Ambassador Marie Yovanovitch about efforts by Ukrainian officials to undermine Donald Trump's 2016 presidential campaign.

GOP lawyer Steve Castor cited a 2016 op-ed in The Hill newspaper, written by Ukraine's then ambassador to the U.S., which criticized Trump for comments that appeared to suggest Russia's annexation of Crimea was valid. Ukraine strongly opposes the annexation.

Castor said the op-ed showed that Ukrainian officials supported Hillary Clinton in the 2016 campaign, adding that the ambassador "said some nasty things" about Trump in the op-ed and on Twitter.

Yovanovitch replied, "Sometimes that happens on social media."

Her comment came hours after Trump attacked Yovanovitch on Twitter as she began her testimony in the impeachment inquiry. Trump tweeted, "Everywhere Marie Yovanovitch went turned bad."

Democrats call the tweet witness intimidation.

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The Latest: Ousted Ukraine ambassador has her say in hearing

1:20 p.m.

Former U.S. Ambassador to Ukraine Maria Yovanovitch is rejecting the notion that Ukraine tried to interfere in the 2016 presidential election, as President Donald Trump has proposed.

Trump has said that Ukraine tried to “take me down.”

Testifying in Friday’s impeachment hearing, Yovanovitch said “we didn’t really see it that way.”

She noted that the U.S. intelligence community “has conclusively determined” that those who interfered in that election were in Russia.

Yovanovitch also pushed back against Trump’s suggestions that former Vice President Joe Biden was pursuing his own interests in Ukraine during President Barack Obama’s administration. She said he was pursuing “official U.S. policy.”

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12:50 p.m.

The top Republican on the House Intelligence Committee is arguing that former U.S. Ambassador Marie Yovanovitch “is not a material fact witness” in the House impeachment probe of President Donald Trump.

California Rep. Devin Nunes said the details of her May ouster at Trump’s direction are a human resources issue, instead of a matter relevant to the Democrat-led investigation.

Democrats are investigating Trump’s dealings with Ukraine and his direct appeals to the country to investigate Democrats. They say Yovanovitch’s dismissal set the stage for a separate policy channel lead by Trump’s lawyer, Rudy Giuliani. Giuliani pushed for her firing.

Nunes noted that she had not talked to Trump this year or been part of preparations for a July phone call in which Trump asked the Ukrainian president for the investigations.

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12:35 p.m.

House Speaker Nancy Pelosi says witness intimidation is a crime.

But she’s stopping just short of saying that President Donald Trump crossed that line with a tweet attacking the former U.S. ambassador to Ukraine as she testified in the House impeachment hearings.

The Latest: Ousted Ukraine ambassador has her say in hearing

The California Democrat told reporters she'd not seen Trump's tweet. He wrote that every country where Marie Yovanovitch worked as an envoy "turned bad."

Asked if that tweet was witness intimidation, Pelosi said, "Witness intimidation is a crime."

She said one question was if such actions by Trump were "keeping people from giving facts and then saying, 'You don't have the facts.'"

Asked if Trump's tweet was appropriate, she says, "Appropriate and president in the same sentence? Come on. Why would we start making that judgment now?"

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12:15 p.m.

Two Republican lawmakers at Friday's impeachment hearing with former U.S. Ambassador to Ukraine Marie Yovanovitch say they think her testimony is irrelevant.

Rep. Scott Perry of Pennsylvania said Yovanovitch is "a very nice lady" but he believes Democrats are using her. Rep. Mark Meadows of North Carolina says the public is just learning about her feelings.

Yovanovitch described her ouster in May at Trump's direction and a campaign against her by Trump's lawyer, Rudy Giuliani. The impeachment investigation is looking at Trump and Giuliani's efforts to push Ukraine to investigate Democrats. She was ousted before a July call in which Trump asked Ukrainian President Volodymyr Zelenskyy for the investigations.

House Intelligence Committee Chairman Adam Schiff said Yovanovitch's ouster "helped set the stage for an irregular channel" of conducting Ukraine policy that was used to push for the investigations.

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11:35 a.m.

The No. 3 Republican in the House says President Donald Trump "was wrong" to post tweets critical of former Ambassador Marie Yovanovitch during her testimony in the impeachment hearings.

Rep. Liz Cheney said Yovanovitch "clearly is somebody who's been a public servant to the United States for decades and I don't think the president should have done that."

The Wyoming Republican served in senior State Department roles when her father, Dick

The Latest: Ousted Ukraine ambassador has her say in hearing

Cheney, was vice president and she has been more supportive of the career diplomats that have so far testified than some other Republicans.

Trump tweeted about Yovanovitch as she was answering questions from lawmakers, noting that she'd once served in Somalia and adding, "How did that go?" He tweeted: "Everywhere Marie Yovanovitch went turned bad."

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10:55 a.m.

Former Ambassador to Ukraine Marie Yovanovitch says President Donald Trump's tweets about her during her testimony in the impeachment hearings are "very intimidating" to her and other witnesses.

Trump tweeted about Yovanovitch as she was answering questions from lawmakers, noting that she'd once served in Somalia and adding, "How did that go?" He tweeted: "Everywhere Marie Yovanovitch went turned bad."

Yovanovitch responded to Trump's charge, saying, "I don't think I have such powers." She said she and her colleagues have improved conditions in places where they've served.

Yovanovitch was abruptly dumped as U.S. ambassador to Ukraine this spring. State Department officials never criticized her performance.

The career diplomat testified Friday that she'd been felled by a smear campaign orchestrated by Trump and his allies.

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10:35 a.m.

Former Ambassador to Ukraine Marie Yovanovitch says she was told by a colleague that "the color drained from my face" as she read a rough transcript of a phone call between President Donald Trump and Ukrainian President Volodymyr Zelenskyy in which Trump said Yovanovitch was "going to go through some things."

The rough transcript was released in September, months after Yovanovitch was ousted from the job at Trump's direction. She told lawmakers at the second House impeachment hearing Friday that it felt like a vague threat.

Yovanovitch said it was a "terrible moment" and that words fail her even now to describe it.

She said it was hard to believe "the president would talk to any ambassador like that to a

The Latest: Ousted Ukraine ambassador has her say in hearing

foreign head of state, and it was me. I mean, I couldn't believe it."

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10:30 a.m.

Former U.S. Ambassador to Ukraine Marie Yovanovitch says she was devastated when she learned President Donald Trump wanted to remove her from her post.

A top State Department official told Yovanovitch in April to come back to Washington from Ukraine "on the next plane."

Yovanovitch told Congress Friday that Deputy Secretary of State John Sullivan "said the words that every foreign service officer" fears: "'The president has lost confidence in you.' That was a terrible thing to hear."

Sullivan told her that Secretary of State Mike Pompeo "was no longer able to protect" her from attacks led by Trump's personal attorney, Rudy Giuliani.

Yovanovitch said the call "made me feel terrible. After 33 years of service to our country ... it was not the way I wanted my career to end."

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10:20 a.m.

Former U.S. Ambassador to Ukraine Marie Yovanovitch says she was told last April by a State Department official to return to the United States "on the next plane" because of concerns "up the street" — a phrase she understood to mean the White House.

Yovanovitch said she received the call at 1 a.m. from an official who said she needed to come home right away. The person said there were concerns about her security.

She asked if that meant her physical security. The person said no.

Yovanovitch said this was "extremely irregular" and she argued. But she eventually returned, where she learned that President Donald Trump no longer wanted her to serve.

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10:15 a.m.

Marie Yovanovitch says she had a reputation for championing anti-corruption interests in Ukraine.

The Latest: Ousted Ukraine ambassador has her say in hearing

Yovanovitch, who was recalled last spring from her job as U.S. ambassador to Ukraine, said under questioning from Rep. Adam Schiff that that work may have upset certain officials in Ukraine.

She says State Department officials tried to produce a statement of support for her after her abrupt recall from her post, but she was told that effort was unsuccessful because the officials feared their message would be undercut by the president.

She says she was told that she had lost the president's confidence and flew from Ukraine on the same day as the inauguration of Ukraine's president.

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10:10 a.m.

President Donald Trump is attacking a witness in House Democrats' impeachment inquiry while she is testifying before lawmakers.

Trump tweets that "everywhere" that former Ambassador to Ukraine Marie Yovanovitch went "turned bad."

Noting her postings in the foreign service, Trump says: "She started off in Somalia, how did that go?"

Trump says he has the "absolute right" to appoint ambassadors.

Yovanovitch is a career foreign service officer with a solid reputation. She testified Friday that she was the victim of "a campaign of disinformation" that used "unofficial back channels" leading to her removal from Ukraine.

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9:45 a.m.

Former U.S. Ambassador to Ukraine Marie Yovanovitch has told Congress that attacks from corrupt interests have created a crisis at the State Dept.

Yovanovitch is testifying openly before the House Intelligence Committee in its impeachment inquiry into President Donald Trump.

She told lawmakers that she was the victim of "a campaign of disinformation" that used "unofficial back channels" leading to her removal from Ukraine. She says it "continues to amaze" her that Americans partnered with "Ukrainians who preferred to play by the old corrupt rules" in pushing for her removal.

The Latest: Ousted Ukraine ambassador has her say in hearing

Yovanovitch is also sounding alarm that senior State Department officials did not defend her from attacks from the president's allies, including former New York Mayor Rudy Giuliani. She is telling lawmakers about a "crisis in the State Department."

She says: "The State Department is being hollowed out from within at a competitive and complex time on the world stage."

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9:35 a.m.

The top Republican on the House Intelligence Committee has read aloud a memo circulated by the White House that summarizes the first conversation between President Donald Trump and his newly elected Ukrainian counterpart.

The first conversation took place in April after the election of Volodymyr Zelenskyy. It consists largely of pleasantries and words of congratulations.

The White House made a record of the conversation public at the start of the House impeachment hearing on Friday.

Rep. Devin Nunes, the top Republican on the House Intelligence Committee, read the document aloud to suggest that there was nothing untoward in the conversation.

Rep. Adam Schiff, the committee chairman, said Trump should also "release the thousands of other records that he has instructed the State Department not to release."

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9:30 a.m.

House Intelligence Committee Chairman Adam Schiff says former Ambassador to Ukraine Marie Yovanovitch was "smeared and cast aside" by President Donald Trump because she was considered an obstacle to his personal and political agenda.

Opening the second public House impeachment hearing, Schiff said the question isn't whether Trump could recall Yovanovitch but "why would he want to?"

Yovanovitch testified behind closed doors last month that she was told to "watch her back" before she was ousted in May as Trump lawyer Rudy Giuliani led a shadow foreign policy.

Schiff said pushback at the State Department failed when it became clear that Trump wanted her gone.

The Latest: Ousted Ukraine ambassador has her say in hearing

Republican Rep. Devin Nunes said the hearings were “spectacles” for Democrats to “advance their operation to topple a duly elected president.”

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9 a.m.

The House has opened a second day of Trump impeachment hearings with Marie Yovanovitch, the former U.S. ambassador to Ukraine who was suddenly recalled back to the U.S. by President Donald Trump.

Yovanovitch is expected to testify about her ouster, which another diplomat has called a “smear” campaign against her by Trump allies.

The live public hearings by the House Intelligence Committee are being held to determine whether Trump should be removed from office over his actions toward Ukraine.

The investigation centers on Trump’s July 25 phone call when he asked the new Ukraine president for a favor — to investigate Democrats and potential 2020 rival Joe Biden — as the White House was withholding military aid to the Eastern European nation.

Yovanovitch and others have described Rudy Giuliani, Trump’s personal lawyer, as leading what one called an “irregular channel” outside the diplomatic mainstream of U.S.-Ukraine relations.

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8:35 a.m.

The former U.S. Ambassador to Ukraine has arrived on Capitol Hill to testify in the Trump impeachment inquiry.

Marie Yovanovitch is the witness for the second day of public hearings. She’s expected to tell lawmakers about her sudden ouster as President Donald Trump recalled the career ambassador back to the United States.

Other diplomats testifying in the investigation have defended Yovanovitch, saying she was the target of “smear” campaign by the president’s allies. She has served both Democratic and Republican presidents.

The rare impeachment inquiry is focused on Trump’s actions toward Ukraine. Democrats say it amounts to bribery, as the president withheld military aid to Ukraine while he pushed the country to investigate rival Democrats, including Joe Biden.

The Latest: Ousted Ukraine ambassador has her say in hearing

Trump calls the probe a hoax and says he did nothing wrong.

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12:15 a.m.

The House will hear from a singular witness Friday in the Trump impeachment hearings: Marie Yovanovitch, the former U.S. ambassador to Ukraine who was targeted by the president's allies in a "smear" campaign now central to the probe.

The career diplomat, who served both Republican and Democratic presidents, is expected to relay her striking story of being suddenly recalled by Donald Trump and told to "watch my back." It was all part of a swiftly developing series of events that sounded alarms about the White House's shadow foreign policy.

Friday is the second day of public hearings to consider removing America's 45th president. Democrats and Republicans are hardening their messages to voters as they try to sway voter opinion amid a deeply polarized public.

The House will hear from a singular witness Friday in the Trump impeachment hearings: Marie Yovanovitch, the former U.S. ambassador to Ukraine who was targeted by the president's allies in a "smear" campaign now central to the inquiry.

1/1/2020

Director of National Intelligence Dan Coats: 'Look at the Actions of the Russian State, Not Putin's Pronouncements' - Atlantic Council

SAT, JUN 9, 2018

## Director of National Intelligence Dan Coats: 'Look at the Actions of the Russian State, Not Putin's Pronouncements'

Transcript

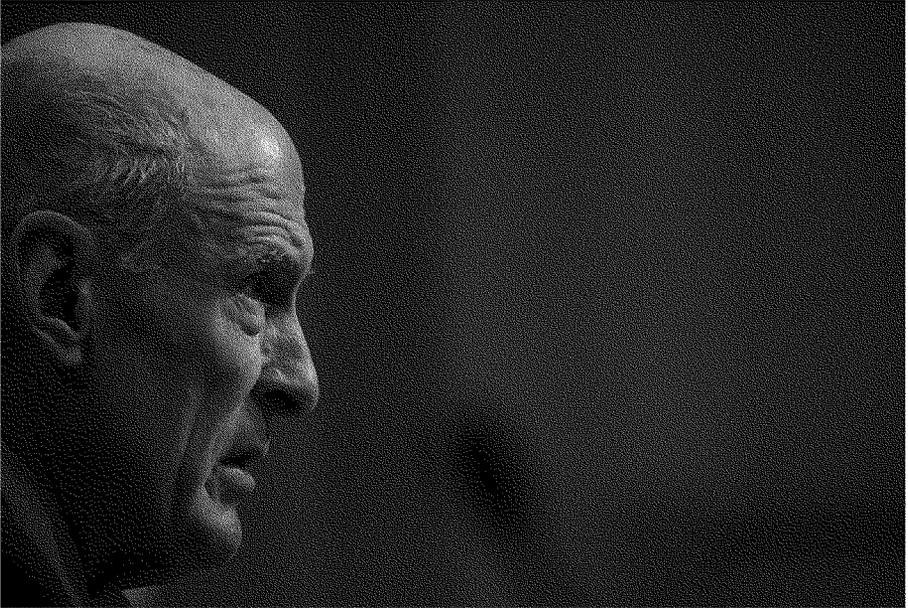
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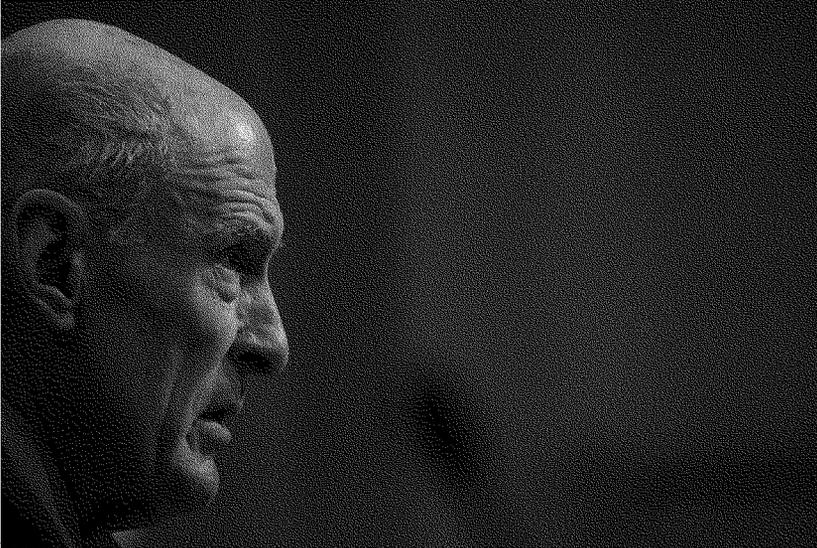
[Politics & Diplomacy](#)

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Russian President Vladimir Putin's actions "demonstrate that he seeks to sow divisions within and between those in the West who adhere to democratic norms," Director of National Intelligence Dan Coats said at a meeting co-hosted by the Atlantic Council in Normandy, France, on June 8. (Reuters/Leah Millis)



Remarks as prepared for delivery by  
The Honorable Dan Coats  
Director of National Intelligence  
Tocqueville Conversation  
Friday, June 8, 2018  
Normandy, France

Good evening, and sincere thanks to the Atlantic Council, Le Figaro, and the Tocqueville Foundation for organizing this important conversation about Democracy in the West.

I enjoyed catching up with Atlantic council board member and a long-time friend Ambassador Boyden Gray and the Atlantic Council's Executive Vice President Damon Wilson just a few minutes ago.

Jeff Gedmin and I were also able to spend a few minutes together – both of us were previously posted in Berlin.

Last but certainly not least I would like to acknowledge former U.S. Ambassador to France and my close friend Craig Stapleton, who is here tonight. Craig, a member of the board of directors for the Tocqueville foundation is the reason I am here.

So if you don't like or agree with my remarks today, you can blame Craig.

There is no better venue to address the issue of democracy in the West than here in Normandy.

Duty prevented me from attending the D-Day ceremony, where Allied forces landed on the nearby beaches to liberate the continent. It was on this ground, in those uncertain days,

where decisive action was required and blood was shed to protect our threatened democracies.

And a century before that, Normandy was home to the famed 19<sup>th</sup> century French philosopher of democracy in America.

The writings of Alexis De Tocqueville and the on-going work of the Tocqueville foundation has helped generations of Americans better understand the American political experiment.

As a stranger in a strange land, his insights on US society, culture, politics, and institutions still strike contemporary readers as prescient and powerful.

For the rest of the world—including his fellow French citizens—his work still provides an early warning of the challenges and opportunities offered by the growth of democracy and political equality.

I can't help but wonder what Tocqueville would assess if he returned to America today?

To be sure, he would see a democracy that is messy and flawed. As Winston Churchill said, "Democracy is the worst form of government, except for all those others that have been tried from time to time."

But Tocqueville would also see that our democratic experiment has endured many challenges, not least of which include a civil war, two world wars, a cold war, numerous regional conflicts, terrorist attacks, and foreign efforts to undermine our democratic process.

Together we have successfully met these challenges at great cost of lives and treasure.

My purpose at this conference is to explore how we can continue and strengthen our democracies to ensure they endure for future generations.

I'll approach this question through the lens of my role as the leader of the U.S. Intelligence Community.

In my current position, my responsibility is to focus on foreign threats to our democracy – and refrain from commenting on politics in the U.S. It is not pretty.

Frankly, I welcome this limitation. As a former U.S. Senator and member of the House of Representatives, I am acutely aware of the current state of U.S. politics.

So in the context of my current position, I'll offer my perspective on two topics:

One is the foundational role of intelligence in understanding the foreign threats to our democracies – and I'll talk particularly about the threat from Russia.

And the second is the importance of enduring relationships and information-sharing with our European allies in the face of these threats.

As I see every day in our intelligence reports, we live in a time of uncertainty, turmoil and peril for western democracies.

From Russia's renewed aggression, to China's global ambitions, to the persistent threat of terrorism, democracy and faith in our national institutions are under assault.

In addressing these threats, our role in the Intelligence Community is to gain understanding of these threats and provide essential insights to our policymakers.

It requires that we produce objective, unvarnished, non-political assessments.

And it requires that we tune out the daily political controversies and maintain focus on current challenges and the looming threats on the horizon.

In our business, we must adhere to the very foundational basis for intelligence agencies.

By that I mean we must seek and speak the truth, offer facts and assessments based on facts, but not opinions.

I consistently remind our workforce to remain focused on the mission, regardless of the political environment.

While our work is largely a human endeavor and therefore can be flawed, we strive to be seekers of the truth – to understand the world as it is, rather than how we would like it to be.

At our best, we help to frame debates, set the parameters for discussions, and present a core set of facts and assessments, all of which serves as the basis for our leaders to make informed decisions.

This is our goal – an aspiration made all the more important by today's cacophony of voices and opinions.

Our assessments aren't always popular, or what our policy makers had hoped to hear, but these clear-eyed assessments are necessary – as Tocqueville might have put it – to help “educate democracy.”

And they are necessary to help the US and our allies navigate what is the most complex, volatile, and challenging threat environment since World War II.

Among these threats, we are particularly concerned by external actors working to exacerbate existing social divides in our countries and undermine our democratic order.

Some—particularly Russia—have pursued and will pursue even more aggressive cyber-attacks and disinformation campaigns with the intent of degrading our democratic values and weakening our alliances.

While I'm on the topic of Russian malign activity, I'd like to take a second to speak some truth with regards to Russia's behavior.

And by behavior, I mean their actions.... not their words.

In 2016, Russia conducted an unprecedented influence campaign to interfere in the US electoral and political process.

It is 2018, and we continue to see Russian targeting of American society in ways that could affect our midterm elections.

Last year, in France, Russian actors conducted hack and release campaigns against President Macron during the French elections.

Last year, Russia conducted similar operations against German and Norwegian political candidates in an effort to undermine politicians critical of Russia.

Last year, Russian actors attempted to exploit divisions in Spain over Catalonia in an effort to weaken the Spanish government.

Last year, the Russian military attacked Ukraine with a disruptive cyber-attack... that affected thousands of computer users and cost billions of dollars in damages worldwide. It was the most damaging cyber attack to date.

And, just three months ago, Russian agents attempted to kill two people in the UK using a nerve agent – endangering the lives of hundreds of innocent people nearby, including children.

Vladimir Putin says he wants a united and prosperous Europe because it is Russia's biggest trade and economic partner, yet all one needs to do is look at the actions of the Russian state, not Putin's pronouncements.

Invading Ukraine, seizing Crimea, attacking individuals in the UK with nerve agent, conducting cyber-attacks against multiple EU countries, and undermining the energy resources of Eastern European countries do not strike me as unifying actions.

I could go on... but I think my point is obvious.

These Russian actions are purposeful and premeditated and they represent an all-out assault, by Vladimir Putin, on the rule of law, Western ideals and democratic norms.

His actions demonstrate that he seeks to sow divisions within and between those in the West who adhere to democratic norms.

This should not be a surprise. President Putin openly acknowledges that his experience in the KGB has established his approach to politics.

Perhaps that is why he thrives in an environment of cynicism, lies, and misdirection.

He arrests those who dare to run against him in elections and then celebrates when he receives 76% of the popular vote.

The facts and international law are clear and hard to refute. Which is why the Kremlin resorts to accusations of "Russophobia" and lies when we hold the Russian government accountable for their actions.

These accusations hold no weight and reflect the old legal saying, "When the facts are your side, pound the facts. When the law is on your side, pound the law. When neither the facts nor the law is on your side, pound the table."

In the face of this common threat, our history of relationships with our democratic allies in Europe bears particular importance.

Our ties are longstanding and durable.

They are forged over time and distance, through common purpose and shared sacrifice.

And our ability to share information, knowledge, and insights about common threats is a foundational pillar of our collective intelligence capabilities, and it would be naïve to think that these threats will dissipate.

And so our cooperation against these threats is a challenge that together we must engage in.

Of course, our relationships will inevitably ebb and flow.

We will have differences over policies. We always have, but our overarching relationships have endured.

I arrived in Germany in September of 2001 and my 2<sup>nd</sup> day on the job as the U.S. Ambassador was September 11<sup>th</sup>, 2001.

In the days and months that followed that fateful day we developed a remarkable partnership with the Germans in our joint efforts against terrorism.

During that same time period though, the U.S. relationship with France soured to the point that US Embassies in Europe received guidance from Washington that we were to stop serving French wine.

This wasn't a big problem for our Embassy in Berlin – our wine cellar was stocked with German and American wine.

But I called our then Ambassador in France – Howard Leach – to see how they were faring with this State Department requirement.

He reported they too had received the instructions from Washington.

He assured me that they were honoring the guidance to get rid of their stock of French wine... one bottle at a time.

Almost twenty years later, those differences are memories of the past.

And we now see the center of gravity in Europe shifting toward France.

President Macron is clearly taking a more assertive role in addressing European and global challenges.

And our intelligence cooperation with the French is quite strong and hopefully will continue to grow.

One of the benefits of this trip is the opportunity I have to visit with and strengthen ties to my intelligence and security counterparts here in France.

Meanwhile, as a former Ambassador to Germany, I'm personally disappointed to see that Germany – the country most capable of providing strength and resources to Europe – isn't punching up to its weight.

Our expectation is that our partners will join us in countering malign aggression and global threats.

In doing so, they are not taking a political stand, but a stand to guard and sustain our security and democratic values.

True cooperation requires that we all contribute our fair share of our unique expertise, capabilities, and resources because the threats we are facing are simply too complex to tackle alone.

Recognizing that the United States cannot be the sole global security guarantor.

On this point it should be noted that we have appreciated President Macron's willingness to take a greater role in global and regional security issues.

Cooperation also requires that we see beyond the ebb and flow of policy disputes, and maintain our steady collaboration on vital security interests.

In this sense, we must support European institutions, like NATO, that are both the target and deterrent to malign aggression.

I've been an enthusiastic supporter of the new NATO intelligence division under the leadership of my German friend Arndt Freitag von Loringhoven.

This newly established intelligence arm of NATO creates a mechanism to coordinate and integrate intelligence among member states.

This is similar to the approach we have taken in the United States to integrate the 17 elements of our Intelligence Community.

In doing so, we bring to life Aristotle's dictum that the whole is greater than the sum of the parts.

The Russian threat in particular has awakened Europe to the need to reinvigorate NATO and bolster our collective defenses.

Allow me to repeat this again...

The Russians are actively seeking to divide our Alliance, and we must not allow that to happen.

And so I call on all of our allies to carry their share of the burden and shared responsibility we have to address the challenge of our time.

As I conclude, let me acknowledge that I know that governing a democracy is complex and difficult.

After all, I served in the U.S. Congress for most of my career with a front row seat to the difficulty of legislating in a toxic public environment.

But I urge us all to look beyond the day-to-day headlines, individual policy differences, and the fractious politics in our countries.

And remain focused on the long-term trajectory of the threats we face and the cooperation we need to address those threats.

Seventy-four years ago, our forefathers fought, bled, and sacrificed their lives to free a continent from fascism.

Today, we honor that sacrifice by recommitting ourselves to the democratic values that Tocqueville articulated.

Standing together in defense of the democratic order should be and must be our number one priority.

We owe this to our forefathers, to those who lie below the thousands of white marble crosses in military cemeteries in Europe, America, and around the world, and to our public today, and finally to all those that will inherit the foundational values of democracy, life, liberty and the pursuit of happiness.

Thank you.



Axios

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Zachary Basu Nov 13, 2019

## Trump denies discussing Ukraine investigations with Sondland in July phone call

During a press conference with Turkish President Recep Tayyip Erdogan on Wednesday, President Trump said he knows nothing about an alleged July 26 phone call with EU Ambassador Gordon Sondland in which he is reported to have asked about the status of Ukrainian investigations he sought into the Bidens and the 2016 election.



*"I know nothing about that. First time I've heard it. The one thing I've seen that Sondland said is that he did speak with me with for a brief moment and I said "no quid pro quo under any circumstances." And that's true. But I've never heard this. In any event, it is more secondhand information, but I've never heard it."*

— President Trump

**Why it matters:** In the first public impeachment hearing on Wednesday, acting U.S. Ambassador to Ukraine Bill Taylor revealed that he had been informed of the new revelation by a staff member last Friday.

- The staff member, which has since been confirmed to be David Holmes, told Taylor that he overheard Trump discuss "the investigations" in Ukraine with Sondland the day after Trump's July 25 call with Ukrainian President Volodymyr Zelensky.
- Sondland later told Holmes that Trump cared more about "the investigations of Biden" than Ukraine itself, according to Taylor.
- Holmes has been called by House investigators to testify behind closed doors on Friday.

**The big picture:** The new detail suggests that Trump was more personally involved in Sondland and other U.S. officials' efforts to get Ukraine to announce these investigations, which have been condemned by Democrats and many of the impeachment witnesses as political.

**Go deeper:** Highlights from the impeachment hearing

TRUMP-UKRAINE INVESTIGATION >





## 1 big thing: The solution to information overload

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 Mike Allen, Jonathan Swan updated 5 hours ago

1/3/2020

Trump denies discussing Ukraine investigations with Sondland in July phone call - Axios

**AXIOS**

This photo released by the Iraqi Prime Minister's Press Office shows a burning vehicle at Baghdad International Airport following an airstrike early today. Photo via AP

President Trump, after warning three days ago that Iran would pay "a very BIG PRICE," authorized a drone strike at Baghdad International Airport that killed Iran's top general and second most powerful official, Qasem Soleimani.

**Why it matters:** Soleimani had cost hundreds of American lives and was among the Middle East's most feared powers. But Iran seems certain to respond, potentially further destabilizing the world's most volatile region.

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IRAN >



Barak Ravid of Israel's Channel 13 news 5 hours ago



Israeli Prime Minister Benjamin Netanyahu. Photo: Oded Balilty/Pool/AFP via Getty Images

Israeli officials say the country is bracing for possible Iranian retaliation after the U.S. killing of Iranian general Qasem Soleimani — and has started taking precautionary measures.

**Why it matters:** Some Iranian officials mentioned Israel as a "co-conspirator" in Soleimani's death alongside the U.S. Israeli officials say Iran could retaliate against Israel as part of any larger move against the U.S. by using their proxies in Syria, Lebanon and the Gaza Strip.

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ISRAEL >



Courtenay Brown 1 hour ago

## U.S. manufacturing activity hits worst level since 2009



Photo: Scott Olson/Getty Images

The Institute of Supply Management's index of manufacturing activity released Friday hit its lowest level since the end of the Great Recession in December.

**Why it matters:** It shows worsening conditions for the U.S. manufacturing sector, which has been in contraction for five straight months, and reignites concerns about the trade war's impact on the economy. Stocks, already in the red after a U.S. airstrike killed a top Iranian general, fell to the lowest levels of the day following the release of the data.

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MANUFACTURING >



Ina Fried 1 hour ago

## CES isn't what you think it is



Illustration: Sarah Grillo/Axios

CES, the annual January trade show in Las Vegas, is many things: a great place to catch up with leaders from throughout the tech industry, a decent chance to spot broad trends and an opportunity to hear stump speeches from big-name CEOs trying to get their companies seen as tech leaders.

**What it's not**, though, is a place for the most important tech announcements of the year. Companies like Apple, Google and Samsung prefer to launch key products in a less noisy environment, at their own private events.

▼ Go deeper 242 WORDS

CONSUMER ELECTRONICS SHOW (CES) >



Ben Geman 2 hours ago

## Amazon and Big Tech can't escape climate pressure



Illustration: Sarah Grillo/Axios

2020's first battle between Big Tech and climate activists is already here, and it won't be the last.

**Driving the news:** Amazon Employees for Climate Justice (AECJ) yesterday alleged management is trying to prevent employees from continuing to publicly criticize corporate policies.

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AMAZON >



Ben Geman 2 hours ago

## Geopolitical risk storms back into oil markets



Illustration: Sarah Grillo/Axios

Iran's response to the U.S. killing of Qasem Soleimani, a top Iranian military official, could target oil infrastructure and transit in the Middle East, analysts say.

**Driving the news:** The airstrike in Iraq that killed Soleimani pushed prices sharply upward last night and into this morning.

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IRAQ >



 Axios 3 hours ago

## Why Qasem Soleimani mattered



Photo: Press Office of Iranian Supreme Leader/Anadolu Agency/Getty Images

Qasem Soleimani, the Iranian general killed in a U.S. airstrike in Iraq, was one of the Iranian regime's most powerful figures — and the mastermind of its regional ambitions.

**Why he mattered:** As the leader of the elite Quds Force of the Islamic Revolutionary Guard Corps (IRGC), Soleimani was as revered by Iran's proxies and supporters across the region as he was reviled by Iran's foes, who considered him the mastermind of state-sponsored terrorism.

▼ Go deeper 321 WORDS

QASEM SOLEIMANI >



Dion Rabouin 4 hours ago

## Growing divide between the two Americas



Illustration: Aida Amer/Axios

Life in the U.S. is increasingly divided into two realities — one in which things have almost never been better and another in which it's hard to imagine them being worse.

**Driving the news:** Bankruptcies led more companies to announce job cuts last year than at any time in more than a decade, WSJ's Aisha Al-Muslim reports (*subscription*), citing data from outplacement firm Challenger, Gray and Christmas.

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JOBS >



 Axios 4 hours ago

## Pompeo says Soleimani strike disrupted "imminent" attack



Secretary of State Mike Pompeo told CNN's "New Day" on Friday that the U.S. strike that killed Iranian general Qasem Soleimani was meant to disrupt an "imminent" attack against Americans in the Middle East.

*"It was the time to take this action so that we could disrupt this plot, deter further aggression from Qasem Soleimani and the Iranian regime — as well as to attempt to de-escalate the situation. The risk of doing nothing was enormous. The intelligence community made that assessment, and President Trump acted decisively last night."*

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IRAN >



Mike Allen 5 hours ago

## The dominant Democrat of the Trump era



Sen. Bernie Sanders speaks Tuesday at Bernie's Big New Year's Bash, which drew 1,300 in Des Moines:  
Photo: Kelsey Kremer/The Des Moines Register via Reuters

Sen. Bernie Sanders' \$35 million fourth-quarter fundraising, which easily tops 2020 Democrats, is a timely reminder that the socialist senator from Vermont is the single most consistently popular and viable Democrat of the past half-decade.

**Why it matters:** The media rarely treats Sanders, 78, with the seriousness warranted by his sustained popularity and fundraising.

▼ Go deeper 191 WORDS

BERNIE SANDERS >



Politics

## Giuliani Ally Says \$1 Million From Russia Was Loan to Wife

By [Christian Berthelsen](#)

December 16, 2019, 12:16 PM EST

Updated on December 16, 2019, 2:15 PM EST

- 
- ▶ Prosecutors say Parnas was dishonest, want to revoke his bail
  - ▶ Parnas has pleaded not guilty to U.S. campaign finance charges
- 



Lev Parnas, center, exits federal court with his wife Svetlana Parnas in New York, on Oct. 23. *Photographer: Peter Foley/Bloomberg*

Lev Parnas, an associate of Rudy Giuliani indicted on U.S. campaign finance charges, said a \$1 million transfer into his wife's bank account from Russia was the proceeds of a loan -- and not an attempt to conceal his assets.

Federal prosecutors pointed to the transfer in a filing last week asking the judge to revoke Parnas's bail because he misrepresented his financial resources when he was arrested. They said

Parnas' wife, Svetlana, received \$1 million from a bank account in Russia in September, the month before Ukraine-born Parnas and business partner Igor Fruman were arrested as they sought to leave the country.

Monday's filing by Parnas' lawyer said the \$1 million didn't belong to Parnas but was a loan to Svetlana for a term of 60 months at a 5% annual interest rate. It didn't say who made the loan. Joseph Bondy, Parnas' lawyer, didn't respond to a voicemail message seeking additional comment.

Parnas and Fruman are accused of working on behalf of one or more Ukrainian government officials to seek the removal of then-U.S. ambassador to Ukraine Marie Yovanovitch. They have pleaded not guilty to those and other charges.

The filing left much unexplained about the payment, including who provided it or what it was for. Prosecutors said Svetlana Parnas is a stay-at-home mother with \$210,000 in assets of cash and jewelry, raising questions about why a lender would extend a \$1 million loan to her. Prosecutors accused Parnas of keeping money and assets in his wife's name to avoid creditors. A hearing is scheduled Tuesday in federal court in Manhattan.

#### [Read more about why Congress wants information from Parnas, Fruman](#)

According to prosecutors, Parnas and Fruman used an unidentified Russian national as the source of funds for political donations to curry favor with U.S. state and federal officials for their support in launching a retail marijuana business. Prosecutors haven't said whether the same Russian was the source of the payment. Parnas also had a role as an interpreter on the U.S. defense team of Dmitry Firtash, a Ukrainian oligarch fighting extradition to the U. S. For that work he was paid by the legal team, prosecutors have said.

The filing by Parnas' lawyer said he didn't mislead the authorities and that the financial records were provided to the government. Those records also reflect a \$200,000 payment from Svetlana Parnas' account into an escrow account as a down payment on a \$4.5 million home and payments for private jet travel and other expenses.

The payment came the same month that Parnas and Fruman received the first of two requests for documents from the congressional committees investigating the Trump administration's actions in Ukraine. The pair initially refused to comply with the requests, and were arrested days later on a jet bridge at Dulles International Airport as they sought to board a plane with one-way tickets out of the country. Parnas' lawyer has subsequently said his client has reversed course and notified Congress he's willing to provide documents and testimony.

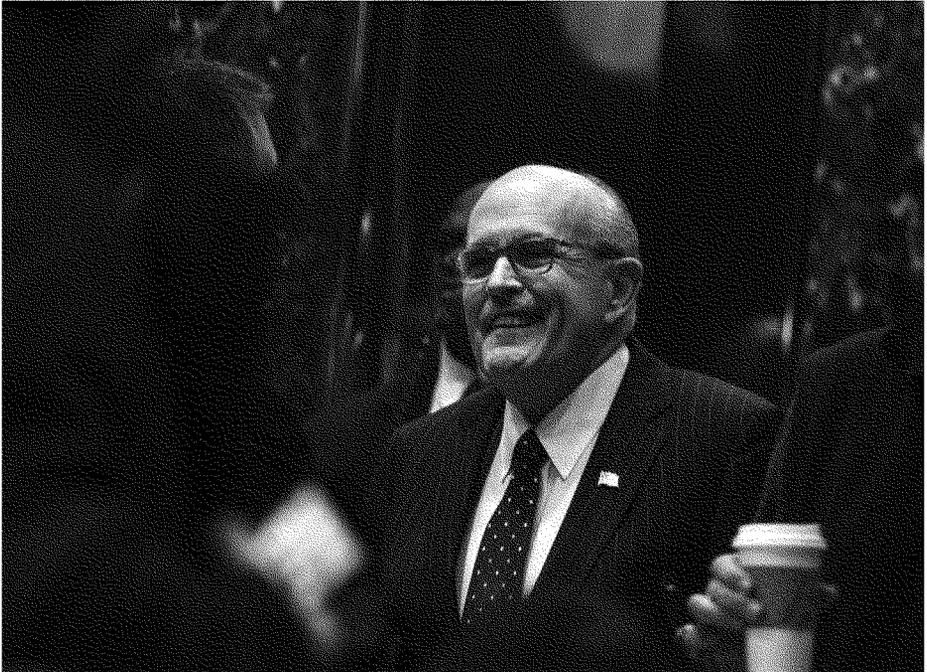
Politics

## Giuliani Says Ukraine Efforts ‘Solely’ for Trump’s Legal Defense

By [Jordan Fabian](#)

November 6, 2019, 7:32 PM EST

- 
- ▶ Claim hurts White House argument he conducted foreign policy
  - ▶ Giuliani has said he was tapped by State Department on Ukraine
- 



Rudy Giuliani *Photographer: John Taggart/Bloomberg*

Rudy Giuliani said his controversial work with Ukraine -- now at the center of the House impeachment probe -- was done “solely as a defense attorney” for President Donald Trump,

undercutting the administration's claims that the former mayor was advancing U.S. foreign policy.

Giuliani's tweet on Wednesday offered one of his most direct statements thus far on the nature of his work in Kyiv that has come under scrutiny in the impeachment inquiry. Lawmakers have been interviewing current and former administration officials in efforts to clarify the nature of Giuliani's interactions with U.S. and Ukrainian officials.

Secretary of State Michael Pompeo in an Oct. 20 interview with ABC News disputed the notion that Giuliani had circumvented the State Department to conduct what Democrats have called a shadow foreign policy. "Private citizens often are part of executing American foreign policy," Pompeo said.

And Giuliani had previously denied bypassing official diplomatic channels in dealing with the government of Ukrainian President Volodymyr Zelenskiy.

"Well, I wasn't operating on my own," Giuliani said in a Sept. 26 interview with Fox News' Laura Ingraham. "I went to meet Mr. Zelenskiy's aide at the request of the State Department. Fifteen memos make that clear."

But former special envoy to Ukraine Kurt Volker said in House testimony that Giuliani's assertions in media interviews that he was acting at the behest of the State Department were not true. Volker said he arranged a meeting between Giuliani and top Zelenskiy adviser Andriy Yermak, but that it was not at the administration's direction.

"He was saying that we were directing him and that he was acting on the behest of the State Department to do things," Volker said. "Well, it's not the truth."

#### Earlier: Trump Impeachment Defense Erodes as Envoys Detail Giuliani Role

Gordon Sondland, Trump's ambassador to the European Union, described Giuliani's role in ambiguous terms, saying that he discussed with Pompeo that the former New York City mayor was simply "involved in affairs" related to Ukraine.

The secretary of State "rolled his eyes" and said it is something we have to deal with, according to Sondland.

But Sondland also tried to distance himself and his office from Giuliani.

“Let me be clear: Mr. Giuliani does not work for me or for my mission, and I do not know what official or unofficial role, if any, he has with the State Department,” he said in his opening statement. “To my knowledge, he is one of the president’s personal lawyers.”

Giuliani, who is under criminal investigation as part of work two of his associates did in Ukraine, also said Wednesday that he had hired three lawyers, including Robert Costello, who specializes in criminal litigation and municipal investigations.

Asked Oct. 25 whether he was concerned about the growing investigation into his personal lawyer, Trump said: “I don’t think so.”

“I think Rudy is a great gentleman. He’s been a great crime fighter. He looks for corruption wherever he goes. Everybody understands Ukraine has big problems in that regard,” Trump said.

### In this article

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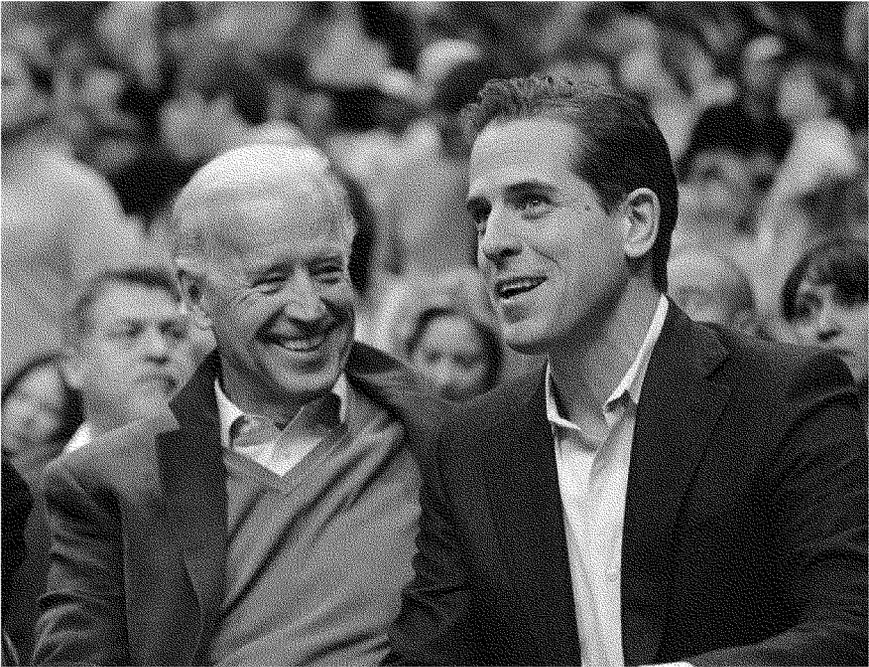
Politics

## Ukraine Prosecutor Says No Evidence of Wrongdoing by Bidens

By [Daryna Krasnolutska](#), [Kateryna Choursina](#), and [Stephanie Baker](#)

May 16, 2019, 3:14 PM EDT

- 
- ▶ Hunter Biden, Burisma not targets, despite Giuliani's pleas
  - ▶ Long-running investigation said to focus on another Ukrainian
- 



Joe and Hunter Biden *Photographer: Nick Wass/AP Photo*

Ukraine's prosecutor general said in an interview that he had no evidence of wrongdoing by U.S. Democratic presidential candidate Joe Biden or his son, despite a swirl of allegations by President Donald Trump's lawyer.

The controversy stems from diplomatic actions by Biden while his son, Hunter Biden, sat on the board of Burisma Group, one of the country's biggest private gas companies. As vice president, Biden pursued an anti-corruption policy in Ukraine in 2016 that included a call for the resignation of the country's top prosecutor who had previously investigated Burisma.

Yuriy Lutsenko, the current prosecutor general, said that neither Hunter Biden nor Burisma were now the focus of an investigation. He added, however, that he was planning to offer details to U.S. Attorney General William Barr about Burisma board payments so American authorities could check whether Hunter Biden paid U.S. taxes on the income.

"I do not want Ukraine to again be the subject of U.S. presidential elections," Lutsenko said in an interview Tuesday in his office in Kiev. "Hunter Biden did not violate any Ukrainian laws -- at least as of now, we do not see any wrongdoing. A company can pay however much it wants to its board." He said if there is a tax problem, it's not in Ukraine.

## Diverging Reports

The prosecutor laid out a more detailed explanation about what was under investigation by his office after a flurry of diverging reports. While the prosecutor's office hasn't reopened a case against Burisma, it is pursuing information about the company's owner in connection with a long-running criminal investigation of another mogul who fled the country five years ago. That matter concerns a transaction unrelated to Hunter Biden, he volunteered.

In recent weeks, Rudy Giuliani, the president's personal lawyer, has said that Joe Biden had a conflict of interest when he pressed Ukraine's officials to crack down on corruption. Giuliani said that Biden could have been trying to help his son's business dealings and that Ukraine needs to investigate.

Those comments have brought fresh scrutiny of Ukraine's prosecutors and whether they are now investigating matters related to Burisma or taking other steps to curry favor with the U.S. administration.

Back in March 2016, Biden threatened to withhold \$1 billion in loan guarantees if Ukraine failed to address corruption and remove its Prosecutor General, Viktor Shokin, who soon after left office amid widespread calls for his dismissal. Though Shokin had begun a probe into Burisma, it was dormant when he departed, according to a former prosecutor.

"At the end of the day, Shokin submitted his own resignation," Lutsenko said.

[See a video and transcript of Biden discussing Ukraine here](#)

Giuliani scrapped a planned trip to Ukraine this month to discuss the Biden allegations and other matters with Lutsenko and Ukrainian politicians after a [report](#) in The New York Times spurred criticism that he was seeking to harm a Democratic opponent. Critics said he appeared to be enlisting a foreign government to investigate Trump's possible challenger in the 2020 U.S. presidential election. Giuliani told Fox News that he believed the people around President-elect Volodymyr Zelenskiy were "enemies" of Trump.



Yuriy Lutsenko *Photographer: Sergei Supinsky/AFP via Getty Images*

Addressing the controversy this week, Biden called it a "personal attack" by Giuliani. "I can't remember any lawyer representing the president, conferring with the president, deciding to go overseas where a government that relies on U.S. largess to try to get them to do something that everyone knows never happened," Biden said in an interview in New Hampshire posted Monday on Twitter.

The Bidens declined to comment for this article. Giuliani didn't respond to a request for comment.

From his office in Kiev, Lutsenko said Giuliani had extended an invitation to meet in New York late last year. When the two finally met in January, they spoke over two days about the Ukrainian political situation and the fight against corruption, he said. Giuliani asked him about investigations into the owner of Burisma, Mykola Zlochevsky, as well as whether the U.S. Ambassador to Ukraine, Marie Yovanovitch, was “not loyal to President Trump.” The men met again in February in Poland, where Giuliani gave a speech at an anti-Tehran rally on the sidelines of a U.S. summit on Iran.

The ambassador to Ukraine, Yovanovitch, has been subject to political attacks as anti-Trump, including a tweet by Donald Trump Jr. who called her a “joker.” She is leaving Kiev within days, ahead of her planned departure this summer. Lutsenko said he told Giuliani that his relationship with the ambassador wasn’t friendly enough for her to confide her opinions on Trump.

### [Read More: While Representing Trump, Giuliani Building Brand Around the World](#)

Lutsenko said his prosecutors are now looking at Zlochevsky and dozens of other Ukrainians as part of one of the country’s biggest criminal investigations, which was begun in 2014. That inquiry focuses on the activities of Serhiy Kurchenko, who owned a group of gas companies and was a close associate of former President Viktor Yanukovych. Ukraine’s prosecutor general has accused Kurchenko of money laundering, tax evasion and theft of state assets.

After the Maidan revolution toppled Yanukovych in February 2014, Kurchenko fled Ukraine, reportedly to Russia. The U.S. and the European Union imposed sanctions on Kurchenko, and his assets were frozen. A lawyer for Kurchenko didn’t immediately comment.

As part of the five-year-old inquiry, the prosecutor general’s office has been looking at whether Kurchenko’s purchase of an oil storage terminal in southern Ukraine from Zlochevsky in November 2013 helped Kurchenko launder money. Lutsenko said the transaction under scrutiny came months before Hunter Biden joined the Burisma board.

“Biden was definitely not involved,” Lutsenko said. “We do not have any grounds to think that there was any wrongdoing starting from 2014.”

There is no additional investigation of Zlochevsky and Burisma, the prosecutor general said. A separate case focusing on Zlochevsky’s sale of the oil storage company should be opened in the next month, he said, calling it a “small episode” in the bigger investigation.

“As soon as a case will be separated against Zlochevsky, investigators will follow the procedure,” Lutsenko said. “As far as I know he is outside Ukraine, so he will be first put on a wanted list, then he will be put on an international wanted list. But for the time being, there is nothing in that regard.”

## ‘Notice of Suspicion’

Prosecutors sent Zlochevsky a “notice of suspicion” and requested he appear for questioning as part of the Kurchenko case, but he never showed up, Lutsenko said. Zlochevsky didn’t respond to requests for comment sent via Burisma, and his lawyer declined to comment.

The current probe “in no way” concerns Burisma, the prosecutor general emphasized.

Before he became prosecutor general in 2016, Lutsenko said, a probe into whether Burisma misappropriated gas licenses was transferred to Ukraine’s National Anti-Corruption Bureau of Ukraine (NABU) and then closed. “I don’t understand why NABU closed the cases,” he said.

This year, at the request of Ukrainian MPs, NABU reopened the gas license case. The matter concerns licenses granted to Burisma when Zlochevsky was Minister of Ecology and Natural Resources and predates Hunter Biden’s time on the board.

Zlochevsky’s sale of the oil storage business to Kurchenko was part of a probe by the U.K.’s Serious Fraud Office started in 2014, only to be dropped after Ukrainian prosecutors failed to provide information to support the case and closed their own investigation into the matter. Another probe into unpaid taxes by Burisma was settled in 2016.

“All cases against Burisma were closed,” Lutsenko said. “I do not see any wrongdoings of any foreigners who worked for Burisma in Ukraine.”

Lutsenko’s future as prosecutor general -- a job he says he’d like to keep -- is uncertain. Zelenskiy, Ukraine’s new president, is due to be sworn in on May 20 and has vowed to name a new prosecutor general.

## In this article

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## STATEMENT OF JOHN R. BOLTON

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 [boltonpac.com/2020/01/statement-of-john-r-bolton/](https://boltonpac.com/2020/01/statement-of-john-r-bolton/)

January 6, 2020

During the present impeachment controversy, I have tried to meet my obligations both as a citizen and as former National Security Advisor. My colleague, Dr. Charles Kupperman, faced with a House committee subpoena on the one hand, and a Presidential directive not to testify on the other, sought final resolution of this Constitutional conflict from the Federal judiciary. After my counsel informed the House committee that I too would seek judicial resolution of these Constitutional issues, the committee chose not to subpoena me. Nevertheless, I publicly resolved to be guided by the outcome of Dr. Kupperman's case.

But both the President and the House of Representatives opposed his effort on jurisdictional grounds, and each other on the merits. The House committee went so far as to withdraw its subpoena to Dr. Kupperman in a deliberate attempt to moot the case and deprive the court of jurisdiction. Judge Richard Leon, in a carefully reasoned opinion on December 30, held Dr. Kupperman's case to be moot, and therefore did not reach the separation-of-powers issues.

The House has concluded its Constitutional responsibility by adopting Articles of Impeachment related to the Ukraine matter. It now falls to the Senate to fulfill its Constitutional obligation to try impeachments, and it does not appear possible that a final judicial resolution of the still-unanswered Constitutional questions can be obtained before the Senate acts.

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.

For More Updates, Follow Ambassador John Bolton on Twitter: <https://twitter.com/AmbJohnBolton>

## There's a huge loophole in the GOP's claim that Trump's sale of Javelin missiles to Ukraine shows his support for the country

**B** [businessinsider.com/republicans-leaving-out-key-detail-trump-javelin-sale-to-ukraine-2019-11](https://www.businessinsider.com/republicans-leaving-out-key-detail-trump-javelin-sale-to-ukraine-2019-11)

John Haltiwanger 2019-11-22T14:34:00Z

Republicans involved in the impeachment inquiry have repeatedly touted the Trump administration's sale of anti-tank missiles to Ukraine as evidence the president is supportive of the country against Russian aggression, but they've left out key details in the process.

Under the rules of the sale, the Javelin missiles have to be stored in western Ukraine, which is far from the frontlines of the ongoing conflict in the eastern part of the country (the Donbas region) against pro-Russia separatists.

In short, the Javelins were essentially provided to Ukraine under the condition that they not be used in the conflict zone.

Accordingly, the Javelins have yet to be used in the fighting, though US personnel are training some Ukrainian forces how to use them against tanks.

### 'They've had symbolic and psychological impact'

Experts on Ukraine have offered mixed reviews on the impact of the US-provided anti-tank missiles, but largely seem to agree they serve as a deterrent against Russia.

Charles Kupchan, former director for European affairs on the National Security Council in the Obama administration, recently told Slate that the missiles "have not been deployed anywhere near the battlefield."

Kupchan added: "They've had symbolic and psychological impact."

Meanwhile, David Holmes, a top staffer at the US embassy in Ukraine and witness in the impeachment inquiry, told House investigators on Thursday that the Javelins provide an "important strategic deterrent." He added that the weapons are "not actively employed in combat operations right now."

### The Javelin missiles were mentioned in a phone call at the center of the impeachment inquiry.

Javelins were mentioned in the July 25 phone call between President Donald Trump and Ukrainian President Volodymyr Zelensky that led to a whistleblower complaint and spiraled into an impeachment inquiry, and they've repeatedly come up in the public impeachment hearings. During the call, Trump urged Zelensky to launch investigations into his political rivals — including former Vice President Joe Biden.

At the time, Trump had placed roughly \$400 million of congressionally-approved security assistance to Ukraine on hold, and the president is accused of dangling the aid over Zelensky as part of a broad scheme to pressure him into launching the investigations. The aid was ultimately released on September 11, less than a week after three House committees launched investigations into his administration's efforts to pressure Ukraine to help his reelection campaign.

As the impeachment inquiry has escalated, Trump has faced harsh criticism for freezing the security assistance, and allegations of risking both US and Ukrainian national security for personal gain.

But Republican lawmakers like Rep. Elise Stefanik of New York have pointed to Trump's sale of the missiles to Ukraine to counter the narrative that Trump places his personal political agenda above national security concerns.

Republican National Committee chairwoman Ronna McDaniel tweeted a clip of one such exchange in defense of the president.

Trump, however, was reluctant to sell the missiles to Ukraine and did so only after he was persuaded it would be good for US business, current and former officials familiar with the decision told Foreign Policy.

The Trump administration first approved the sale of Javelins to Ukraine in December 2017. The sale was completed in March 2018, when the State Department announced it would sell Ukraine 210 Javelin anti-tank missiles and 37 launchers worth \$47 million. The State Department approved an additional sale of the anti-tank missiles to Ukraine in October.

The Obama administration provided assistance to Ukraine as well, but would only offer non-lethal aid for fear of exacerbating the conflict and tensions with the Kremlin. There were also concerns that the anti-tank missiles could fall into the wrong hands.

The nonlethal aid provided to Ukraine under former President Barack Obama included US personnel to train Ukrainian forces, Humvees, night-vision goggles, advanced radar, patrol boats, body armor, and humanitarian assistance.

Olga Oliker, the director for Europe and Central Asia at the International Crisis Group, recently told Foreign Policy that nonlethal aid is actually considered more helpful than the Javelins, even as Ukrainian officials have celebrated their arrival.

"While generals and politicians in Kyiv played up the Javelins, in my own experience, soldiers in the field talked more about getting insufficient quantities of the nonlethal aid that they really needed — secure communications, armored vehicles, counterbattery radars," Oliker said.

**'Even as we sit here today, the Russians are attacking Ukrainian soldiers'**

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Witnesses in the impeachment inquiry, including the current top diplomat to Ukraine, Bill Taylor, have underscored the importance of US assistance to Ukraine in thwarting Russia. Taylor was on the frontlines of the conflict less than a week before his public testimony to House investigators earlier this month.

In his testimony, Taylor said: "Even as we sit here today, the Russians are attacking Ukrainian soldiers in their own country and have been for the last four years. I saw this on the front line last week; the day I was there a Ukrainian soldier was killed and four were wounded."

Taylor added: "The security assistance we provide is crucial to Ukraine's defense and to the protection of the soldiers I met last week. It demonstrates to Ukrainians— and Russians — that we are Ukraine's reliable strategic partner. It is clearly in our national interest to deter further Russian aggression."

The Ukraine conflict began in 2014 and has led to roughly 13,000 deaths and displaced roughly 1.5 million people.

## NOW WATCH:

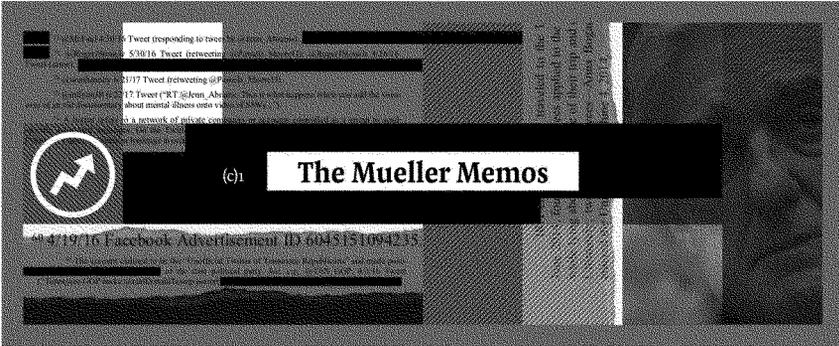
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More: javelin Trump impeachment Ukraine Russia



## Robert Mueller's Secret Memos, Part 3: The Documents The Justice Department Didn't Want Congress To See

[buzzfeednews.com/article/jasonleopold/mueller-report-secret-memos-3](https://www.buzzfeednews.com/article/jasonleopold/mueller-report-secret-memos-3)



BuzzFeed News has obtained some of the most important and highly sought-after documents from special counsel Robert Mueller's investigation: summaries of FBI interviews with key White House officials.

*[Read the documents [here](#). Some key takeaways are below.]*

The 356 pages of documents, obtained through a Freedom of Information Act lawsuit, were the subject of a protracted legal dispute between the Justice Department and the House Judiciary Committee, which sought them over the summer as part of its impeachment inquiry. The committee had requested access to an unredacted copy of the Mueller report, grand jury testimony from the investigation, and the FBI's summaries of 33 interviews. Justice Department officials resisted, claiming the impeachment inquiry does not entitle the panel to see those records. A federal judge disagreed, ruling in October that "DOJ is wrong" and that the White House and the Justice Department were "openly stonewalling" the committee.

In the documents released Thursday, the FBI and Justice Department withheld vast swaths of information under a number of FOIA exemptions — including one that says the disclosure of information would interfere with ongoing investigations. They also withheld information from these records claiming disclosure would threaten national security.

The documents also include a 31-page interview that is completely redacted — including the name of the person who was interviewed.

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Snippets of some of the interview summaries, known as 302s, are sprinkled throughout the Mueller report, including the disclosure that Sanders admitted to FBI agents that [she lied to the media](#) when she said during a May 2017 press briefing that "countless members of the FBI" had lost faith in former FBI director James Comey.

Mueller's 448-page [report](#) was the most hotly anticipated prosecutorial document in a generation, laying out the evidence of Russia's interference in the 2016 election and the Trump administration's efforts to obstruct the inquiry. But it reflected only a tiny fraction of the primary-source documents that the government amassed over the course of its two-year investigation.

*[We want your help! If you see something in these memos, you can email reporter Jason Leopold at [jason.leopold@buzzfeed.com](mailto:jason.leopold@buzzfeed.com) or reach us securely at [tips.buzzfeed.com](https://tips.buzzfeed.com).]*

Last May BuzzFeed News, and later CNN, sued the FBI and Justice Department to gain access to the tens of thousands of pages of summaries of the roughly 800 or so interviews FBI agents conducted during the course of Mueller's two-year probe.

The Justice Department turned over the [first batch of documents](#) from Mueller's cache in November 2019 and another batch last month. It is under court order to produce at least 500 pages every month.

In an effort to speed up the release of the documents, Judge Reggie Walton ordered the government, with this third installment, to turn over only the typewritten portions of the interview summaries, leaving the FBI agents' handwritten notes as well as emails, letters, and other evidence from the individual files of the witnesses to be processed and released to us at a later time.

The interview summaries are just the beginning. BuzzFeed News is pursuing five separate lawsuits to pry loose all the subpoenas and search warrants that Mueller's team executed, as well as all emails, memos, letters, talking points, legal opinions, and financial records it generated. In short, we asked for all communications of any kind that passed through the special counsel's office. We also requested all the documents that would reveal the discussions among Attorney General Bill Barr, former deputy attorney general Rod Rosenstein, and other high-ranking officials about whether to charge Trump with obstruction.

In response, Justice Department lawyers claimed the volume of records requested could total 18 billion pages and take centuries to produce.

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Some takeaways from the documents:

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**New details about Stephen Miller's involvement in drafting a letter firing Comey**

Stephen Miller's FBI interview summary offers considerable narrative detail about an eventful visit at the Trump country club in Bedminster, New Jersey.

Miller was at dinner with Trump on Friday night, May 5, 2017. Jared Kushner was there. According to Miller's recollections, Trump told people at the table that he wanted to fire James Comey, one of the key events during the FBI's Russia investigation that Mueller investigated as part of the obstruction portion of his probe. Trump said he needed a "well honed" letter to explain it — and that he already had a "great concept" to make the announcement. The reasons are redacted.

Trump dictated some thoughts to Miller, who then went to the room where he was staying and began doing his own research on the matter. He put "his own best thoughts" together. When FBI agents later showed Miller a copy of the letter, he told them that it appeared that Trump had left handwritten edits on the document — although the agents pointed to particular notes that appeared to be Miller's writing.

"Miller could not specifically recall the details of the editing process," he said.

Trump said the letter should open by stating that he himself was not under investigation, in order to "disqualify" the firing being related to the inquiry. The letter said that the investigation was "fabricated." The president wanted to say that Comey was in a "review period."

Trump met with Miller, chief of staff Reince Priebus, White House lawyer Don McGahn, and one or two other officials on May 7, 2017. Miller recalled that Trump announced: "I'm going to read you a letter. Don't talk me out of this. I've made my decision."

McGahn said the Department of Justice was already doing a review of Comey and that the next step would be for him to meet with Justice officials. The next day, Miller was told to use a letter by then-Deputy Attorney General Rod Rosenstein rather than the one crafted at Bedminster. McGahn preferred that the president strike the references to his not being under investigation, but Trump overruled him.

*Relevant documents on pages 28–34. From page 29:*

Friday night in Bedminster, Miller went to dinner with Trump. [redacted] b5 Per DOJ/OIP  
[redacted] Kushner were

there. [redacted]  
[redacted]

b6  
b7c

Trump started off dinner on Friday night with the topic of Comey's termination. [redacted] b5 Per DOJ/OIP

[redacted] At the top of the dinner, Trump said he wanted to remove Comey and wanted to articulate his reasons in a "well honed" letter. [redacted] Trump already had a "great concept" for a letter that would be used to fire Comey and make the announcement. [redacted]

[redacted]

[redacted] Trump [redacted] began to lay out his arguments for Comey's termination. [redacted]

[redacted]

[redacted] b5 Per DOJ/OIP

FBI

**K.T. McFarland talked to the FBI under an agreement generally given to people under criminal investigation**

A summary of a December 2017 interview with K.T. McFarland, who served as deputy national security adviser under Michael Flynn earlier that year, reveals that she provided information to the special counsel's office under a proffer agreement. Generally, prosecutors offer proffer agreements to people who are under investigation to allow them to speak without fear that what they say will be used against them later. McFarland was first interviewed by the FBI that summer but reportedly revised her statement after it was contradicted by Flynn's guilty plea.

Later in her December interview, McFarland recounted events from February 2017, when she was told to resign but offered a job as ambassador to Singapore. There was something the president wanted her to do, though: write an email saying that "the President never directed Flynn to call the Russians about sanctions." However, a lawyer at the National Security Council told her "it was a bad idea...because it was awkward and looked like a quid pro quo situation." Instead, she wrote "a contemporaneous 'Memorandum for the Record' [...] because she was concerned by the President's request," according to the Mueller report.

BuzzFeed News has reached out to McFarland for comment.

Relevant documents begin on page 86:

CLASSIFIED BY: NSICD [redacted]  
 REASON: 1.4 (C,D)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 10-07-2013

- 1 of 19 -

**FEDERAL BUREAU OF INVESTIGATION**  
~~**SECRET**~~

Date of entry: 03/05/2018

Kathleen Troia "K.T." McFarland was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, D.C. McFarland was accompanied by her attorneys, [redacted] and [redacted] of Sullivan & Cromwell LLP. Participating in the interview were FBI Special Agent (SA) [redacted] SA [redacted] Senior Counselor to the Special Counsel James L. Quarles III, Senior Assistant Special Counsel (SASC) Andrew Goldstein, and SASC Brandon Van Grack. Pursuant to the execution of a proffer agreement, McFarland provided the following information:

b6  
b7C  
b7E

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE  
b5 Per DOJ/OIG

FBI

**Conspiracy theorist Jerome Corsi told the FBI "he had been lying to himself to believe his own cover story"**

The conspiracy theorist and Roger Stone associate Jerome Corsi told investigators that his interviews as part of the Mueller investigation made him realize he had been lying to himself "to protect his own cover story."

Corsi came under investigation for his communications with Roger Stone about WikiLeaks and, specifically, the release of stolen documents from Hillary Clinton's presidential campaign.

"The Special Counsel's office interview was the first time he came to terms with the truth," his 302 says. "He had been lying to himself to believe his own cover story. Corsi apologized it had taken him so long to come to terms with the truth. He needed to admit to himself that he was lying."

The redacted interview summary does not give a clear answer as to what Corsi meant when he said he was "lying."

Following these interviews, Corsi leaked what he claimed was a proposed plea agreement prepared by the special counsel in which he would plead guilty to one count of perjury. He claimed that he did not mean to perjure himself, but misremembered details because of his age.

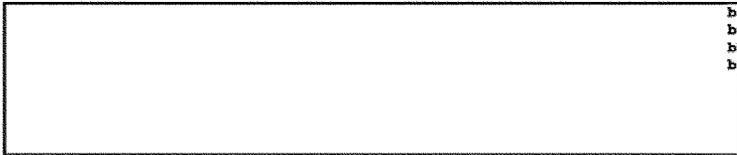
However, according to the FBI interview summary, Corsi told agents he “did not remember a lot of what he had been shown to him the previous day and realized the way he wanted to remember things was not actually how things happened.”

Corsi is best known for advancing the false “birther” conspiracy theory against former president Barack Obama and, according to the summaries of his FBI interviews, he “often” talked with Trump about these theories before Obama released his birth certificate in 2011. Corsi worked for Infowars, run by Alex Jones, for a period of time as the head of its DC bureau.

Corsi did not immediately return a request for comment.

*Relevant document on page 328:*

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) , On 11/01/2018 , Page 3 of 11



b6  
b7A  
b7B per DOJ  
b7C

Corsi said the Special Counsel's Office interview was the first time he came to terms with the truth. He had been lying to himself to believe his own cover story. Corsi apologized it had taken him so long to come to terms with the truth. He needed to admit to himself that he was lying.



b6  
b7A  
b7B per DOJ  
b7C

FBI

**Michael Cohen googled the number to the Kremlin — then tried to set up a Putin-Trump meeting**

In an interview with FBI agents and investigators from Mueller's team on Nov. 12, 2018, Trump's personal attorney Michael Cohen described in detail how he had tried to arrange a meeting between Trump and Putin at Trump Tower in New York following the United Nations General Assembly in 2015, according to his interview summary with the FBI.

"Cohen recalled that in 2015, the news reported that [former President Barack] Obama refused to meet with [Russian President Vladimir] Putin at UNGA [United Nations General Assembly]. Trump said it was stupid of Obama to say that," the interview summary said, noting that Trump had said many times he thought he would get along with Putin. "After Trump's comment, Cohen told him that if Trump wanted, Cohen could reach out to Putin's office and try to arrange a meeting between the two of them. Cohen suggested it would be funny for the two men to meet at Trump Tower and have a burger. Trump agreed it was a good idea, and would be funny, and to go ahead and reach out."

Cohen then went on Sean Hannity's Fox News show and said Trump might meet Putin. Trump asked Cohen "a handful of times for updates" about it. But it appears Cohen had no idea how to reach anyone at the Kremlin. He told the FBI he conducted a Google search for a phone number there.

"Cohen called the Kremlin and spoke to a woman about the idea of Putin and Trump meeting. The woman that answered said she would speak to a supervisor and get back to him. She mentioned the name Sergei Ivanov and said he should reach out to Ambassador [Sergey] Kislyak," the interview summary said. "Cohen asked for the woman's email address and sent his contact information to her by sending her an email with his signature block."

But Cohen never heard back. So he dialed the number and spoke to the same woman again, about two or three days before Putin was due to arrive in New York for the United Nations General Assembly.

"The woman told him it would not follow protocol for Putin to meet with Trump, and Cohen relayed that message to Trump."

*Relevant documents on pages 124–125. From page 125:*

After that conversation, Cohen went on Hannity's show and said publicly that Trump may meet with Putin. After Cohen went on Hannity's show, Trump asked a handful of times for updates.

Cohen did a google search for a phone number and called it from his office, but he was not sure if he used his office phone or his cell phone. Cohen called the Kremlin and spoke to a woman about the idea of Putin and Trump meeting. The woman that answered said she would speak to a supervisor and get back to him. She mentioned the name Sergei Ivanov and said he should reach out to Ambassador Kislyak. Cohen asked for the woman's email address and sent his contact information to her by sending her an email with his signature block. Cohen recalled her email address had .ru at the end, but was not sure if it was gov.ru.

When he did not hear back after that first call, Cohen reached out again, using the same number, and spoke to the same woman. He thought the second call was two or three days before Putin was supposed to arrive for UNGA. The woman told him it would not follow protocol for Putin to meet with Trump, and Cohen relayed that message to Trump.

Cohen was shown documents reflecting telephone calls from his cell phone number, [REDACTED] to the telephone numbers and dates of connection listed below. Cohen was also provided an opportunity to review his telephone contacts for the numbers.

b6  
b7C

9/28/2015: [REDACTED]

11/17/2015: [REDACTED]

1/6/2016: [REDACTED]

6/9/2017: [REDACTED]

After reviewing his telephone directory, Cohen stated none of the numbers were in his contacts and he did not know who the calls were to.

Cohen affirmed that it was false when he previously said he never discussed the idea of the Putin lunch with Trump.

FBI

## **Cohen said Putin sent Trump a letter about the 2013 Miss Universe pageant near Moscow — Trump was unhappy about the ratings**

Cohen told the FBI that he thought Putin would attend the 2013 pageant because it took place in a Moscow suburb and Trump wondered out loud if the Russian leader would attend. He said Trump had no intention to meet with officials from the Russian government while at the pageant.

"Cohen recalled Putin sent Trump a nice letter, but Cohen had never seen it. He had heard general mentions of the letter in conversations in Trump's office," the FBI wrote.

"Trump was unhappy with the ratings the Miss Universe pageant got that year. Because of the time zone difference, the winner was announced in the United States before people woke up, and no one wanted to watch the pageant on TV," the FBI wrote.

*Relevant document on page 126:*

FD-302a (Rev. 05-08-10)

b7E

(U) Interview of Michael Cohen  
Continuation of FD-302 of (11.12.2018) , On 11/12/2018 , Page 6 of 15

[REDACTED] would have served as a tie breaker if necessary, but the decision was unanimous to set the pageant in Moscow.

b6  
b7C

Cohen was not aware of any interest on the part of Trump to meet with Russian government officials during the pageant. Cohen was not aware of outreach to various government officials. Cohen was under the impression Putin would attend the pageant. Cohen had that impression because the pageant was happening in Putin's "backyard" and also because he had a conversation with Trump in which Trump wondered aloud if Putin was going to show up. Cohen recalled Putin sent Trump a nice letter, but Cohen had never seen it. He had heard general mentions of the letter in conversations in Trump's office.

Trump was unhappy with the ratings the Miss Universe pageant got that year. Because of the time zone difference, the winner was announced in the United States before people woke up, and no one wanted to watch the pageant on TV.

Cohen did not attend the Miss Universe 2013 pageant.

FBI

### **Cohen recounted a mind-blowing meeting in Kazakhstan where someone mistook him for a relative of Sacha Baron Cohen**

Cohen discussed with the FBI his role following Trump's surprise win in November 2016, as well as a number of business opportunities that followed. Cohen told the FBI that he was not a lobbyist — Trump had made him pledge not to lobby for three to five years — but he was approached as a consultant nonetheless.

"Cohen had insight into Trump that nobody else had," the interview summary stated, "other than maybe Trump's adult children. Cohen did not tell Trump what he was doing as a consultant. Cohen also thought Trump did not care what Cohen was doing."

He described a possible plan to help with an infrastructure fund for Columbus Nova, an investment firm whose chief executive was related to a Russian oligarch. Cohen figured that Trump was serious about fixing American infrastructure and that there were two things “you could not build without concrete and rebar: airports and roads.”

Cohen also told the FBI he received “talkers” — or talking points — from the pharmaceutical company Novartis that he was supposed to deliver to Trump, although he did not recall the topic actually coming up. In addition, he mentioned discussions about an autism drug from someone who was investing in Yamo Pharmaceuticals, the possibility of helping Korea Aerospace Industries develop a footprint in the Middle East, and talks about a company called FrutaPOP that sells alcohol-infused ice pops.

The agents also showed Cohen an email from someone at the Russian Union of Industrialists and Entrepreneurs seeking an introduction to Trump, but he did not recall whether that introduction took place.

In one mind-bending anecdote, Cohen recalled a meeting in Kazakhstan in which he handed over his business card to someone — only to watch that person storm out of the room. A few moments later, the person returned, “really angry,” and demanded to know whether Cohen was related to the comedian Sacha Baron Cohen, whose alter ego, Borat, has infuriated some Kazakhs. Trump’s lawyer is of no relation.

*Relevant documents on pages 131–133. From page 133:*

Cohen was in Kazakhstan working on a Trump Tower project with Giorgi Ritzkildadze. While there, Cohen met [REDACTED] [REDACTED] Cohen gave [REDACTED] his business card and after reading it [REDACTED] stormed out of the room. A few minutes later, [REDACTED] returned and asked Cohen if he was related to Sacha Baron Cohen --- [REDACTED] was really angry. [AGENT NOTE: Sacha Baron Cohen played the character Borat, who is supposed to be from Kazakhstan]

b6  
b7c

After the election, Cohen had no meetings or contemplation of securing Russian Investment money with [REDACTED] or [REDACTED] Cohen was not approached for Russian Investment.

b6  
b7c

FBI

## **Manafort believed Trump was sending him messages through Sean Hannity**

In the months before Mueller revealed a host of charges against Paul Manafort, the former Trump campaign chair used popular Fox News personality Sean Hannity as a “back channel” to the White House, according to a 2018 interview summary.

Manafort told the special counsel's office that after FBI agents raided his home in July 2017, he spoke with Hannity, whom he understood to be passing along messages from Trump.

"Manafort knew Hannity was speaking to Trump around then because Hannity would tell Manafort to hang in there, that he had been talking to Trump, that Trump had his back, and things like that," the October 2018 summary reads.

Manafort didn't remember speaking directly or indirectly with anyone at the White House during that time, but told investigators that Hannity was "certainly a back channel," as well as "a personal friend."

"The frequency was dependent on what was going on at the time; sometimes they spoke twice a week, some weeks not at all," the summary says.

Manafort, for his part, didn't send any messages to Trump, he told investigators. "If Manafort wanted to send a message to Trump, he would have gone through a mutual friend of theirs, like Chris Christie, [redacted], Tom Barrack, or [redacted] but he never did so," according to the summary.

Separately, former White House staff secretary Rob Porter told the FBI and investigators for Mueller's team during a May 5, 2018, interview that Trump said he "never liked Manafort" and wondered whether Manafort was "cooperating" with investigators.

The charges against Manafort and his associate Rick Gates were revealed in October 2017.

*Relevant documents on pages 21–22 and page 76.*

Manafort did not hear from anyone that Trump or anyone else tried to stop the emails from coming out, other than what he read publicly.

Between the July 2017 search at Manafort's residence and his October 2017 indictment, Manafort did not recall any direct or indirect contact from anyone in the White House. He spoke to Hannity, who was "certainly a back channel," but also a personal friend. Manafort knew Hannity was speaking to Trump around then because Hannity would tell Manafort to hang in there, that he had been talking to Trump, that Trump had his back, and things like that. Manafort understood his conversations with Hannity to be a

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(Rev. 05-08-10)

[Redacted]

b7E  
b7F

[Redacted]

(U) Interview of Paul J. Manafort

tion of FD-302 of (10.01.18) , On 10/01/2018 , Page 10 of 12

message from Trump. Manafort did not remember specifically when the conversations happened, but it was the "natural kind of text messaging" they would do. They also spoke on the phone. The frequency was dependent on what was going on at the time; sometimes they spoke twice a week, some weeks not at all.

FBI

Discussions of other investigations:

[Redacted] b5 Per DOJ/OIP

The President said he never liked Manafort, and [Redacted] Manafort did not know what he was doing either. [Redacted]

[Redacted] b5 Per DOJ/OIP

[Redacted] He recalled the general sentiment that the President wondered what was going on and in what way [Redacted] Manafort were cooperating.

FBI

**Another witness to the Trump Tower meeting said Trump Jr. asked about dirt on Clinton**

Ike Kaveladze, a business executive who lives in California, said his boss, Aras Agalarov, called him on June 6, 2016, and asked him to attend a meeting at Trump Tower in Manhattan. Kaveladze told the FBI he was "puzzled" why he would be meeting with top campaign officials including Donald Trump Jr. and Jared Kushner.

He was told two different reasons. At first, Agalarov explained that they would be discussing the Magnitsky Act, far-reaching sanctions that the Kremlin wanted to be overturned. But a second man, business partner Roman Benjaminov, told him that a lawyer would be at the meeting who had negative information about Hillary Clinton.

In the heavily redacted FBI interview summary, Kaveladze said that at one point during the meeting Kushner appeared "aggravated and stressed." "What are we doing here?" Kushner reportedly asked.

Trump Jr. later asked: "Is there anything you have on Hillary?"

Kaveladze later called his boss, Agalarov, and told him the meeting was a "complete waste of time" and that the group was "preaching to the wrong crowd."

Relevant documents on page 207:

[REDACTED]  
KUSHNER appeared to be aggravated and stressed. He was really upset and said, "What are we doing here?" TRUMP, JR. then asked, "Is there anything you have on HILLARY?" [REDACTED]

[REDACTED]  
[REDACTED] GOLDSTONE [REDACTED]  
approached TRUMP, JR. after the meeting and apologized. [REDACTED]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

[REDACTED] ARAS had asked KAVELADZE to call him after the meeting. He called KAVELADZE before KAVELADZE could call him [REDACTED] KAVELADZE told ARAS the meeting went well because VESELNITSKAYA was next to him. Within two hours, KAVELADZE had a second call with ARAS and provided more details. KAVELADZE told ARAS the meeting was a complete waste of time. He told ARAS the meeting was not with lawyers and they were "preaching to the wrong crowd."

FBI(19cv1278)-1271

FBI

### A senior official said Hope Hicks thought George Papadopoulos was a "problem child"

Former Trump campaign aide George Papadopoulos who served two weeks in jail for lying to the FBI was described as a "problem child" by then-White House communications director Hope Hicks, according to a summary of an interview an FBI agent and prosecutors from Mueller's team conducted with Trump campaign official John Mashburn on June 25, 2018.

Mashburn, who later went on to work as a senior official in the Department of Energy and the Department of Veterans Affairs, also entered into a proffer agreement with special counsel's team.

In his interview, he was asked about an email he had received from Papadopoulos before the 2016 Republican National Convention alleging Russia had damaging information about Hillary Clinton. Mashburn told the FBI he did not discuss Papadopoulos's email with other

members of the Trump campaign. "Mashburn thought Papadopoulos was merely trying to use headlines to make himself relevant. When Mashburn received the email he thought, "I'm not dealing with this," said the notes from his FBI interview.

Mashburn also told the FBI that he recalled discussions with campaign officials about Clinton's missing and/or deleted emails, according to the notes of the summary of his interview.

"Everyone was looking for them and Trump wanted them," the interview summary said.

"Mashburn thought it would be great to find them so they could better understand several issues, like the Clinton Foundation, donations, etc. Mashburn relayed the campaign however, was not scouring the Internet to try and find them. The emails they were searching for were related to Clinton's private server, and not related to the emails that Wikileaks released."

A second interview Mueller's team conducted with Mashburn on Aug. 2, 2018, was completely redacted.

*Relevant documents on pages 229-230:*

EMAIL FROM GEORGE PAPADOPOULOS

MASHBURN recalled receiving an email from GEORGE PAPADOPOULOS in either late May or early June 2016. [REDACTED]

[REDACTED] MASHBURN believed he had received it while he was looking out the window of the Alexandria office. MASHBURN conducted searches for the email prior to this interview but was unable to locate it. [REDACTED]

b3

MASHBURN believed PAPADOPOULOS sent the email prior to the Republican National Convention (RNC) but he did not have discussions about it with other members of the campaign during the RNC. MASHBURN thought PAPADOPOULOS was merely trying to use headlines to make himself relevant. When MASHBURN received the email he thought, "I'm not dealing with this." If MASHBURN was to have done anything with the email, he would have

FBI(19cv1278)-1301

FBI

MASHBURN first met PAPANOPOULOS when he came to the Alexandria office in either late April or early May 2016. PAPANOPOULOS was working on matters related to outreach in Armenian and Greek communities and he wanted the campaign to pay for his travel expenses. MASHBURN, like the others on the campaign, were aggravated with both PAPANOPOULOS and CARTER PAGE, because they were both [REDACTED]. At one point, HOPE HICKS told PAPANOPOULOS to talk to MASHBURN because PAPANOPOULOS was becoming a problem child with campaign and they wanted to get rid of him. MASHBURN believed it was CLOVIS' responsibility to control PAPANOPOULOS given that CLOVIS had initially brought him to the campaign. MASHBURN just wanted him to go away because he had been cold-calling embassies and using the campaign to bolster his own profile. In addition, PAPANOPOULOS had previously sent emails about arranging a meeting between TRUMP and Russian President, VLADIMIR PUTIN.

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b7c

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U.S. Department of Justice

Federal Bureau of Investigation  
Washington, D.C. 20535

January 2, 2020

MR. JASON LEOPOLD  
BUZZFEED NEWS  
7<sup>TH</sup> FLOOR  
1630 CONNECTICUT AVENUE NW  
WASHINGTON, DC 20009

FOIPA Request No.: 1432673-000  
Civil Action No.: 19-cv-01278  
Subject: All 302's of individuals who were  
questioned/interviewed by FBI Agents working for the  
Office of Special Counsel Robert Mueller

Dear Mr. Leopold:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find checked boxes under applicable statutes for the exemptions asserted to protect information exempt from disclosure. The appropriate exemptions are noted on the processed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely pursuant to applicable exemptions. An Explanation of Exemptions is enclosed to further explain justification for withheld information.

Section 552		Section 552a	
<input checked="" type="checkbox"/> (b)(1)	<input checked="" type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)	
<input type="checkbox"/> (b)(2)	<input checked="" type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)	
<input checked="" type="checkbox"/> (b)(3)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)	
<u>Federal Rules of</u>	<input checked="" type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)	
<u>Criminal Procedure 6(e)</u>	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)	
<u>50 U.S.C § 3024(i)</u>	<input checked="" type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)	
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<input checked="" type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)	
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)	

430 pages were reviewed and 349 pages are being released.

- Deletions were made by the Department of Justice/Office of Information Policy. To appeal those denials, please write directly to that agency.

Please see the paragraphs below for relevant information specific to your request and the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- This information has been referred to the OGA(s) for review and direct response to you.
- We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

- Jason Leopold is a senior investigative reporter for BuzzFeed News and is based in Los Angeles. He is a 2018 Pulitzer finalist for international reporting, recipient of the IRE 2016 FOI award and a 2016 Newseum Institute National Freedom of Information Hall of Fame inductee.



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12/20/2019

Transcript: Secretary of Defense Mark Esper on "Face the Nation," October 13, 2019 - CBS News

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CBS NEWS / October 13, 2019, 9:05 AM

# Transcript: Secretary of Defense Mark Esper on "Face the Nation," October 13, 2019

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*The following is a transcript of an interview with Defense Secretary Mark Esper that aired Sunday, October 13, 2019, on "Face the Nation."*

MARGARET BRENNAN: Good morning and welcome to FACE THE NATION. We are following two very big stories this Sunday. The impeachment investigation and the president's decision to pull U.S. troops out of Syria, a move that has turned into an international crisis. We begin this morning with the secretary of defense Mark Esper. Mr. Secretary welcome to FACE THE NATION.

U.S. SECRETARY OF DEFENSE MARK ESPER: Good morning Margaret thank you for having me.

MARGARET BRENNAN: The president pulled back from the border with Turkey but there are still about a thousand U.S. troops in Syria. Are you evacuating them?

SEC. ESPER: Look it's a very terrible situation over there. A situation caused by the Turks by President Erdoğan. Despite our opposition they decided to make this incursion into Syria. And at this point in time in the last 24 hours we learned that they likely intend to expand their attack further south than originally planned and to the west. And so we know that's happening. We also have learned in the last 24 hours that the Syrian forces intend- I'm sorry the Kurdish forces--



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12/20/2019

Transcript: Secretary of Defense Mark Esper on "Face the Nation," October 13, 2019 - CBS News



MARGARET BRENNAN: The SDF--

SEC. ESPER: -- are looking to cutting- the SDF, are looking to cut a deal if you will with the Syrians and the Russians to- to counter-attack against the Turks in the north. And so we find ourselves as we have American forces likely caught between two opposing advancing armies and it's a very untenable situation. So I spoke with the president last night after discussions with the rest of the national security team and he directed that we begin a deliberate withdrawal of forces from northern Syria.

MARGARET BRENNAN: A deliberate withdrawal from the entire country?

SEC. ESPER: From northern Syria.

MARGARET BRENNAN: From northern Syria.

SEC. ESPER: Right, which is where most of our forces are.

MARGARET BRENNAN: So, the 1000 troops--

SEC. ESPER: That's correct.

MARGARET BRENNAN: -- how long and over what time period will you be--

SEC. ESPER: Well--

MARGARET BRENNAN: --pulling back?

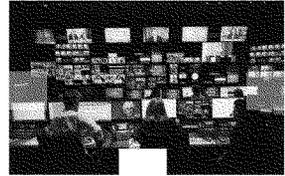
SEC. ESPER: -- it'll be a deliberate withdrawal and we want to conduct it as- as safely and quickly as possible. So we want to make sure we deconflict a pullback of forces. We want to make sure we don't leave equipment behind. So I'm not prepared to put a timeline on it, but that's- that's our general game plan.

MARGARET BRENNAN: You said you're doing this for U.S. force protection because of two advancing armies. Those armies are advancing after the U.S. had already pulled back. After the U.S. Air Force--

SEC. ESPER: Right.

MARGARET BRENNAN: -- that had controlled the airspace stopped doing so.

SEC. ESPER: Well we still have--



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MARGARET BRENNAN: Do you actually believe they would advance if U.S. forces were there in the numbers and with the force and with the commander in chief saying don't do this?

SEC. ESPER: I do because in my lead up to talks with my counterpart of the past several weeks- I've been on the job a little bit over two months. It became very clear to me that the Turks were fully committed to conducting this incursion. And I think Secretary Pompeo would tell you the same. I know General Milley, the chairman of the Joint Chiefs of Staff, has heard the same. The Turks were committed to doing this. This should not be a surprise. If you go back in time to when we first began this relationship with the- with the Syrian Kurds at that time in 2014 the Turks were protesting at that moment.

MARGARET BRENNAN: Right.

SEC. ESPER: And it's gone on and on and since that time they've actually implemented three incursions into northern Syria.

MARGARET BRENNAN: But do you actually believe Turkey would fire on U.S. forces? We are NATO allies.

SEC. ESPER: Well I don't know whether they have- they would or they wouldn't. We have reports already of indiscriminate fire landing near American forces. But they just--

MARGARET BRENNAN: Was that accidental--

SEC. ESPER: Well we don't know--

MARGARET BRENNAN: Was that deliberate?

SEC. ESPER: We need to--

MARGARET BRENNAN: Was that reckless?

SEC. ESPER: We need to sort that out. We've given them the locations of our forces. But look, I- I've been to war. I know what wars like. There's a fog out there and things happen and we want to make sure we don't put our soldiers in a situation where they could be killed or injured. And look, even if the Turks decided not to attack forces- I mean they got over 15,000 forces. What we decide to pull back from that immediate zone of attack was about less than 50, maybe two dozen forces. It would be irresponsible for me to keep them in that position. And allow--

MARGARET BRENNAN: But you did have U.S. air force--

SEC. ESPER: And we still do--

MARGARET BRENNAN: --controlling the airspace?

SEC. ESPER: And we- and we still do. It was an coordinated arrangement between us and the Turks. And despite our protestations, despite the fact that we urged the Turks not to do this, they decided to do it and we told them that we would not support them militarily in this action.

MARGARET BRENNAN: So how does that not amount to a retreat? You're saying that the president of the United States, the commander in chief, said "don't do this" and then Erdoğan said, "I am" and he said Okay?

SEC. ESPER: Well I--

MARGARET BRENNAN: I'm not going to fire back--

SEC. ESPER: --I wouldn't characterize--

MARGARET BRENNAN: --I'm going to pull back?

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Transcript: Secretary of Defense Mark Esper on "Face the Nation," October 13, 2019 - CBS News

SEC. ESPER: I- I wouldn't characterize it this way- that way. What I'm saying is we did not want to put American forces into harm's way. We did not want to get involved in a conflict that dates back nearly 200 years between the Turks and the Kurds and get involved in another- yet another war in the Middle East.

MARGARET BRENNAN: Well, when it comes to the forces you're talking about, the SDF you referred to, you said it has developed in the last 24 hours--

SEC. ESPER: Right.

MARGARET BRENNAN: --that you've learned, they've struck a deal with Russia.

SEC. ESPER: Well, they're working on a deal. I don't know that it's been finalized yet, but we're pretty confident that they will go in that direction barring some- we're trying to make some last minute interventions with President Erdoğan. But again my expectation is President Erdoğan would not agree to a cease fire. He would not agree to move back across the border which we've been pushing him to do. And so every- there's every expectation that the- again that the Syrian Kurds would cut a deal with the Syrian and Russian forces.

MARGARET BRENNAN: But to be clear, the reason the Syrian Kurds are striking a deal here is to protect themselves from being killed by Turkey.

SEC. ESPER: That's right.

MARGARET BRENNAN: But that's what the United States was doing for them. They were our allies that we were advising and assisting and protecting. It- it sounds a lot like they were being left to be slaughtered. So what choice were they left other than to find someone else to protect them?

SEC. ESPER: Look, the- this the Kurds have been very good partners in the D-ISIS campaign. They were very good fighters on the battlefield. We obviously enabled that as well. But at the same time, we didn't sign up to fight the Turks on their behalf. And we've been very clear with them about that. That's why since I came into office over two months ago I worked week after week with my defense minister counterpart from Turkey and urged them not to do this. We cited all the reasons that are now playing out. The biggest being the likely release of ISIS fighters from these camps and prisons, not just that we see a humanitarian crisis emerging. We- that this relationship between the United States and Turkey is being damaged. Their standing in NATO and Europe is being hurt. We see European capitals coming out and criticizing President Erdoğan for- for this- these actions. Everything that we told them- all the reasons why we told them not to do this are- are coming to bear.

MARGARET BRENNAN: And what price will they pay for it?

SEC. ESPER: Well, we'll see over time. You see that- that some European countries are already talking about specific sanctions and actions. The president is talking about the same. We should expect to see something like that along those same lines.

MARGARET BRENNAN: Doesn't that just drive them into the arms of Russia?

SEC. ESPER: I don't think so. We got to see how this plays out. But again we've got to take this one step at a time. It's a very fluid situation it's changing by the hour.

MARGARET BRENNAN: You- just in the past few hours online there have been videos circulating horrific videos showing execution of some of these Kurdish allies of ours. There are reports of hundreds of ISIS fighters and family members just running free. There are over a hundred thousand individuals fleeing this violence according to the U.N.. Does the United States have any idea who these forces are that Turkey is sending in, who these militias are?

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SEC. ESPER: It's terrible. It's a terrible situation. We condemn it. We have condemned it. It's- these are justice things that we told the Turks would happen and play out. Who's conducting it, it's unclear at this point and time. There are Kurdish regular for- I'm sorry there are Turkish regular forces and there are Turkish proxy forces--

MARGARET BRENNAN: Right.

SEC. ESPER: --engaged as well.

MARGARET BRENNAN: And we don't know who they are?

SEC. ESPER: We don't know exactly- that's right. We don't know exactly who they all are and what they're doing. But we're hearing the same reports from the battlefield as well.

MARGARET BRENNAN: These are war crimes.

SEC. ESPER: It appears to be, if true, that they are- would be war crimes.

MARGARET BRENNAN: European allies are looking at this and when they hear the president say things like "these ISIS fighters will just flee to Europe," they say that is not appreciating the alliance, that Turkey has been far too permissive in allowing ISIS fighters within its territory. They see this as inevitable that we are headed towards a terrorist attack--

SEC. ESPER: We- we--

MARGARET BRENNAN: --because of this chaos that the U.S. is allowing in the vacuum.

SEC. ESPER: Well, let's be clear the United States is not allowing this. Turkey committed this action. They decide to make an incursion in northern Syria despite our protestations, our urgings not to do it, all of our warnings. They decided to do it. The situation with the ISIS--

MARGARET BRENNAN: But the U.S. is being permissive, arguably, by pulling back--

SEC. ESPER: We-we are--

MARGARET BRENNAN: --and not stopping them.

SEC. ESPER: We are doing what's in the interests of our service members not to put them in harm's way. Not to put 20, 30, 40 soldiers up against a 15,000 man army which is using airstrikes, artillery, and ground forces to prosecute a war against the Turks whose roots go back over 200 years.

MARGARET BRENNAN: If the US is fired at, do forces have the ability to defend themselves?

SEC. ESPER: They do--

MARGARET BRENNAN: Can they fire back?

SEC. ESPER: Absolutely. General Milley has made that clear to his counterpart. I made that clear to my counterpart. I warned him just the other day that they need to respect our positions on the ground. They need to respect our forces. And I reminded them that we had the right of self-defense and we will execute it if necessary.

MARGARET BRENNAN: I-I have so many more questions for you and we'll be watching over the coming days. Very quickly, are you going to comply with the subpoena that the House provided you and provide documents to them regarding to the halt to military aid to Ukraine?

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SEC. ESPER: Yeah we will do everything we can to cooperate with the Congress. Just in the last week or two, my general counsel sent out a note as we typically do in these situations to ensure documents are retained.

MARGARET BRENNAN: Is that a yes?

SEC. ESPER: That's a yes.

MARGARET BRENNAN: You will comply with the subpoena?

SEC. ESPER: We will do everything we can to comply.

MARGARET BRENNAN: Okay, all right. Thank you very much Mr. Secretary. Appreciate it.

SEC. ESPER: Thank you, Margaret.

MARGARET BRENNAN: We'll be right back.

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## Schumer sends letter to McConnell to set framework for Senate impeachment trial

 [cbsnews.com/news/schumer-letter-to-mcconnell-sent-to-set-framework-for-senate-impeachment-trial-](https://www.cbsnews.com/news/schumer-letter-to-mcconnell-sent-to-set-framework-for-senate-impeachment-trial/)

Senate Minority Leader Chuck Schumer sent a letter to Majority Leader Mitch McConnell on Sunday that details the witnesses and timeline Senate Democrats would like to see in an [impeachment trial](#) in January. The House of Representatives is expected to vote on [two articles of impeachment](#) against President Trump this week.

"In the trial of President Clinton, the House Managers were permitted to call witnesses, and it is clear that the Senate should hear testimony of witnesses in this trial as well," Schumer writes.

Schumer proposes that Supreme Court Chief Justice John Roberts, who will preside over the Senate trial, issue subpoenas to four administration officials who were asked to testify in the House impeachment inquiry but did not appear: Acting White House chief of staff [Mick Mulvaney](#), former national security adviser [John Bolton](#), senior adviser to the Acting White House chief of staff Robert Blair and Michael Duffey, associate director for National Security, Office of Management and Budget.

"We would of course be open to hearing the testimony of additional witnesses having direct knowledge of the administration's decisions regarding the delay in security assistance funds to the government of Ukraine and the requests for certain investigations to be announced by the government of Ukraine, if the president's counsel or House Managers identify such witnesses," Schumer added.

A source familiar with Mulvaney's legal strategy says he will still follow White House direction over whether to testify or not.

Schumer aides describe the letter as the first move to establish a bipartisan framework for the upcoming trial. It comes as some Senate Republicans, including McConnell himself, have been signaling to Mr. Trump they would prefer a speedy trial that does not involve calling any new witnesses.

In response, McConnell spokesman Doug Andres said the majority leader has made it clear to Schumer that he plans to meet soon to discuss the framework of a trial. "That timeline has not changed," Andres said.

"If you...believe the case is so slim, so weak that you have the votes to end it, that might be what the president's lawyers would prefer, and you could certainly make the case for making it shorter rather than longer," McConnell argued in an interview on FOX last week. "A

lot of people would like to bring in Adam Schiff, Hunter Biden, Joe Biden. [But] I think I'm more inclined to agree with Senator Graham on this."

On

CBS' "Face the Nation" on Sunday, Senator Lindsey Graham said he thinks "what's best for the country is to get this thing over with....So I don't need any witnesses."

"I am ready to vote on the underlying articles," he added.

Senate Democrats have argued that such an approach would prevent a full airing of the facts.

At a press conference in New York City on Sunday, Schumer said, "So far, McConnell has not come to me, and I'm worried that we won't get a fair trial where all the facts and all the truth comes out. I'm going to work very hard to get that done."

His letter proposes that "the Senate issue subpoenas for a limited set of documents" including "electronic communications, memoranda and related records of the relevant senior officials in the White House, Office of Management and Budget, and Department of State."

Those agencies refused to provide any documents to the House impeachment inquiry, which White House lawyers derided as a "sham." Senate Democrats believe it would be more difficult for the White House to justify stonewalling the Republican-led Senate.

On CBS'

"Face the Nation" on Sunday, Senator Dick Durbin argued, "The bottom line is, if we are going to have an actual trial, we should consider evidence. And that's why I think Senator Schumer and Senator McConnell need to sit down and have an orderly, respectable process in the Senate."

Schumer's letter also lays out a proposed timeline for a Senate trial.

"Specifically, I propose that pretrial housekeeping measures be adopted on Monday, January 6, 2020; that the swearing-in of the Chief Justice and Senators occur on Tuesday, January 7, 2020; that after a period for preparation and submission of trial briefs, the House Managers be recognized on Thursday, January 9, 2020 to make their presentation for a period of not more than 24 hours, followed by the presentation by the President's counsel, also for a period of not more than 24 hours."

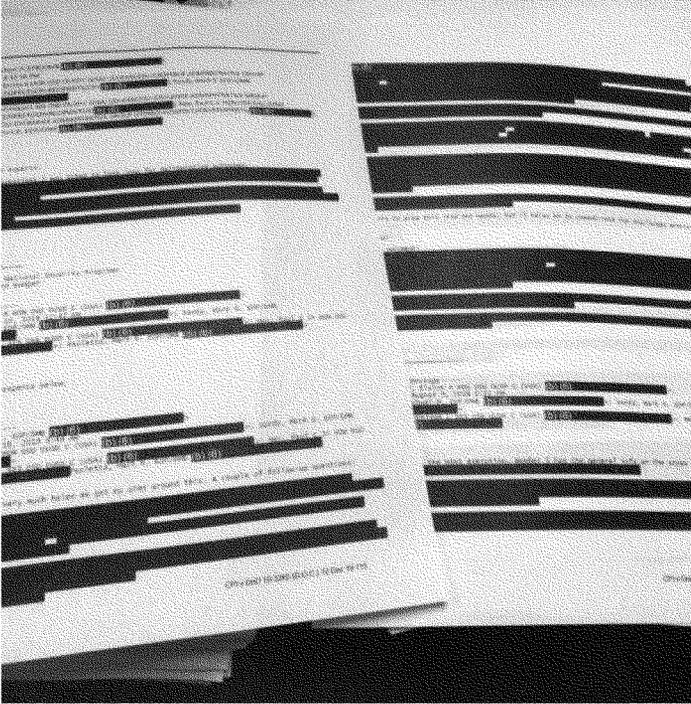
Schumer proposes each witness be questioned for no more than four hours by House Managers and four hours by the president's counsel.

The decision may end up coming down not to Schumer or McConnell but to all 100 senators. It would take a majority vote of 51 to cut the trial short without hearing from witnesses. Republicans currently hold a slim 53 to 47 majority, and a few Republicans — such as Utah Senator Mitt Romney and Maine Senator Susan Collins — may balk at the notion of a hasty trial.

In his letter, Schumer argues that his proposal is in line with historical precedent, most notably the impeachment trial of former President Bill Clinton in 1999. "These provisions are modeled directly on the language of the two resolutions that set forth the 1999 trial rules," he says. "The first of those resolutions passed the Senate by a vote of 100-0."

## Trump Administration officials worried Ukraine aid halt violated spending law

[publicintegrity.org/national-security/trump-administration-officials-worried-ukraine-aid-halt-violated-](https://publicintegrity.org/national-security/trump-administration-officials-worried-ukraine-aid-halt-violated-)



### #UkraineDocs

Published — December 21, 2019

But key details of what they said to one another are again blacked out in documents released to the Center for Public Integrity under court order

[Trump Administration officials worried Ukraine aid halt violated spending law](#)





R. Jeffrey Smith

National Security Editor

*The Center for Public Integrity is a nonprofit newsroom that investigates betrayals of public trust. [Sign up to receive our stories.](#)*

When President Donald Trump ordered a halt to aid to Ukraine last summer, defense officials and diplomats worried first that it would undermine U.S. national security. Ukraine is, as some of them later testified before Congress, on the front lines of Russian aggression, and only robust American support would fend off aggressive Moscow meddling in the West. This worry eventually helped galvanize congressional support for one of the two impeachment articles approved by the House of Representatives on Dec. 18.

But there was also a separate, less-noticed facet of the internal administration uproar set off by Trump's July 12 order stopping the flow of \$391 million in weapons and security assistance to Ukraine. Some senior administration officials worried that by defying a law ordering that the funds be spent within a defined period, Trump was asking the officials involved to take an action that was not merely unwise but flatly illegal.

The administration so far has declined to release copies of its internal communications about this vital issue — the legality of what Trump had ordered. On Friday, in 146 pages of new documents provided to the [Center for Public Integrity](#) under a court order, the Justice Department blacked out — for the second time — many of the substantive passages reflecting what key officials at the Pentagon and the Office of Management and Budget said to one another.

But considerable evidence is still available that those at key institutions responsible for distributing the Ukraine aid worried the halt potentially violated a 45-year-old law written to keep presidents from ignoring the will of Congress, according to public statements and congressional testimony

That law, known as the Impoundment Control Act, says that once Congress appropriates funds — like the Ukraine assistance — and the president signs the relevant spending bill, the executive branch must spend those funds. A president cannot simply ignore Congress's direction, no matter how inconvenient or unappealing that instruction might be. If funds are withheld or shifted elsewhere, this cannot be done in secret, and Congress must approve.

But Trump's decision to stop the aid was not announced, and no formal notification was ever sent to Congress. In an email on July 25, for example, as a senior OMB political appointee named Michael Duffey told the Pentagon's comptroller about the aid halt, he said, "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." Throughout this period,

the reason for the aid halt was rarely discussed, even within the government. In an email on Sept. 11 – the day the funding halt finally ended — OMB official Edna T. Falk Curtin told a senior defense official that “I still have no insight on the rationale for the hold.”

Without a clear justification or any broader effort to gain congressional support, the officials overseeing the expenditure of the funds started hunting for legal guidance as soon as the order to halt the aid was given. When Trump’s political appointees told career officials not to worry, they still did.

“There was a report,” OMB director Mick Mulvaney told reporters at a press conference on Oct. 17, “that if we didn’t pay out the money it would be illegal, it would be unlawful.” He said it was “one of those things that has a little shred of truth in it, that makes it look a lot worse than it really is” because what he regarded as the deadline for spending the money did not fall until the end of September — two and a half months after Trump’s initial order.

To learn more, Public Integrity in late September petitioned the Office of Management and Budget and the Defense Department for copies of their communications about the aid halt. But the Justice Department so far — in two document releases on Dec. 12 and 20 — has chosen to conceal key passages in those documents. And the federal district court judge overseeing the case, Colleen Kollar-Kotelly, on Dec. 18 set a schedule for reviewing Public Integrity’s appeal that makes a final determination of the request unlikely to occur before March.

According to some of those involved in the funding halt, officials were deeply worried from the outset that a delay even for a few weeks could make it hard to ensure all the money was spent by that Sept. 30 deadline. DOD Comptroller Elaine McCusker, for example, noted what she called “increasing risk of execution” in an email on Sept. 5 to the Pentagon’s top lawyer and policy officials, among others, meaning she was worried the money could not all be spent by the end of the month.

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After robust internal discussions, she and other officials did their best to carry out the policy, temporarily, by ordering a series of short-term holdups in the funding, while affirming in writing that they still planned to disburse it soon.

They specifically undertook an unusual maneuver, stopping the disbursements by adding a rare footnote to spending documents for Pentagon operations and maintenance efforts, which declared the Ukraine funding in particular was being held up for a week at a time.

Then, over a period of about seven weeks, they tacked the footnote again and again onto eight such documents, each time as a temporary measure.

An unnamed lawyer at OMB, not wanting to participate in what appeared to be an illegal funding policy, decided to quit, as did another OMB official, according to congressional testimony by Mark Sandy, the office's deputy associate director for national security and a 12-year veteran at the agency. OMB spokespeople have disputed the account, saying the resignations were not over the policy.

Others at OMB and the Pentagon meanwhile tried to organize a campaign inside the government to lobby Trump to let the assistance program proceed. They wrote memoranda to their bosses, held meetings to plot strategy and tried to persuade some of Trump's cabinet-level appointees to approach him directly about it. But a discussion with Trump in mid-August by then-National Security Adviser John Bolton failed to persuade Trump to let the aid resume, and there is no record of other high-level officials such as Secretary of Defense Mark Esper or Secretary of State Mike Pompeo confronting Trump about it.

OMB initially blocked the State Department's portion of the aid on July 3. That was exactly two weeks after Trump — according to a June 19 email from Duffey to the Pentagon's comptroller — noticed a newspaper article about the Pentagon's plan to proceed with the aid. "The President has asked about this funding release, and I have been tasked to follow-up with someone over there to get more detail," the email said.

A separate note sent by a senior aide to the Secretary of Defense to others there said on June 24 that the White House wanted to know in particular if U.S. firms were providing the aid, and how much assistance was being provided to Ukraine by U.S. allies. (The answer was that "dozens of vendors are U.S. companies" and many other countries were supporting Ukraine, according to a copy.)



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Trump's formal order blocking the Pentagon's portion of the aid was nonetheless communicated to OMB by one of his aides on July 12. The first footnote depicting a temporary funding holdup was signed by Sandy on the evening of July 25, the same day as Trump's controversial phone call with Ukraine's president, Volodymyr Zelensky.

During that call, Zelensky said he wanted to continue military cooperation with America and that "we are almost ready to buy" more anti-tank missiles. Trump responded that "I would like you to do us a favor though," and listed two investigations he wanted Zelensky to order: One was about Ukraine's alleged support for Hillary Clinton in the 2016 U.S. presidential election and the other was about lucrative business ties that former Vice President Joe Biden's son, Hunter, established with a company in Ukraine.

There was, Trump's ambassador to the European Union Gordon Sondland has testified, what amounted to a "quid pro quo" being offered, in which Zelensky could get a White House meeting with Trump and a release of the aid in return for promising the investigations. This was, according to the testimony of Fiona Hill, Trump's top former White House adviser on Russia, the real reason the aid was withheld.

The deferral order signed by Sandy — using language worked out with the advice of legal counsel at the Pentagon and OMB — stated that the rationale for the holdup was to "to allow for an interagency process to determine the best use of such funds." But no such reexamination of the Ukraine spending plan was actually under way, according to key officials, other than frantic meetings aimed at getting the flow of funds started.

### **Restrained by a law passed to control Richard Nixon**

Many presidents have chafed at having to share their spending role with Congress, but the rule blocking a presidential withholding of congressionally approved funds has been upheld by federal courts and is well known to officials responsible for overseeing the annual flow of \$4.4 trillion out of the federal treasury.

To Laura Cooper, an 18-year veteran of the Defense Department who is now the deputy assistant secretary for Russia, Ukraine and Eurasia, the rationale for U.S. assistance was clear-cut: Ukraine, she told a closed-door House hearing on Oct. 23, is one of two front-line states facing Russian aggression (the other being the former Soviet republic of Georgia), and “in order to deter further Russian aggression, we need to be able to shore up these countries’ abilities to defend themselves. That’s, I think, pure and simple, the rationale.”

The aid program included the provision of night vision goggles, military vehicles, counter-battery radars, sniper rifles, and medical equipment to the Ukrainian military, she said, plus the sale of anti-tank weapons meant to be used defensively by Ukraine in the event of a new Russian attempt to seize more of the country’s territory.

The law that states funds must be spent once they are appropriated was approved in June 1974 and reluctantly signed by President Richard Nixon four weeks before he resigned in response to allegations that he had abused his power, obstructed justice and displayed contempt of Congress in connection with the Watergate scandal — allegations similar to those levelled against Trump.

Nixon had provoked congressional ire in part by frequently holding back expenditures that lawmakers had ordered be spent on programs to protect the environment and other matters — amounting to as much as a fifth of some accounts, often without any announcement.

So Congress spent two years drafting the Impoundment Control Act, which allows spending to be withheld for only three reasons — to provide for “contingencies,” to achieve savings from increased efficiencies, or as mandated by a particular law. The act also bars a deliberate holdup of spending until the end of a fiscal year, according to 2018 [decision](#) by auditors at the U.S. Government Accountability Office. And it said no funding could be delayed for more than 45 days without Congress’s approval.

The timing of the Ukraine aid holdup — coming just before the end of the fiscal year on Sept. 30 — opened the door to the funds’ potential expiration. This made everyone nervous, according to interviews, documents, and congressional testimony.

In his testimony, Sandy said that after being asked by his superior, Michael Duffey, a former head of the Wisconsin Republican Party who now heads OMB’s national security division, on July 18 to issue an order formally delaying the aid, he immediately raised the impoundment

Control Act and said OMB would “have to assess [the delay] with the advice of counsel before proceeding.” He also reached out to senior officials at the Pentagon and asked them to seek advice from their top legal counsel, he told House committees in a deposition on Nov. 16.

The first formal order blocking the aid was then held up for a week while officials scrambled in part to assess its legality. Sandy said he finally issued a temporary hold on the aid the evening of July 25, but at an interagency meeting the following day, he and other officials raised the need to notify Congress — as the Impoundment Act required — and make the decision public. “We also raised legal questions,” Sandy said. “The comments in the room at the deputies’ level reflected a sense that there was not an understanding of how this could legally play out,” Cooper testified on Oct. 23.

Those attending the July 26 meeting from the Defense Department “raised the question of how the president’s guidance could be implemented, and proffered that perhaps a reprogramming action would be the way to do this,” Cooper said — meaning that the department, to comply with the Impoundment Act, would have to tell Congress and get its approval to spend the funds on something else.

By the time the aid halt came up for renewal on July 31, Duffey had removed Sandy’s authority and placed himself in charge of signing a series of additional, temporary orders with the same language — an unusual substitution of a political appointee for a career employee as the approver of a routine decision related to OMB’s disbursement of funds.

These orders provoked alarm, Sandy testified, because each additional delay heightened the risk that the funds would not be spent before end of the fiscal year, a circumstance that would violate the law. “We expressed those concerns to Mike Duffey, and, on every occasion, we advised him to speak to the general counsel,” Sandy said. Cooper likewise said at an interagency meeting on July 31, that Congress had to be notified, under the law. But she added, “there was no such notice to my knowledge, or preparation of such a notice, to my knowledge.”

Some of the defense contractors involved in providing the aid also became alarmed at the absence of any clear policy guidance about the halt or its origins. In an email apparently sent on August 26 to Eric Chewning, the chief of staff to the Secretary of Defense, for example, L3Harris Technologies’ vice president for government relations complained that “we’ve engaged with OMB to understand the issue but have been told there are larger policy issues involved here. The impact of holding this case and allowing the funding to expire is extremely serious for us as the communications devices have been built and are ready to ship.”

Chewning's reaction to the email was blacked out by the Justice Department in the documents provided to Public Integrity. The documents also make clear that Secretary of Defense Mark Esper was fully briefed by aides about the aid halt ten days earlier. But his comments about it, as well as what they told him, were blacked out by the administration in the documents.

### **A unique, unannounced pause in funding**

The two articles of impeachment approved by House Democrats assail Trump for "conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations" into Hunter Biden and the 2016 election "for corrupt purposes in pursuit of personal political benefit." In so doing, they said, "President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process."

They also accused him of improperly obstructing their inquiry into the aid holdup, partly by holding up the release of relevant documents from the Defense Department, OMB and other agencies. These documents would presumably shed further light on how and why the holdup of aid occurred.

Republicans in Congress, with White House support, have said the Democrats' criticisms are unjustified, citing multiple reasons: Ukraine, they say, did not even know the aid was being withheld until it was reported publicly by Politico about five weeks after the holdup began — making the delay virtually irrelevant to any actions by Ukraine's government. Trump was only concerned, they say, about limiting corruption in Ukraine.

They also have said that the pause wasn't extraordinary: "It is not unusual for U.S. foreign assistance to become delayed," said a House Republican staff report released on Dec. 2. The provision of aid to Lebanon was delayed in the fall of this year, for example, after the president there resigned, their report noted. Aid to Afghanistan was delayed in September due to corruption concerns. During the summer, aid to Central America was reprogrammed to compel governments there to curtail the flow of their migrants to the United States. And in 2017, aid to Egypt was frozen over human rights concerns.

But all the aid interruptions cited by the Republicans were publicly announced and reported to Congress, as the Impoundment Act requires. The holdup in the Ukraine aid, in contrast, was kept quiet. When Sandy was asked during his testimony if he had ever previously issued orders like those used to stop the flow of aid to Ukraine, he replied, "I don't recall an example just like this." It was, he emphasized, a unique event.

Trump, moreover, didn't raise the issue of Ukraine corruption with Zelensky in two phone calls, one on the day of Zelensky's election, with the second on July 25 — despite having been urged to do so in advance by his own aides. And the Pentagon had no overarching concerns about the magnitude of corruption or the path on which Zelensky had put the country, according to Cooper's testimony.

A top Pentagon official, policy chief John Rood, had previously certified in a May 23 letter to Congress that Ukraine "has taken substantial actions ... for the purposes of decreasing corruption [and] increasing accountability." He said, "There remain areas that require significant attention," but stated that Ukraine has met all conditions for the remaining U.S. aid to be provided.

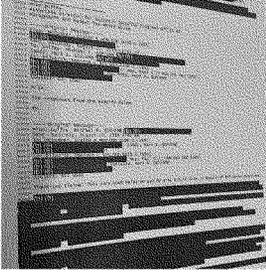
Cooper said that at the interagency meeting of so-called "deputies" or high-ranking officials from around the government on July 26, "all I had to go on was that the President is concerned about corruption in Ukraine and somehow therefore we were holding security assistance. So the conversation at the deputies, a lot of the members were saying, you know, corruption, yes, it's been an issue. Yes, it's a concern. Yes, there's a long way to go, but we're on the right path, you know, we can move forward. So it felt like a conversation where people were trying to explain how corruption shouldn't be a concern."

After the Government Accountability Office announced it was auditing the potential mishandling of the funds, OMB general counsel Mark Paoletta, a former legal adviser to Vice President Mike Pence, asserted in a Dec. 9 legal opinion that the holdup was not a policy "deferral," which would have been illegal, but merely a "programmatic delay" to examine if the funds were going to be used effectively. "It was OMB's understanding that a brief period was needed, prior to the funds expiring, to engage in a policy process regarding those funds," Paoletta said without further explanation.

But Cooper, in her testimony, said that while the issue of continuing corruption in Ukraine was mentioned at several interagency meetings during the funding pause, the conversation didn't amount to a new review of the topic. And one of the largely-redacted Defense Department documents provided on Dec. 12 to Public Integrity at the insistence of a federal judge hints at a sharp disagreement about the propriety of the aid holdup between one of her colleagues, Pentagon comptroller Elaine McCusker, and Duffey at OMB. "Seems like we continue to talk [email] past each other a bit," McCusker said in an email on Aug. 20.

Sam Berger, a lawyer who was a senior counselor and policy adviser at OMB from 2010 to 2015 before becoming a White House adviser to President Obama, says that in his view, Trump's holdup of the funding "constituted an illegal impoundment" and that none of the administration's claims about it "pass legal muster." A former assistant attorney general and special counsel to the Defense Department, Jack Goldsmith, said in an Oct. 16 article in a blog called Lawfare that he, too, believes that despite some uncertainty, the 55-day long aid

holdup appeared to be in “contravention” of the Impoundment Act, which limits any deferral to 45 days and otherwise requires congressional approval. No such approval was ever granted.



#UKRAINEDOCS

Published — January 9, 2020

# TRUMP ADMINISTRATION REJECTS CENTER FOR PUBLIC INTEGRITY REQUEST FOR TRANSPARENCY

↑ A heavily redacted Department of Defense email sent to the Center for Public Integrity on Dec. 12, 2019, as part of a federal Freedom of Information Act lawsuit. (Dave Levinthal / Center for Public Integrity)

## Department of Justice still wants to keep Ukraine documents from the public



R. Jeffrey Smith  
National Security Editor

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The Trump administration has rejected the Center for Public Integrity's **request** (<https://www.documentcloud.org/documents/6596285-Jan-3-letter.html#document/p1>) that the government immediately disclose key communications between the Pentagon and the White House about the president's summertime interruption of military aid to Ukraine.

The Justice Department instead promised to defend its censorship of those communications in future court proceedings that are part of Public Integrity's **ongoing Freedom of Information Act lawsuit** (<https://publicintegrity.org/topics/national-security/ukraine-docs/>) against the Trump administration.

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"Defendants decline your request to make an additional release, and will defend the withholdings" in additional court proceedings, Department of Justice attorney Amber Richer wrote. The proceedings are scheduled to begin late this month and conclude no earlier than the end of February.

"The federal government's response, while hardly surprising, is nevertheless disappointing," said Susan Smith Richardson, CEO of Public Integrity. "President Trump last year declared himself the most transparent president in history. This was an opportunity for his administration to put actions behind those words, and it missed the mark by a mile."

Public Integrity on Jan. 3 demanded the Trump administration immediately provide unredacted versions of nearly 300 Ukraine-related documents it had previously received in **heavily redacted form** (<https://publicintegrity.org/national-security/trump-ukraine-foia-center-for-public-integrity-challenge/>). The request was prompted by website **Just Security publishing** (<https://www.justsecurity.org/67863/exclusive-unredacted-ukraine-documents-reveal-extent-of-pentagons-legal-concerns/>) previously blacked out portions of these communications, which it obtained through unofficial channels.

Public Integrity attorney Peter Newbatt Smith argued in his **Jan. 3 letter** (<https://publicintegrity.org/inside-publici/time-for-the-trump-administration-to-release-blacked-out-ukraine-emails/>) that since portions of the Ukraine-related information sought have "already been reliably reported, their release would not cause foreseeable harm" to the government's interests.

The content in question — which the government tried to keep secret, but was confirmed as authentic by Public Integrity — made clear that Trump's halt to the aid ignited increasingly strident protests during the summer from Defense Department officials, who said in emails to the White House that it could be illegal and that Congress should be notified.

Trump is facing a Senate impeachment trial centered on whether the president abused his power by allegedly delaying military aid to Ukraine to pressure officials there to investigate a political rival, former Vice President Joe Biden.

And during the past three weeks, the government's decision to censor the passages of the emails it released to Public Integrity has become a decidedly political issue.

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Senate Minority Leader Chuck Schumer, D-N.Y., for one, has cited the information the Trump administration **released to Public Integrity** (<https://publicintegrity.org/national-security/trump-administration-officials-worried-ukraine-aid-halt-violated-spending-law/>) in December as one of several events that “have significantly bolstered the need to hear from these witnesses and obtain the related documents.” Sen. Majority Leader Mitch McConnell, R-Ky., has argued to the contrary that no further investigation by Congress is needed.

Some litigators have said that *Just Security*'s partial, unofficial **unmasking** (<https://publicintegrity.org/national-security/ukraine-docs/new-documents-reveal-pentagon-anger-over-holdup-in-ukraine-aid/>) of the censored passages suggests that the Justice Department improperly withheld material from Public Integrity.

**Anne Weismann** (<https://www.citizensforethics.org/team-member/anne-weismann/>), the chief FOIA counsel at Citizens for Responsibility and Ethics in Washington, a nonprofit group frequently critical of Trump, wrote in *Just Security* on Jan. 9 that the content of the censored passages suggests the government was not trying to “protect an internal deliberative process, but to keep from the public compelling evidence of the president’s misconduct and abuse of power and the complicity of administration officials in his actions.”

Weismann said that in **her view** (<https://www.leagle.com/decision/1997850121f3d7291728>) the exemption “disappears altogether when there is any reason to believe government misconduct occurred.”

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## Not Contributing Enough? A Summary of European Military and Development Assistance to Ukraine Since 2014

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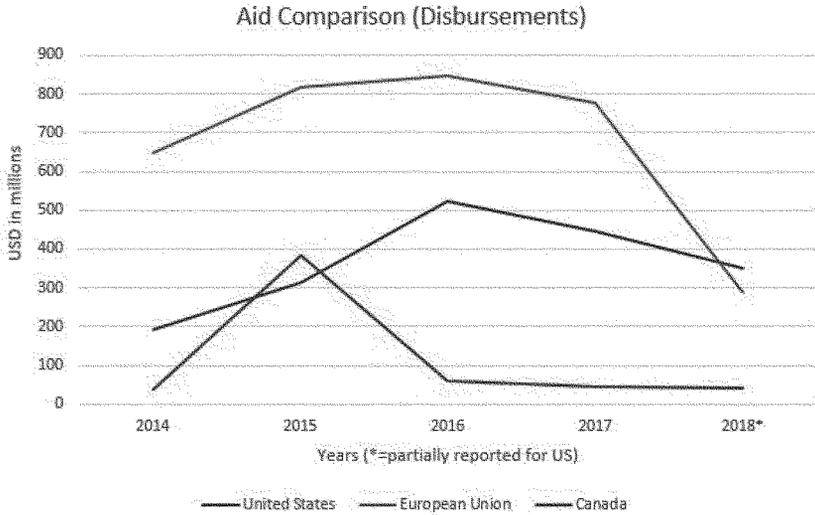
September 26, 2019

President Trump has stated that one of the reasons to withhold \$250 million of U.S. military assistance to Ukraine was due to the lack of European and other nations' contributions to Ukraine. How much has Europe been providing to Ukraine since Russia's illegal annexation of Crimea and military incursions into the Donbas (Eastern Ukraine) in 2014? It is estimated that two-thirds of aid to Ukraine comes from European countries.

By way of background, the U.S. government has given between \$270 million and \$510 million of aid to Ukraine each year since 2014 (peaking at \$513 million in obligations in 2016) for a total of \$1.96 billion in military and economic assistance between 2014 and 2018. This assistance supports Ukraine's institutions, anti-corruption efforts, and energy diversification, as well as humanitarian assistance. The United States has provided approximately \$800 million in military assistance to Ukraine, which includes small arms, counter-narcotics efforts, training programs, and military advisers to support and improve the Ukrainian forces, among others. Some of this military assistance has come through the European Deterrence Initiative (EDI) for support to the military and national security forces, which includes intelligence support, training and logistics support, and equipment (e.g., C2 systems; situational awareness systems; secure communications; military mobility; night vision; military medical treatment; maritime and border security operations; and defensive weapons systems). As of 2017, military assistance (outside of EDI) also includes the provision of lethal aid for defensive purposes, including the sale of U.S.-made Javelin antitank missiles and launchers to Ukraine.

### **Q1: How much humanitarian and development assistance has the European Union and Canada provided to Ukraine since 2014?**

**A1:** The European Union is the largest donor to Ukraine, and Ukraine is the largest recipient of EU macro-financial assistance to any non-EU country. The European Union has given, on average, over \$710 million (€650 million) per year to the country since 2014—almost twice as much as the United States average. The European Bank of Reconstruction and Development has given a similar amount (\$3.8 billion (€3.5 billion) from 2014 to 2017), much of it taking the form of investments and loans rather than direct grants. Several other EU and NATO countries—most notably Germany, France, Canada, and the United Kingdom—have also given significant sums. Germany contributed a total of \$860 million (€786 million) in disbursements between 2014 and 2017 (much of it toward higher education and post-emergency reconstruction), while the United Kingdom provided around \$115 million (€105 million), principally in peace-building, conflict prevention, and public-sector policy management assistance. Canada alone disbursed close to \$573 million (CAD 760 million) between 2014 and 2016.



Sources: EU Aid, USAID, Canadian International Development Platform.

**Q2: How much military aid does Ukraine receive from European countries and Canada?**

**A2:** In 2016, NATO established a Comprehensive Assistance Package as an umbrella for specific initiatives to improve Ukraine's command and control capabilities, logistics, cyber defense, and demilitarization—among others—with several NATO nations driving each initiative. The United Kingdom, for example, has sent more than 1,300 soldiers to Ukraine since 2015 and trained some 10,000 Ukrainian troops. Germany has lead the Radioactive Waste Disposal Trust Fund, while Poland and Lithuania have hosted high-level seminars on countering hybrid warfare. Canada has sent 200 armed forces personnel to provide military training and has provided millions in non-lethal military equipment. The United States also contributes to this broader NATO effort, and the United States European Command has coordinated assistance from other European countries (including the United Kingdom and Poland) since 2014 to help synchronize military assistance efforts.

**Q3: How much military equipment comes from the United States?**

**A3:** The United States is the largest donor of military equipment to Ukraine, but Ukraine also purchases non-U.S. military equipment with non-U.S. funds. The United States' most recent package of \$250 million in military aid is earmarked mostly for battlefield equipment, including sniper rifles, grenade launchers, and sonar buoys that can detect Russian vessels and submarine traffic. The United States has also provided non-lethal assistance, such as uniforms, blankets, and counterbattery radars. In addition, other NATO allies such as Lithuania, Poland, Bulgaria, and Canada have either provided or authorized the sale of lethal aid to Ukraine.

**Q4: How much impact does Western aid have on the conflict in Ukraine?**

**A4:** Since 2014, 13,000 people have been killed in fighting in Ukraine, and nearly 1.5 million have been displaced. Ceasefire violations continue daily; just last week, two Ukrainian soldiers were killed, adding to the approximately 3,000 soldier deaths since the conflict began. The humanitarian situation in Eastern Ukraine continues to be dire, with significant impact on water and sanitation facilities and injuries from improvised explosive devices. Ukraine is the third-most affected country in the world by mines, after Afghanistan and Syria. An estimated 24,000 people have been injured in the conflict since April 2014, and close to 10,000 pre-conflict prisoners remained in detention beyond the contact line in mid-2017. There seems to be no end in sight to the conflict. U.S., European, and NATO military and non-military support to Ukraine has been critical to helping the country defend itself against Russian military aggression. Non-military assistance has been equally important to help Ukraine stabilize its economy and continue on its reform track. This aid includes more than \$38 billion in U.S.-backed assistance negotiated with the International Monetary Fund, with conditionality linked to strengthening anti-corruption mechanisms and reducing energy subsidies that have provided a key source of Russian leverage over Ukraine. Limiting military assistance to Ukraine would considerably weaken its ability to counter Russian aggression.

*Iain King CBE is a visiting fellow with the Europe Program at the Center for Strategic and International Studies in Washington, D.C.*

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12/20/2019

Giuliani ally wants to testify that Nunes aides hid Ukraine talks from Schiff



## POLITICS

# Giuliani associate Parnas wants to testify that Nunes aides hid Ukraine meetings on Biden dirt from Schiff

PUBLISHED SUN, NOV 24 2019-9:37 PM EST    UPDATED MON, NOV 25 2019-6:33 PM EST

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## KEY POINTS

Lev Parnas, a business associate of Rudy Giuliani, wants to testify to Congress that aides to Rep. Devin Nunes called off a trip to Ukraine this year when they realized they would be required to notify Democratic committee Chairman Adam Schiff.

The purpose of the trip was to interview two Ukrainian prosecutors who claim to have evidence that could help President Trump's reelection campaign, according to Parnas' lawyer.

Parnas also alleges that Nunes, a leading Trump ally, himself traveled to Vienna last year to interview a potential source of political dirt on Joe Biden.



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12/20/2019

Giuliani ally wants to testify that Nunes aides hid Ukraine talks from Schiff



Republican on the House Intelligence Committee, scrapped a trip to Ukraine this year when they realized it would mean notifying Democratic Chairman Adam Schiff.

Lev Parnas would tell Congress that the purpose of the planned trip was to interview two Ukrainian prosecutors who claimed to have evidence that could help President [Donald Trump](#)'s reelection campaign, Parnas' attorney, Joseph Bondy, told CNBC. Nunes is one of Trump's most outspoken defenders in Congress.

But when Nunes' staff realized that going to Ukraine themselves would mean alerting Schiff to their plans, they instead asked Parnas to set up the meetings for them over phone and Skype, which he did, according to Bondy.

The Intelligence Committee is leading the [House's impeachment inquiry into Trump](#). It wrapped up two weeks of public hearings Thursday during which several Trump administration officials described a pressure campaign to influence Ukraine into saying it would investigate former Vice President Joe Biden, a front-runner for the 2020 Democratic presidential nomination, and a discredited conspiracy theory regarding the 2016 election.

Bondy is representing Parnas against federal campaign finance charges in New York.



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VIDEO 02:56

**Impeachment witness Fiona Hill: Sondland was being involved in a 'domestic political errand'**

For more than a year, Parnas has also worked closely with Giuliani, Trump's personal attorney, to dig up dirt on Biden and his son Hunter in Ukraine in advance of the 2020 presidential election, according to Bondy. During that time, Trump and his allies in Congress have pushed unfounded claims that Biden intervened in a Ukrainian criminal investigation and that Ukraine meddled in the 2016 U.S. presidential election to help Hillary Clinton.

The Nunes team's scrapped trip to Ukraine has not been previously reported, nor have the meetings that Bondy said his client arranged in place of the overseas trip. The meetings took place in late March, and Derek Harvey, a senior investigator for Nunes, represented the congressman, according to Bondy. One of the meetings was with Ukraine's chief anti-corruption prosecutor, Nazar Kholodnytsky, and it was held over Skype, Parnas would tell Congress, according to Bondy. The second was a phone call Parnas arranged for Harvey with a deputy in Ukraine's Prosecutor General's office, Konstantin Kulik, Bondy added.

Both Kulik and Kholodnytsky have repeatedly claimed they witnessed corruption by Democratic operatives in Ukraine during the 2016 election. Neither official has



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several requests for comment about what Parnas would reveal to Congress.

According to Bondy, Parnas says he began working with Harvey after Nunes and his staff traveled to Vienna in late November to meet with another potential source of political dirt on Democrats: former Ukrainian prosecutor Viktor Shokin, who claims that Biden demanded his firing because Shokin was secretly investigating a gas company, Burisma, whose board included Hunter Biden.

CNN first reported Friday that Parnas wanted to testify before the House Intelligence Committee about the Vienna trip. Since then, Nunes has threatened to sue CNN and The Daily Beast, which also reported on Parnas' allegations.

Asked point blank during a Fox News interview Sunday whether he met with Shokin in Vienna, the California congressman refused to answer, saying that Parnas was “a criminal” and that he would not “debate this out with the public media when 90% of the media are totally corrupt.”

The latest allegations about the planned trip to Ukraine this spring, however, suggest that Nunes' purported efforts to dig up dirt on Biden and Democrats did not end with the Vienna trip.

They also potentially implicate Nunes and his committee staff in the same events the committee is currently investigating — specifically, the monthslong effort by Trump, Giuliani and others to get Ukrainian officials to help them dig up dirt on Biden, and to validate far-right conspiracy claims about Ukraine and the 2016 election.

Trump raised both of these issues on a phone call July 25 with Ukraine's president, Volodymyr Zelenskiy, prompting a whistleblower complaint that sparked the impeachment investigation into the president.

During the past two weeks, nearly a dozen current and former officials in the Trump administration testified before Nunes and the rest of the Intelligence Committee about what they say was a far-reaching effort to exert pressure on Ukraine to announce the investigations Trump wanted, up to and including withholding congressionally



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**Fiona Hill, the National Security Council's former senior director for Europe and Russia, arrives to testify before the House Intelligence Committee in the Longworth House Office Building on Capitol Hill November 21, 2019 in Washington, DC.**

*Chip Somodevilla | Getty Images*

Over the course of three days of public hearings last week, Nunes used the bulk of his allotted time to attack Democrats and the media and to repeat the same unfounded claims about Democrats and Biden. At no point did Nunes ever mention that he or his staffers met with the three Ukrainian officials, some of whom were mentioned by name during testimony.

Speaking to CNBC, Bondy said Parnas merely wants an opportunity to testify under oath before the Intelligence Committee about his and Giuliani's activities in Ukraine. But so far, it's not clear whether Schiff will call him in. Bondy said Parnas has responded to a subpoena he received this fall from the committee by turning over thousands of pages of records to back up his account of events.

Asked whether he planned to ask Parnas to testify, Schiff said Sunday that the committee wants to review the documents he produces first before deciding whether to proceed with an interview. The California Democrat [appeared on NBC's "Meet the](#)



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said Sunday that Nunes WOMAN DENIES LAW OFFICERS HELD MEETINGS OVER allegations he sought to dig up dirt on Biden.

Reached for comment about Parnas' latest allegations, a spokesman for the Intelligence Committee referred CNBC to Schiff's earlier remarks.

Bondy told CNBC that Parnas wants to provide the committee with "truthful and important information that is in furtherance of justice."

"We have great faith that, in the end, the proper choice will be made as to when and whether to hear Mr. Parnas," he said.

VIDEO 02:56

Impeachment witness Fiona Hill: Sondland was being involved in a 'domestic political errand'



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## Judge allows Giuliani associate Lev Parnas to remain free on bail, prosecutors reveal \$1 million payment from lawyer for indicted Ukraine oligarch

 [cnbc.com/2019/12/17/prosecutor-seek-to-revoke-lev-parnas-bail-cite-firtash-payment.html](https://www.cnbc.com/2019/12/17/prosecutor-seek-to-revoke-lev-parnas-bail-cite-firtash-payment.html)

December 17, 2019

- A federal judge on Tuesday rejected prosecutors' requests that he revoke the \$1 million release bond for Lev Parnas, an associate of President Donald Trump's personal lawyer Rudy Giuliani.
- Prosecutors said he failed to disclose a \$1 million transfer from a lawyer for Ukraine oligarch Dmytro Firtash, who faces criminal charges in the United States.
- Parnas is charged with violating U.S. campaign finance laws by allegedly funneling foreign donations to candidates for federal and state offices to win potential influence.

Lev Parnas arrives at Federal Court on December 17, 2019 in New York City.

Stephanie Keith | Getty Images

A federal judge on Tuesday rejected a call by prosecutor to yank the \$1 million release bond for Lev Parnas, an associate of President Donald Trump's personal lawyer Rudy Giuliani, saying alleged misstatements by Parnas to authorities about his financial assets were not necessarily intentional.

"I think the strict conditions that exist [for bail] are appropriate," Judge Paul Oetken said at a hearing in U.S. District Court in Manhattan, as he declined to jail Parnas pending trial on charges of violating federal campaign finance laws.

Parnas, who played a role in Giuliani's efforts in Ukraine that have sparked an impeachment crisis for Trump, currently is required as part of his bail to remain in his Florida home, and be electronically monitored. His release bond is secured by \$200,000 in cash.

Prosecutors contend that the Ukraine-born Parnas, who is accused of funnelling foreign money to American candidates, misled authorities about his financial assets when he sought release on bail after his arrest in October.

They say his omissions and other factors, including Parnas' failure to disclose payments he was receiving from a law firm, make him a flight risk.

At Tuesday's hearing, prosecutors revealed that Parnas' previously nondisclosed assets included a \$1 million transfer from a lawyer for Ukraine oligarch Dmytro Firtash, who faces criminal charges in the United States, a month before Parnas was arrested.

"We believe he was trying to set up a way to flee," said Assistant U.S. Attorney Rachel Donaleski of Parnas. "Mr. Parnas poses an extreme risk of flight."

"Even now the government isn't clear how much money he has," Donaleski said.

"We still have serious questions as to how Mr. Parnas is getting his money."

But Joseph Bondy, Parnas' lawyer, said that Parnas had won a visa lottery to immigrate to the United States from the Soviet Union, and is "a proud citizen of the United States of America and continues to be."

"He has five children who are still in the home and one who is in a law firm," Bondy said. "Not once has he ever tried to flee."

"If he was trying to go anywhere it would be to go to Washington, D.C., and speak to Congress," said Bondy.

Last month, Bondy said that Parnas was willing to testify before Congress as part of an ongoing impeachment proceeding against Trump.

VIDEO1:1401:14

New Trump bump? We asked people if they thought the impeachment will affect the economy

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Parnas would testify that California Republican Rep. Devin Nunes met with former Ukraine prosecutor Victor Shokin in Vienna in late 2018 about a probe of former Vice President Joe Biden and his son Hunter Biden, according to Bondy.

The judge, Oetken, said, "The government points to several factors and they are concerning. ... They focus on the financial statements and alleged misstatements made."

"There's certainly lots of suspicious activity here ... but I don't know if that's a clear and intentional misstatement," Oetken said.

"I find that they're not obvious misstatements," said the judge as he allowed Parnas' bail to continue.

Firtash, who is free on \$74 million bail in Vienna while fighting extradition to the U.S. on charges of bribing Indian officials for a mining deal, has ties to Trump's one-time presidential campaign manager, Paul Manafort, who himself is serving a federal prison term for crimes related to his work for a pro-Russia political party in Ukraine.

Before their joint arrest, Parnas and his associate, Igor Fruman, were helping Giuliani with efforts to spark an investigation by Ukraine into Joe Biden — who is currently the front-runner for the 2020 Democratic presidential nomination — and Hunter Biden, who had served on the board of a Ukraine gas company.

Trump's own direct request to Ukraine's president for such a probe, while withholding U.S. military aid to that nation, led to ongoing impeachment proceedings against the president in the House of Representatives.

Parnas is charged with funneling foreign donations to candidates for federal and state offices to win potential influence. Fruman and Parnas have pleaded not guilty.

When he was arrested with Fruman, Parnas told U.S. Justice Department officials as part of his request for bail that he and his wife had around \$450,000 in total assets and income, prosecutors have said.

But the couple actually had significantly more assets, prosecutors claimed in a court filing last week.

Those assets included a \$1 million transfer from a Russian bank account in September, they said. That money came from Firtash's lawyer, prosecutors disclosed for the first time Tuesday.

Prosecutors also alleged that Parnas lied or failed to disclose work and the payment from Firtash.

Parnas' lawyer Bondy said that the \$1 million transfer was a loan sent by a Swiss lawyer named Ralph Isenegger for Parnas' wife, Svetlana, so that the couple could purchase a house.

Bondy said that Parnas received a letter on Wednesday asking for the loan back, adding that he believes that Parnas "burned that bridge" with Firtash by offering to speak out to Congress.

"Mr. Parnas has absolutely no continuing relationship with Mr. Firtash and he has no interest in continuing the relationship," Bondy said.



POLITICS

# Trump asked top political advisors whether he should worry about running against Joe Biden

PUBLISHED WED, MAR 6 2019-2:14 PM EST    UPDATED WED, MAR 6 2019-3:47 PM EST



Brian Schwartz  
@SCHWARTZBCNBC

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## KEY POINTS

President Donald Trump has a private meeting with close advisors at the White House to discuss a wide range of topics, including concerns about possibly facing former Vice President Joe Biden in 2020.

Trump asks whether he should be concerned about Biden potentially capturing the Democratic nomination, according to people with direct knowledge of the matter. Biden still hasn't said whether he is running.

Trump had reportedly expressed concern during the 2018 midterm campaign about potentially facing Biden, although the president has said publicly that he isn't worried.

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Trump had reportedly expressed concern during the 2018 midterm campaign about potentially facing Biden, although the president has said publicly that he isn't worried.

The advisors told Trump that they're not convinced Biden would appeal to the Democratic Party's left wing or make it through a primary. They also told the president they believe Biden's opponents will say he's out of touch with the base of his own party. Biden, who leads in several primary polls of Democratic voters, has said that he's in the "final stages" of deciding whether he will run for president.

When asked why the president spoke about Biden, one of the people with knowledge of the gathering told CNBC that the former vice president "is the least crazy out of all" the potential Democratic 2020 candidates. This person pointed to Biden's more moderate viewpoints compared with those of other Democrats running or considering entering the race.

Another person familiar with the exchange brushed it off saying "no conclusions were reached," and that Trump is "gonna win in 2020 regardless."



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VIDEO 05:30

Former US Rep. Barney Frank weighs in on the 2020 Democratic field

Trump has ripped Biden for considering a 2020 run. In a recent [Fox News interview](#), the president said he's not concerned about the Democratic field.

"I'm not worried. So far I love the competition, I love what I see," Trump said in January. When asked at the time whom he would like to run against, Trump didn't commit to a particular candidate but went on to call Biden "weak" and claimed President Barack Obama "took him off the trash heap" when he chose him to be his vice president in 2008.

A White House spokeswoman referred CNBC to the Trump campaign. Kayleigh McEnany, the Trump campaign's press secretary, did not return repeated requests for comment. Biden's spokesman declined to comment.

The first contests of the primary are under a year away, while the first Democratic debates are slated for later this year. Early polls show Biden is the favorite among Democratic primary voters and may have an advantage over the president in a one-on-one election.

In a [2018 POLITICO/Morning Consult poll](#), Biden led in a head-to-head matchup with Trump. Forty-four percent of voters said they would pick the former Delaware lawmaker, while Trump received support from 37 percent. The survey was of 1,993 registered voters from July 26 to July 30.

Biden is leading in most of the national polls of the potential Democratic field, including a [Morning Consult survey](#) that shows him with 31 percent of early primary voters saying they would back him if he runs. Behind him are Sens. Bernie Sanders of Vermont, Kamala Harris of California and Elizabeth Warren of Massachusetts. The poll has a margin of error of plus or minus 1 percent.

## The Biden dilemma

Political strategists from both sides of the aisle have mixed views about whether the president and his team should be worried about Biden entering the 2020 race.

Democratic political strategist Mary-Anne Marsh questioned whether the third time will be the charm for the former vice president after he failed to make it through the primary the two other times he ran for the White House.

"I think the biggest question is: Will Joe Biden be the better candidate when he runs this time compared to the two other times? He never made it to the general. So I think that's a big question," said Marsh, who worked on campaigns for Sens. John Kerry and Ted Kennedy. "Biden doesn't appeal to activists who dominated in 2016 and particularly the 2018 cycle. They are progressive, more women and people of color, and Biden's space are likely older, male and

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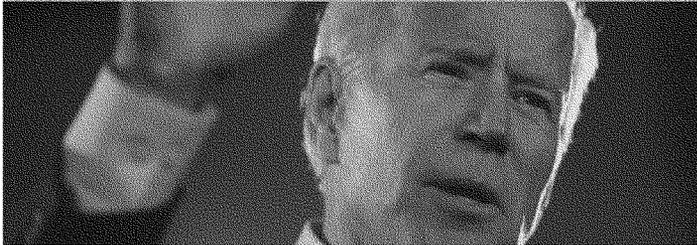
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1/6/2020

Trump asked advisors whether he should worry about facing Joe Biden in 2020



With the 2018 midterms were greeted for Biden's assistance on the campaign trail as the party took back the majority in the House of Representatives.



VIDEO 01:25

Biden gives strongest signal yet he's planning to run for president

"Biden would be a huge problem for President Trump in a general election. Look at the midterms. He campaigned across the country and was a huge hit," said Tyler Law, former national press secretary for the Democratic Congressional Campaign. Biden, for instance, went to Pennsylvania during a special election and helped Democrat Conor Lamb pull off a victory in a Republican-held district.

Other strategists see former New York City Mayor Mike Bloomberg's decision not to run as an opportunity for Biden.

"With the announcement [Tuesday] from Bloomberg that he is not running, I think there is even more of an opening for Biden in the Democratic primary," said Christian Ferry, who worked as a deputy campaign manager for Republican Sen. John McCain's 2008 run for president. "Biden can appeal to working-class Democrats who felt no connection to Hillary Clinton and independents who would be scared of a more progressive nominee."

According to the most recent Gallup poll, Trump has an approval of 90 percent with Republican voters but he continues to struggle with independent voters. Only 35 percent of independents back him. In 2016, he won independent voters with a narrow margin over Clinton.

Overall, Gallup shows 43 percent of participants approve of the president's performance during his first term, while 54 percent disapprove. A Quinnipiac poll in December, meanwhile, showed that 53 percent of voters held a favorable

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POLITICS

# Trump denies sending Rudy Giuliani to Ukraine to push Biden, election probes

PUBLISHED WED, NOV 27 2019-11:05 AM EST    UPDATED WED, NOV 27 2019-2:29 PM EST



**Christina Wilkie**  
@CHRISTINAWILKIE

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## KEY POINTS

President Donald Trump denies that he directed Rudy Giuliani, his personal attorney, to travel to Ukraine.

Trump's remarks contradict scores of previous statements from Giuliani, Trump and nearly a dozen current and former national security officials who testified in the impeachment inquiry.

His statement also prompts legal experts to question whether the president had waived attorney-client privilege.



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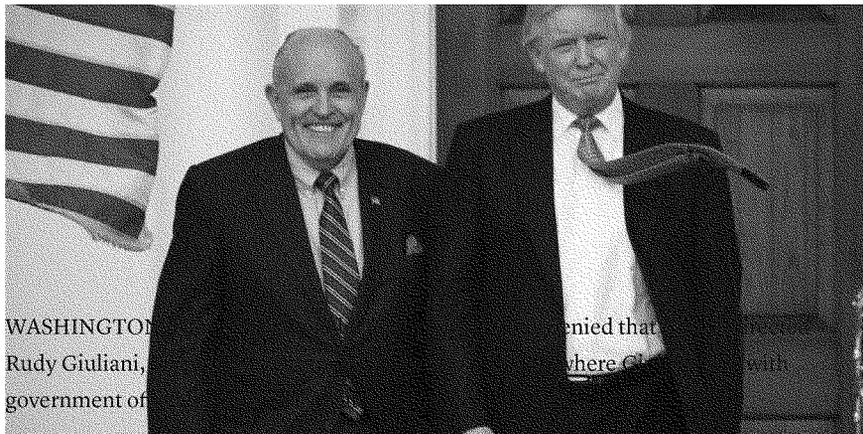
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1/2/2020

Trump denies sending Rudy Giuliani to Ukraine to push Biden, election probes



Trump's claims are contradicted by months of statements from Giuliani and from Trump himself, as well as sworn testimony from nearly a dozen current and former national security officials in the ongoing House impeachment inquiry. It also prompted legal experts to question whether the president had waived attorney-client privilege.

During an interview, former Fox News Channel host Bill O'Reilly asked Trump what Giuliani was doing "in Ukraine on your behalf."

"Well, you have to ask that to Rudy, but Rudy, I don't, I don't even know," Trump replied. "I know he was going to go to Ukraine, and I think he canceled a trip. But, you know, Rudy has other clients other than me. I'm one person."

"So, you didn't direct him to go there on your behalf?" O'Reilly asked again.

"No, but you have to understand, Rudy is a great corruption fighter," Trump said.



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VIDEO 02:56

Impeachment witness Fiona Hill: Sondland was being involved in a 'domestic political errand'

Pressed by O'Reilly a third time, Trump again denied knowing about Giuliani's work there.

"No, I didn't direct him, but he's a warrior, Rudy's a warrior. Rudy went, he possibly saw something. But you have to understand, Rudy, has other people that he represents ... I think he's done work in Ukraine for years, I mean that's what I heard. I might have even read that someplace," the president said.

Robert Costello, an attorney for Giuliani, did not immediately reply to a request for comment from CNBC on the president's latest remarks about Giuliani's work.

## Contradictory claims

In sworn testimony, former and current administration officials have said that [Giuliani directly conveyed the president's demands to them](#) that Ukraine launch investigations into the son of former Vice President Joe Biden and a 2016 election-related conspiracy. Those demands are now at the center of an impeachment inquiry into whether Trump abused the power of his office by freezing foreign aid to Ukraine in order to pressure the government to announce investigations.

**Read more:** [Giuliani ally wants to testify that Nunes hid Ukraine meetings from Schiff](#)

According to the White House's own rough transcript of Trump's July 25 call with Ukrainian President Volodymyr Zelenskyy, the president brought up Giuliani several times in the context of the investigations.



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...speak to him and would be great. Trump said to Zelensky: I will let Rudy Giuliani, my Attorney General [Bill] Barr to call.”

Meanwhile, Giuliani has also insisted for months that his work in Ukraine is being done solely to defend Trump, his client.

In early November, Giuliani wrote on Twitter, “The investigation I conducted concerning 2016 Ukrainian collusion and corruption, was done solely as a defense attorney to defend my client against false charges, that kept changing as one after another were disproven. The evidence, when revealed fully, will show that this present farce is as much a frame-up and hoax as Russian collusion, maybe worse, and will prove the President is innocent.”

## Questions of attorney-client privilege

Following Trump’s comments, several legal experts raised the possibility that the president may have effectively waived any shield of attorney-client privilege that would have prevented Giuliani from publicly discussing the work he did for Trump in Ukraine.

Likewise, in the absence of an attorney-client relationship, Giuliani, a private citizen, would have little justification for refusing to testify in the impeachment inquiry. Giuliani was subpoenaed earlier this fall to testify, but defied the order by claiming that some of the documents requested by the committee were protected by attorney-client privilege.

The latest speculation about Trump and Giuliani’s legal relationship follows months of debate in legal circles about whether Giuliani’s work in Ukraine can even be considered “legal services,” in order to meet the basic threshold for protection through attorney-client privilege.

Giuliani has claimed he was in Ukraine “defending” Trump against “false charges.” But it’s not clear what those charges were, and the president has not been charged with any crimes.

Moreover, if Giuliani were found to have been aiding the president in committing an



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from providing advice to clients about possible future crimes.



## Giuliani under investigation

While Trump's comments about his personal attorney left many in Washington scratching their heads, they fit into the president's decades-long pattern of denying or downplaying his relationships with close associates who come under legal scrutiny.

Earlier in the week, [The Wall Street Journal reported](#) that subpoenas issued to several of Giuliani's associates name his eponymous firm, Giuliani Partners, in requests for information. The subpoenas appear to indicate that federal prosecutors in the Manhattan U.S. attorney's office, which Giuliani himself once headed, are [investigating Giuliani's consulting business](#).

The subpoenas also revealed a list of potential charges under consideration in the probe. They include conspiracy to defraud the United States, money laundering, making false statements to the U.S. government, donating money from non-citizens to U.S. political campaigns, making so-called "straw man" campaign donations, mail fraud, and wire fraud.

Giuliani denied that he had committed any crimes and accused prosecutors of conspiring "to destroy my reputation so that I'm not credible when I continue to reveal all of the massive evidence" of wrongdoing in Ukraine.

A White House spokesman did not immediately respond to questions from CNBC about Trump's denial that Giuliani was working at his direction.

— *CNBC's Yelena Dzhanova contributed to this report.*



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## CIA director stands by intel community assessment Russia meddled in election

[cnn.com/2017/11/11/politics/mike-pompeo-cia-donald-trump-white-house-russia-meddling/index.html](https://www.cnn.com/2017/11/11/politics/mike-pompeo-cia-donald-trump-white-house-russia-meddling/index.html)

November 11,  
2017



- Trump has been on a marathon trip through Asia
- He met with Putin three times during recent summit

*Washington (CNN)* CIA Director Mike Pompeo stands by US intelligence assessments that Russia meddled in the 2016 election, the agency said Saturday, despite President Donald Trump saying he believes Russian President Vladimir Putin when he says his country didn't interfere.

"The Director stands by and has always stood by the January 2017 Intelligence Community Assessment entitled: Assessing Russian Activities and Intentions in Recent U.S. Elections," the CIA said in a statement when asked for reaction to the president's remarks. "The intelligence assessment with regard to Russian election meddling has not changed." The agency said it would have no further comment.

### Trump says he believes Putin's election meddling denials

While describing his relationship with Putin and the ongoing investigations into 2016 meddling, Trump seemed to indicate to reporters aboard Air Force One on Saturday that he trusts Putin's denials more than the comments of former intelligence officials, like former

high-ranking intelligence officials James Comey, John Brennan and James Clapper.

"I mean, give me a break, they are political hacks," Trump said. "So you look at it, I mean, you have Brennan, you have Clapper and you have Comey. Comey is proven now to be a liar and he is proven now to be a leaker. So you look at that and you have President Putin very strongly, vehemently says he had nothing to do with them."

[Read More](#)

Trump told reporters as he flew from Da Nang to Hanoi in Vietnam that he's done confronting Putin over the issue and took him at his word that Russia did not seek to interfere in the election.

"He said he didn't meddle. He said he didn't meddle. I asked him again. You can only ask so many times," Trump said.

Trump spoke to Putin three times on the sidelines of summit here, where the Russia meddling issue arose.

"Every time he sees me, he says, 'I didn't do that,'" Trump said. "And I believe, I really believe, that when he tells me that, he means it."

"I think he is very insulted by it," Trump added.

His remarks, which came near the end of Trump's marathon swing through Asia, amounted to the clearest statement yet of Trump's views about last year's election meddling issue.

# DOJ quietly posts internal legal opinions about immunity from congressional testimony

By Katelyn Polantz, CNN

Updated 7:46 PM ET, Thu December 12, 2019



• LIVE TV 

## How much will the House debate influence voters? 05:10

**(CNN)** — The Justice Department on Thursday quietly published on its website some never-before-seen internal legal opinions that could help President Donald Trump block congressional requests as he faces impeachment by the US House and a trial in the Senate.

Eight of the opinions appear to bolster the White House's stonewalling of Congress on witness testimony and document subpoenas. The opinions date back to the 1970s, when President Richard Nixon faced impeachment, and the early 1980s. One from 1982 was written by the former head of the Office of Legal Counsel at the request of Rudy Giuliani, who at the time worked within the Justice Department.

Some of the opinions appear to have been made public before, and some have only been cited by the Justice Department in other legal arguments. Those released Thursday hadn't all been collected before on the Justice Department's central website regarding its internal legal opinions.

A Justice Department official acknowledging the releases said these opinions were cited in the Office of Legal Counsel's more recent opinion that former Trump White House counsel Don McGahn should be immune from subpoenaed congressional testimony. The House has sued for McGahn to testify, winning at the trial court stage, and the Justice Department is appealing. The newly released opinions were requested by the House as part of the McGahn lawsuit, according to the official.

The collection could be a valuable central resource for the President in the coming weeks, fleshing out the authority the executive branch has given itself to ignore congressional requests.

Then-head of the Office of Legal Counsel Ted Olson wrote in July 1982 that the White House counsel should not submit to a subpoena or request to testify to the Senate, arguing the president's "close advisors are an extension of the President." Just as he cannot "compel congressmen to appear before him," Congress "may not compel him to appear before it," Olson wrote.

Notably, Olson told the deputy attorney general that if the president broke with precedent and submitted to such testimony it would be seen by "many -- including members of Congress who are aware of the historical practice -- as a sign of weakness."



• LIVE TV 

agreeing to this particular Congressional demand to depose one of the highest and most intimate of Presidential advisers will erode a central foundation of executive privilege and severely chill internal deliberations among Executive Branch advisers in the future."

Other early opinions republished Thursday also tout the autonomy of the executive branch, and were written by notable other former Office of Legal Counsel chiefs within Justice, including William Rehnquist, who became the US chief justice and oversaw the impeachment and trial of President Bill Clinton.

"It is vital that a recommendation that the President assert privilege be a considered one, because the consequences of initially asserting the claim and then receding from it in the face of public criticism are obviously more hurtful than an initial decision not to assert the claim," Rehnquist wrote in 1971.

The Office of Legal Counsel writes binding opinions for the executive branch, but they do not always withstand scrutiny in federal courts.

Currently, appeals courts are weighing the White House's assertions of absolute immunity over its current and former officials and the House's subpoena power.

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## Exclusive: Giuliani associate willing to tell Congress Nunes met with ex-Ukrainian official to get dirt on Biden

[cnn.com/2019/11/22/politics/nunes-vienna-trip-ukrainian-prosecutor-biden/index.html](https://www.cnn.com/2019/11/22/politics/nunes-vienna-trip-ukrainian-prosecutor-biden/index.html)

November 23,  
2019



(CNN)A lawyer for an indicted associate of [Rudy Giuliani](#) told CNN that his client is willing to tell Congress about meetings the [top Republican on the House Intelligence Committee had in Vienna last year](#) with a former Ukrainian prosecutor to discuss digging up dirt on Joe Biden.

The attorney, Joseph A. Bondy, [represents Lev Parnas](#), the recently indicted Soviet-born American who worked with Giuliani to push claims of Democratic corruption in Ukraine. Bondy said that Parnas was told directly by the former Ukrainian official that he met last year in Vienna with Rep. Devin Nunes.

"Mr. Parnas learned from former Ukrainian Prosecutor General Victor Shokin that Nunes had met with Shokin in Vienna last December," said Bondy.

Shokin was ousted from his position in 2016 after [pressure from Western leaders](#), including then-vice president Biden, over concerns that Shokin was not pursuing corruption cases.

[Republican senators echoed Biden in urging Ukrainian president to reform prosecutor general's office](#)

Nunes is one of President Donald Trump's key allies in Congress and has emerged as a staunch defender of the President during the impeachment inquiry, which he has

frequently labeled as a "circus." Nunes declined repeated requests for comment.

[Read More](#)

After the story published, Nunes disputed CNN's report, telling far-right website Breitbart that it was "demonstrably false."

Giuliani made an appearance on Fox News on Saturday and, when asked about the CNN report, said he had no reason to doubt Nunes.

Bondy told CNN that his client and Nunes began communicating around the time of the Vienna trip. Parnas says he worked to put Nunes in touch with Ukrainians who could help Nunes dig up dirt on Biden and Democrats in Ukraine, according to Bondy.

That information would likely be of great interest to House Democrats given its overlap with the current impeachment inquiry into President Trump, and could put Nunes in a difficult spot.

Bondy told CNN his client is willing to comply with a Congressional subpoena for documents and testimony as part of the impeachment inquiry in a manner that would allow him to protect his Fifth Amendment rights against self-incrimination.

Bondy suggested in a [tweet](#) on Friday that he was already speaking to House Intel though the committee declined to comment.

Giuliani has [told CNN previously](#) about his conversations with Shokin and Parnas, saying that this was part of his legal work for his client, President Trump. Parnas' claims about Nunes' alleged involvement offers a new wrinkle and for the first time suggests the efforts to dig up dirt on the Bidens involved a member of Congress.

[Inauguration galas, an intimate dinner, and a White House party: Trump's 10 interactions with indicted Giuliani associates](#)

Parnas' claim that Nunes met with Shokin, which had not been previously reported, adds further context to a [Daily Beast report](#) that Parnas helped arrange meetings and calls in Europe for Nunes last year, citing another Parnas' lawyer, Ed MacMahon.

Those revelations came to a head on Thursday when Democratic Rep. Eric Swalwell raised the Daily Beast story publicly during the impeachment hearing.

Parnas, who was indicted on federal campaign finance charges last month, worked with Shokin and Giuliani to push a pair of unfounded claims: that Ukrainians interfered in the 2016 election on behalf of Democrats, and that Biden was acting corruptly in Ukraine on behalf of his son Hunter, who sat on the board of Ukrainian gas company Burisma Holdings. According to Bondy, Parnas claims Nunes worked to push similar allegations of Democratic corruption.

"Nunes had told Shokin of the urgent need to launch investigations into Burisma, Joe and Hunter Biden, and any purported Ukrainian interference in the 2016 election," Bondy told CNN.

There is no evidence that the Bidens acted inappropriately. Nor is there evidence to support the conspiracy theory that Ukraine worked with Democrats to interfere in the 2016 election. Yet these claims have been a key part of the public defense of the President put forth by Nunes and other Republicans during the impeachment hearings this month.

Parnas is currently under house arrest in Florida and has pleaded not guilty to charges of federal campaign finance fraud.

Over the past two weeks, CNN approached Nunes on two occasions and reached out to his communications staff to get comment for this story.

In the Capitol on Nov. 14, as CNN began to ask a question about the trip to Vienna, Nunes interjected and said, "I don't talk to you in this lifetime or the next lifetime."

"At any time," Nunes added. "On any question."

Asked again on Thursday about his travel to Vienna and his interactions with Shokin and Parnas, Nunes gave a similar response.

"To be perfectly clear, I don't acknowledge any questions from you in this lifetime or the next lifetime," Nunes said while leaving the impeachment hearing. "I don't acknowledge any question from you ever."

CNN was unable to reach Shokin for comment.

## A trip to Europe

Congressional [travel records show](#) that Nunes and three aides traveled to Europe from November 30 to December 3, 2018. The records do not specify that Nunes and his staff went to Vienna or Austria, and Nunes was not required to disclose the exact details of the trip.

Nunes' entourage included retired colonel Derek Harvey, who had previously worked for Trump on the National Security Council, and now works for Nunes on the House Intelligence Committee. Harvey declined to comment.

Bondy told CNN that Nunes planned the trip to Vienna after Republicans lost control of the House in the mid-term elections on Nov. 6, 2018.

"Mr. Parnas learned through Nunes' investigator, Derek Harvey, that the Congressman had sequenced this trip to occur after the mid-term elections yet before Congress' return to session, so that Nunes would not have to disclose the trip details to his Democrat colleagues in Congress," said Bondy.

At the time of the trip, Nunes was chairman of the Intelligence Committee. In January, Democratic Rep. Adam Schiff took over as chairman of the powerful committee, which is now conducting the impeachment inquiry.

## Nunes meeting with Parnas

Bondy said that according to his client, following a brief in-person meeting in late 2018, Parnas and Nunes had at least two more phone conversations, and that Nunes instructed Parnas to work with Harvey on the Ukraine matters.

Parnas said that shortly after the Vienna trip, he and Harvey met at the Trump International Hotel in Washington, where they discussed claims about the Bidens as well as allegations of Ukrainian election interference, according to Bondy.

Following this, Bondy said that in a phone conversation Nunes told Parnas that he was

conducting his own investigation into the Bidens and asked Parnas for help validating information he'd gathered from conversations with various current and former Ukrainian officials, including Shokin.

Parnas said that Nunes told him he'd been partly working off of information from the journalist John Solomon, who had written a number of articles on the Biden conspiracy theory for the Hill, according to Bondy.

CNN reached out to Harvey on multiple occasions for comment. Reached by phone on Friday morning, Harvey refused to comment and directed CNN to contact the communications director for Nunes. That person, Jack Langer, did not respond to numerous requests for comment from CNN. A spokesman for Schiff declined to comment for this story.

## The BLT team

Bondy told CNN that Parnas is also willing to tell Congress about a series of regular meetings he says he took part in at the Trump International Hotel in Washington that concerned Ukraine. According to Bondy, Parnas became part of what he described as a "team" that met several times a week in a private room at the BLT restaurant on the second floor of the Trump Hotel. In addition to giving the group access to key people in Ukraine who could help their cause, Parnas translated their conversations, Bondy said.

The group, according to Bondy, included Giuliani, Parnas, the journalist Solomon, and the married attorneys Joe diGenova and Victoria Toensing. Parnas said that Harvey would occasionally be present as well, and that it was Parnas' understanding that Harvey was Nunes' proxy, Bondy said.

Solomon confirmed the meetings to CNN but said that calling the group a team was a bit of a mischaracterization. Solomon said that connectivity happened more organically, and that his role was only as a journalist reporting a story.

Solomon also said that Di Genova and Toensing, his lawyers, introduced him to Parnas as a facilitator and interpreter in early March. "Parnas was very helpful to me in getting Ukraine officials on the record," Solomon told CNN. "I only gradually realized Lev was working for other people, including Rudy Giuliani."

Solomon insists he was only reporting on a story as it unfolded, "Any suggestion that I was involved in any campaign to pressure Ukraine or the United States government to take any actions is categorically false," Solomon said.

Giuliani did not respond to requests for comment. DiGenova and Toensing declined to comment through a spokesperson.

Solomon no longer works at the Hill. After Solomon's reporting came under intense scrutiny during the impeachment inquiry, the paper announced it is reviewing his work.

## Parnas wants to talk

In the weeks since his arrest, Parnas has become disenchanted with Trump and Giuliani,

according to Bondy as well as other sources who spoke to CNN. Parnas, these sources say, was particularly upset when Trump denied knowing him the day after Parnas and his associate Igor Fruman were arrested in October.

Videos show indicted Giuliani associate standing behind Trump at 2018 rally

Last week, CNN reported that Parnas had claimed to have had a private meeting with Trump in which the President tasked him with a "secret mission" to uncover dirt on Democrats in Ukraine.

"He believes he has put himself out there for the President and now he's been completely hung out to dry," a person close to Parnas told CNN. Last week, the White House did not respond to repeated requests for comment to a series of questions regarding the meeting and Trump's relationship with Parnas.

On Thursday, Bondy promoted the hashtag #LetLevSpeak on Twitter in response to a number of questions about whether Parnas would testify in front of Congress.

Bondy tweeted directly at Republican California Rep. Kevin McCarthy Thursday night after McCarthy accused Schiff of blocking important witnesses from testifying, saying "I don't agree with your premise, but please, if you mean what you say, call my client, Lev Parnas. #LetLevSpeak."

*UPDATE: This story has been updated to include Nunes' comment after publication and Giuliani's response to the CNN report on Fox News.*

## Giuliani says Trump still supports his dirt-digging in Ukraine

By Dana Bash and Michael Warren, CNN

Updated 6:10 PM ET, Tue December 17, 2019

**Washington (CNN)** — Rudy Giuliani told CNN that President Donald Trump has been "very supportive" of his continued efforts to dig up dirt on Democrats in Ukraine, including his most recent trip to the Eastern European country.

The admission bolsters a central Democratic argument of the impeachment proceedings: that the President has allowed his personal attorney to push Ukraine for investigations that benefit Trump's political agenda.

In a phone conversation with CNN on Tuesday, Giuliani suggested that Trump has been well aware of everything he has done in Ukraine, though he declined to say if Trump directed him to go on his most recent trip there.

"We're on the same page," Giuliani said of Trump.

Visiting Ukraine earlier this month, Giuliani claims he gathered evidence of a wide-ranging conspiracy to prevent his and the President's efforts to uncover years of corruption there. In Giuliani's view, that corruption chiefly involves Trump's domestic political opponents, including Joe Biden as well as Hillary Clinton.

Unprompted, Giuliani emphasized that he and the President are "on offense" when it comes to pursuing dirt on Democrats.

"Just in case you think we're on defense, we're not," Giuliani said. In recent days, he has given a series of interviews about his Ukraine exploits to national news outlets, including *The New York Times*, Fox News and the *New Yorker*. Giuliani's comments come as Democrats in the House prepare to vote on articles of impeachment against the President.

In his interview with CNN, Giuliani spoke at length about former US ambassador to Ukraine Marie Yovanovitch, who was removed from office earlier this year and has become a central figure in the impeachment inquiry. Giuliani claimed Yovanovitch perjured herself during her congressional testimony last month and that she should be charged with obstruction of justice.

He declined to offer specific evidence that would back up his claim, though he insisted he has it.

The former New York City mayor told CNN he spoke with Trump as well as Secretary of State Mike Pompeo about removing Yovanovitch last spring. CNN has previously reported that Giuliani delivered a group of documents to Pompeo about Yovanovitch.

Giuliani also admitted he pushed for her ouster because she was interfering with his work to dig up dirt on Democrats on behalf of Trump. He has long complained that the ambassador blocked some of his Ukrainian sources from coming to the United States.

When asked specifically why he pushed the issue with Trump and Pompeo, Giuliani said Yovanovitch had been "blocking witnesses to come to the United States and she had been doing it for a year."

**Related Article:** Democrats try to make Republicans pay the price in Trump trial

Shokin, along with his successor Yuriy Lutsenko, have been the source of Giuliani's unsubstantiated claim that Joe Biden, as vice president, improperly intervened in a Ukrainian investigation into an energy company on whose board his son, Hunter Biden, sat. Another claim provided by these two Ukrainian ex-officials is that Democrats colluded with Ukrainians in the 2016 election.

There's been no proof of either of these claims, despite Giuliani making them in public statements and media appearances for the last several months.

Responding to reports that the current attorney general, William Barr, is frustrated with Giuliani's rogue fact-gathering operation, Giuliani downplayed any objections from the administration.

"I haven't heard that from the President. I think he would tell me," Giuliani said. "I would think that if Bill Barr has a real complaint about me, President Trump would have told me that. And I've been told by mutual friends that it's not true."

Pompeo, meanwhile, has refused to comment about his view of Giuliani's activities in Ukraine. In an interview with a Kansas radio station on October 24, Pompeo did not answer repeated questions about whether he approved of what Giuliani was doing.

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## GOP-led committee probed possible Ukraine interference in 2016 election and found nothing worth pursuing, sources say

[cnn.com/2019/12/02/politics/senate-intelligence-ukraine-2016-election/index.html](https://www.cnn.com/2019/12/02/politics/senate-intelligence-ukraine-2016-election/index.html)

December 3, 2019



*(CNN)* The Republican-controlled Senate Intelligence Committee looked into allegations that Ukraine interfered in the 2016 election and found no evidence to support the claims, according to sources familiar with the matter.

This squares with the overall conclusion of officials who have looked into the matter. Sources tell CNN that no US intelligence agency has ever produced a product accusing the Ukrainian government of interfering in the 2016 US election.

Some Republican lawmakers continue to misleadingly say that the government of Ukraine interfered in the 2016 election on the same level as Russia, despite the GOP-led committee looking into the matter and finding little to support the allegation. The committee went so far as to interview former Democratic National Committee operative Alexandra Chalupa -- a central figure in theories that say Ukraine interfered in the election -- before closing that aspect of their probe, according to the sources. Politico on Monday was first to report the committee's exploration of Ukraine's actions in 2016.

The committee looked into any possible Ukrainian interference because -- as committee Chairman Sen. Richard Burr, a North Carolina Republican, told reporters on October 4, 2017 -- the investigation was to look into a number of measures, including "any collusion by either campaign during the 2016 elections."

Twelve days after he said that, sources tell CNN, Chalupa met with staffers on the committee for a more-than-two-hour meeting covering a range of subjects, including why she was so alarmed in 2016 to learn that candidate Donald Trump had hired Paul Manafort, who worked with corrupt Ukrainian President Viktor Yanukovich.

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Chalupa was never called back before the committee and investigators considered the matter closed, sources say. Chalupa could not be reached for comment.

Burr told CNN that some officials from Ukraine actively supported Hillary Clinton but "I don't think anybody interfered in the same way Russia did."

Burr wouldn't comment when asked about Chalupa's testimony.

Sources familiar with the matter say that on October 5, 2017, the committee also interviewed Shawn Henry, the president of CrowdStrike Services, the cybersecurity company that has become a focus of conspiracy theorists on the matter including Trump. Henry declined to comment when reached by CNN.

Sen. Marco Rubio, a Florida Republican who's a member of the Senate Intelligence Committee, also told CNN there's "nothing that compares to the Russian effort," adding that what Ukrainian officials did is "nothing close" to the extensive Russian effort and it's "not even in the same universe." Members of the Senate Intelligence Committee are careful about what they say publicly about committee matters, but Sen. Angus King, a Maine independent, told CNN, "I've been in probably 25 hearings and briefings on the Senate Intelligence Committee over the past three years on the subject of the 2016 election -- including updates from staff on the committee -- and I have never heard anything about any engagement by Ukraine in the 2016 election."

Sen. Mark Warner, a Virginia Democrat who is the ranking member on the committee, refused to comment specifically on whether the committee had investigated if Ukraine interfered in the 2016 election. But he emphasized to CNN that Russia was responsible for the 2016 election interference. "I stand by the bipartisan Senate Intelligence Committee investigation, which confirmed the Intelligence Committee's assessment that it was Russia," Warner said. "I stand by the Mueller report, which confirms that it was Russia that intervened. I stand by Mr. Trump's appointees as head of the CIA, head of the FBI, director of national intelligence, who have all testified publicly that it was Russia."

Republican accusations of Ukrainian election interference include what former Trump homeland security adviser Tom Bossert has called a debunked conspiracy theory -- that it was Ukraine, not Russia, that actually did the hacking of the DNC server.

GOP officials have also accused Ukraine of interfering in the 2016 election because some officials in the Ukrainian government publicly criticized Trump and supported Clinton, which intelligence and national security officials widely do not consider to be "interference" in an election.

The conspiracy theory that Ukraine, not Russia, interfered in the US election was pushed publicly by Russian President Vladimir Putin in February 2017 and has been since pushed by Trump, his attorney Rudy Giuliani, and -- most recently -- Sen. John Kennedy, a Republican of Louisiana. Still, Republican lawmakers have increasingly attempted to equate the actions of the two countries even though no intelligence community report has ever accused Ukraine of interfering in the election, sources tell CNN.

Trump's former Russia expert Fiona Hill testified last month that there had been comments by various Ukrainian government officials, including the Ukrainian ambassador to the US, who in 2016

took issue with candidate Trump's pronouncements on Ukrainian issues.

"They bet on the wrong horse," Hill said. "They bet on Hillary Clinton winning the election. And so, you know, they were trying to curry favor with the Clinton campaign -- it's quite evident here." But she said that's not the same as what Russia did in 2016.

In recent weeks, Republican lawmakers have increasingly floated that Ukraine interfered in the 2016 election despite the conclusions of the intelligence community that Russia alone was responsible. Most notably it's Kennedy, an outspoken Louisianan, who has grabbed headlines for his statements about the 2016 election. Kennedy first said last month on Fox News that it could have been Ukraine and not Russia who interfered in the election. He later backtracked on those comments to CNN's Chris Cuomo and said he was wrong.

But on Sunday, he said he now thinks both Russia and Ukraine interfered in 2016.

"I think both Russia and Ukraine meddled in the 2016 election. I think it's been well documented in the Financial Times, in Politico, in The Economist, in the Washington Examiner, even on CBS, that the prime minister of Ukraine, the interior minister, the Ukrainian ambassador to the United States, the head of the Ukrainian Anti-Corruption League, all meddled in the election on social media and otherwise," Kennedy said on NBC's "Meet The Press."

Other Republican lawmakers haven't been as explicit in support of the conspiracy theory. Some, like Sen. John Cornyn of Texas, wouldn't rule it out, though.

"I can't talk about things I see in a classified setting in the Intelligence Committee, but I think it's fair to say other countries over a long period of time in the past and I anticipate for a long time in the future will try to sow discord and disinformation and get involved in the US elections," Cornyn said on Monday when asked by CNN if he had seen any evidence that Ukraine interfered in the 2016 election.

Asked if he knew of any intelligence agencies that said Ukraine had interfered in the election, Cornyn said, "Well, I believe there was some open-source reporting to the effect there were actors in Ukraine actively encouraging the Clinton campaign."

Even Burr wasn't immune to attempting to walk a fine line that wouldn't contradict the President.

"But it's a legitimate argument that they interfered -- that they were active," Burr told CNN, in another example of Republicans attempting to muddy the water when it comes to Ukraine and the 2016 election.

## Highlights from the new Mueller FBI investigation documents

 [cnn.com/2020/01/02/politics/mueller-investigation-documents/index.html](https://www.cnn.com/2020/01/02/politics/mueller-investigation-documents/index.html)

January 3, 2020

*Washington (CNN)* The Justice Department on Thursday released more than 350 pages of FBI memos from key witness interviews in the special counsel investigation into Russian interference in the 2016 US presidential election, following a Freedom of Information Act lawsuit by CNN and BuzzFeed News.

The batch includes memos about what top advisers to President Donald Trump -- including Stephen Miller, Sarah Sanders, Rob Porter, Michael Cohen, Paul Manafort and others -- told then-special counsel Robert Mueller regarding Russian interference and the President's attempts to obstruct the investigation.

READ: Newly released Mueller investigation FBI memos

The release reflects notable interviews the Justice Department showed the US House of Representatives confidentially at the conclusion of the Mueller investigation.

Here are highlights from the documents:

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### Why Trump did the Lester Holt interview

Trump told White House counsel Don McGahn and then deputy White House counsel Uttam Dhillon that the communications team could not get the story right about the firing of former FBI Director James Comey, so he was going to participate in an interview with NBC's Lester Holt to say what really happened, according to Dhillon's interview with investigators.

READ: Newly released Mueller investigation FBI memos

The now-infamous May 2017 interview with NBC News was the first time Trump explicitly tied the Russia probe to his rationale for firing Comey. Trump told Holt he planned to fire Comey "regardless" of a recommendation from then-Deputy Attorney General Rod Rosenstein and expressed his frustration with the bureau's investigation into Russian meddling in the 2016 election.

### How Trump fired Comey

In a separate interview with investigators, White House policy adviser Stephen Miller described the process for crafting the letter that was used to fire Comey, which began over dinner at Trump National Golf Club in Bedminster, New Jersey. Trump began the dinner, which also included White House senior adviser Jared Kushner, by saying he wanted to fire Comey and articulate his reasons in a "well honed" letter. He told the group he already had a "great concept" for the letter and laid out his arguments.

Trump dictated some of the passages to Miller, who then went to research the claims and craft the document, according to Miller's interview. He added his own thoughts to Trump's and pieced a draft together.

Trump then made handwritten edits to a draft of the letter, along with Miller's own edits. The President was insistent that news of Comey's firing not leak.

Later, at a White House meeting with senior staff, including Miller, McGahn and then-White House chief of staff Reince Priebus, Trump told the group, "I'm going to read you a letter. Don't talk me out of this. I've made my decision."

Dhillon told investigators McGahn tried Trump to take out the part about the three times Comey had told the President he was not under investigation, but it seemed to be the most important part of the letter to Trump and he insisted on keeping it in.

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## Pre-pardons idea considered but scrapped

Trump's former lawyer and fixer Michael Cohen told the FBI at some point he and Trump attorney Jay Sekulow discussed the concept of Trump issuing "pre pardons," or pardons to everyone so that no one had to comply with the investigations.

Cohen said they learned, however, that pre-pardons would actually result in people having to cooperate with everything and that the blanket immunity of a pre-pardon would mean people would waive their right to take the Fifth Amendment against self incrimination. Cohen told the FBI he never spoke directly with Trump about pardons.

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## Trump Jr.: 'Is there anything you have on Hillary?'

One of the eight people in the room for the June 2016 Trump Tower Meeting, translator Ike Kaveladze, gave Mueller's investigators a vivid account of Donald Trump Jr.'s annoyance mid-way through the meeting when Trump Jr. asked: "Is there anything you have on HILLARY?"

Kaveladze recounted how the meeting was initially described to him as about adoptions, but how he later learned Trump's campaign team was promised damaging information on Hillary Clinton.

On June 6, 2016, Russian businessman Aras Agalarov, who helped setup the meeting, called Kaveladze and asked him to take part in a meeting with "someone from the Trump Organization," according to the FBI notes. Kaveladze said Aras did not provide much information, but during a second call that day, Aras asked Kaveladze if he knew anything about the Magnitsky Act. Kaveladze said he was familiar with it as it pertained to adoptions and Aras sent him a three-to-four page synopsis of the meeting topics and the business card of Nataliya Veselnitskaya.

But soon Kaveladze saw that they would be meeting with prominent members of the campaign including Trump, Jr., Jared Kushner, and Manafort and was surprised, so he called Roman Beniaminov who clarified that "Veselnitskaya had negative information on Hillary Clinton and that was the purpose of the meeting."

During the meeting, Kaveladze told investigators that "Kushner appeared to be aggravated and stressed. He was really upset and said, 'What are we doing here?'" Soon after, Trump Jr. asked for any information on Hillary Clinton.

Later, Kaveladze reported to Aras "the meeting was a complete waste of time. He told Aras the meeting was not with lawyers and they were 'preaching to the wrong crowd.'"

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## Mystery witness

The batch of documents raise a new mystery about the Mueller investigation: Who spoke to Mueller on April 12 and 13, 2018, for apparently several hours?

Could it be Jared Kushner? Or a witness whose name has never been publicly associated with the Mueller investigation before?

So far, the Justice Department has released public interview memos from more than 25 named witnesses who gave information to Mueller -- from former top Trump administration advisers Sarah Sanders and Miller to convicted campaign operatives Manafort and others.

But only one name is withheld entirely in the 356-page release. "Interview of [REDACTED]," one memo is titled.

According to previous CNN reporting, witnesses including Kushner spoke to Mueller in April 2018. Other top advisers were interviewed potentially around that time, or at least before April 2018.

The mystery witness spoke with special counsel's office prosecutors Jeannie Rhee and Rush Atkinson -- who had focused on the Russian interference side of the investigation and prosecutions of Michael Cohen and Roger Stone -- voluntarily over two days within Mueller's offices, according to the sliver of unredacted text in the memo.

The interview appears to be a notably long one, worth 31 pages of single-spaced notes. It only appears to reflect what the witness told Mueller's team on the first interview day, April 12, according to the document.

Aside from a brief introduction, every paragraph that the special counsel's office wrote about the mystery witness' interview is redacted. The Justice Department gives several reasons for the redactions, including personal privacy and privilege reasons.

The level of redactions in the document is especially notable, since the Mueller investigation has been relatively transparent, especially in Mueller's report, in disclosing when and which witnesses spoke to Mueller.

Extensive redactions about the details witnesses told Mueller, however, are common throughout the public records releases.

In a separate court proceeding, House Democrats revealed that they believed Kushner was interviewed by Mueller's team on April 11, 2018.

## Manafort used Hannity as 'back channel' to Trump

Manafort said he used Fox News host Sean Hannity as a "back channel" to Trump in the period between the FBI raid of his apartment and his indictment months later, in October 2017.

Hannity would send supportive messages to Manafort, telling him to hang in there and that Trump had his back, according to newly released FBI interview notes.

Manafort said he didn't recall any direct or indirect communication with the White House in the period, but that Hannity, a personal friend, was "certainly a back channel."

Hundreds of messages between the two men were released in June as part of the wind-down of Manafort's criminal case in Washington, showing a close relationship and shared disdain for the Mueller investigation.

Manafort told the special counsel's investigators that he did not believe Trump will pardon him, but, as revealed in the Mueller report, Manafort was hopeful for one and noticed how the President discussed pardons publicly, according to the interview notes.

Manafort said in an interview with the investigators that he never received any assurance from the President that he would get a pardon, according to the notes.

While the President's personal lawyer Rudy Giuliani raised the prospect of a pardon for Manafort in interviews with reporters, Manafort said he hadn't talked to Giuliani since his indictment, the interview notes say.

## Hannity suggested Cohen hire Sekulow

Cohen also tells the FBI that after he received a letter from the House for his testimony he contacted Jay Sekulow on the advice of Sean Hannity. Sekulow didn't take Cohen on as a client.

Cohen and Sekulow met with Trump at the White House around May 18, 2017, to get direction about how to respond to the congressional request. Cohen told Trump he replied that he would not cooperate with Congress. Trump asked him why he would respond like that, according to the FBI notes. By the end of the meeting Cohen understood the direction from Trump was to cooperate, according to the notes. The Trump Tower in Moscow did not come up during that meeting.

Cohen later spoke again with Trump, this time over the phone, about his letter response to Congress. Cohen told the FBI he didn't recall discussing specific details, only that he planned to put out a letter in response.

Cohen said he and Sekulow never discussed the disconnect between the letter contents and facts Cohen knew to be true. Cohen said he never told Sekulow that there were more than three meetings about Trump Tower Moscow but he said there was more to the story, according to the notes.

Sekulow, as previously reported, told Cohen to stay on message, according to the FBI notes.

The notes add that Cohen told the FBI he never told someone whose name is redacted but could have been his lawyer based on the content of the conversation -- that he was uncomfortable with the letter. The individual whose name is redacted wrote the letter response to the House based off of Cohen's memory, according to the FBI report.

## 'Trump wanted them'

According to notes from an interview with Trump campaign aide John Mashburn, not only the campaign but Trump himself was interested in finding Clinton's missing emails.

"Everyone was looking for them and Trump wanted them," according to the documents. "Mashburn thought it would be great to find them so they could better understand several issues, like the Clinton Foundation, donations, etc."

Mashburn insisted that the campaign "was not scouring the Internet to try and find them. The emails they were searching for were related to Clinton's private server, and not related to the emails that WikiLeaks released."

## Papadopoulos a 'problem child?'

Mashburn's interview also revealed attempts by the campaign to get rid of former Trump campaign aide George Papadopoulos, who later served 12 days in prison for lying to investigators about his contact with individuals tied to Russia during the 2016 campaign.

Mashburn and others "were aggravated with" Papadopoulos, and former Trump campaign aide and White House communications director Hope Hicks pushed for his ouster. But Mashburn thought the job should go to Sam Clovis, another campaign aide.

"At one point, Hicks told Papadopoulos to talk to Mashburn because Papadopoulos was becoming a problem child with campaign and they wanted to get rid of him," according to the documents.

"Mashburn believed it was Clovis' responsibility to control Papadopoulos given that Clovis had initially brought him to the campaign."

But Mashburn's ire was specifically due to Papadopoulos' antics -- "Mashburn just wanted (Papadopoulos) to go away because he had been cold-calling embassies and using the campaign to bolster his own profile," investigators wrote.

## NSC lawyer warned K.T. McFarland not to send email that could appear to be 'quid pro quo'

Long before the current Ukraine controversy, the term "quid pro quo" came up in a White House conversation between K.T. McFarland, then a deputy national security adviser, and White House lawyer John Eisenberg, according to a heavily redacted account of her interview with FBI interviewers.

The discussion in February 2017 came after national security adviser Michael Flynn, McFarland's boss, had been ousted over his interactions with the then-Russian ambassador. McFarland, who had been privy to details of Flynn's Russia conversations, was also being forced out.

McFarland was offered an ambassadorship to ease her way out of the White House. But first, Priebus had a request, McFarland told the FBI.

Priebus said words "to the effect of 'the President would like you to send me an email saying,'" the interview notes say before a redaction. The notes continue: "could she say the President never directed Flynn to call the Russians about sanctions."

McFarland told the FBI she didn't respond to Priebus's request, but called Eisenberg to recount the conversation. She told the White House lawyer that she was being fired and offered an ambassadorship, but that the letter was being requested from her.

There are additional redactions in the interview notes, but McFarland, appears to be referring to Eisenberg, saying "He offered his opinion it was a bad idea for her to write the letter because it was awkward and looked like a quid pro quo situation."

McFarland told the FBI that Priebus later came back to her and "told her not do the email and to forget he even mentioned it."

McFarland's interview, much of which is redacted, described interactions with White House officials during the transition and after inauguration as the Trump administration tried to save a possible reset of Russian relations. A top concern was Russian retaliation after the Obama administration issued sanctions following Russian interference in the 2016 elections.

McFarland told the FBI about a meeting during the presidential transition in which Trump asked her "if the Russians did it," an apparent query about the Russian hacking attacks and other activities to meddle in the 2016 election.

McFarland said she responded "yes," to the President-elect. "Trump repeated he was not sure," the interview notes say before another redaction. "He said he had reason to doubt it was the Russians."

## What Manafort told Mueller on WikiLeaks

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In one of the first glimpses by the public of what Manafort told Mueller, the former Trump campaign chairman described then-candidate Trump's interest in WikiLeaks email releases that Russia had stolen from the Democrats.

During the campaign, "Manafort did not want Trump distracted by the titillation of a WikiLeaks release," investigators noted about his September 2018 interview. "Manafort viewed the drops as a gift but one that they could not control."

Mueller ultimately found in his final report that the Trump campaign welcomed the WikiLeaks releases because they could damage Clinton's presidential campaign, and the campaign strategized to take advantage of them politically. But Mueller charged no one on the campaign with conspiring with the Russians.

The interview notes have several paragraphs redacted, and the publicly released version doesn't appear to add more detail about Trump's potential knowledge of efforts to reach WikiLeaks, about which Manafort's deputy had told Mueller.

Instead, Manafort offered to Mueller theories about why Trump may have publicly encouraged Russia to find Clinton's emails that summer. Manafort said he was surprised Trump had encouraged Russia specifically.

"Manafort does not know why Trump asked Russia as opposed to another country," the notes from one of Manafort's cooperation sessions said.

Manafort also gave Mueller's team a theory about why Trump named Russia when he said at a campaign rally, "Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing."

"Trump would have been talking with his 'kitchen cabinet,' the investigator noted from Manafort's September 2018 interview. "Manafort guesses that more people than not were identifying Russia so that stuck in Trump's head."

Manafort ultimately lied to investigators during some of his cooperation interviews and to a federal grand jury about certain topics. He is serving seven years in prison for financial and lobbying-related crimes prosecuted by Mueller's team.

## Michael Cohen and Borat?

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In a redacted interview section, Cohen is shown an email referencing the Russian Union of Industrialists and Entrepreneurs. It doesn't explain the reference further but the notes indicate that while in Kazakhstan, Cohen met with someone who stormed out of the room after Cohen gave him his business card.

A few minutes later the person returned, angry, and asked Cohen if he was related to Sasha Baron Cohen, the comedian who played Borat, a fictitious Kazakh journalist, in a satire. Cohen said after the election he had no meetings or contemplation of securing Russian investment money.

## Key impeachment witness told to leave Ukraine before Pompeo visit

[cnn.com/2019/12/19/politics/pompeo-taylor-ukraine/index.html](https://www.cnn.com/2019/12/19/politics/pompeo-taylor-ukraine/index.html)

Updated: December 30, 2019



*(CNN)* A top State Department aide told acting US ambassador to Ukraine Bill Taylor -- a key witness in President Donald Trump's impeachment inquiry -- to hand over his duties just days before Secretary of State Mike Pompeo is expected visit Kiev in January, a source familiar with the situation told CNN.

The timing means that Pompeo will not have to meet, be seen or photographed with Taylor, who drew the President's ire after his damning House testimony that Trump demanded his appointees set up a quid pro quo with Ukraine, explicitly offering much-needed US military aid and an Oval Office meeting in exchange for personal political favors.

Pompeo, a stalwart Trump ally who many expect to announce a run for a US Senate seat in Kansas in the near future, has insulated himself from Taylor for weeks, the source familiar said.

Since his public testimony before Congress last month, Taylor has not had any direct contact with Pompeo, either over the phone or in person, the source familiar said. After both his closed-door testimony in October and his public appearance in November, Taylor returned to work the next day.

### No effort to extend

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The Wall Street Journal was the first to report that Ulrich Brechbuhl, a key aide to Pompeo, told Taylor that Pompeo wanted him to hand over responsibilities in early January, before the top US diplomat arrived, and that Taylor understood Pompeo didn't want to be photographed with him during his visit.

Taylor will step down from his post and leave Ukraine on January 2, two sources familiar with his plans tell CNN. The exact dates of Pompeo's visit have not been made public.

Although Taylor's appointment expires in early January, the State Department could have tried to extend his stay in Kiev, but sources tell CNN there was no effort to do so despite the vacuum his departure will create in US leadership on relations with Ukraine at a particularly fraught time.

The State Department did not reply to requests for comment on Taylor's tenure, his departure or explain who would follow him as top US diplomat in Ukraine.

#### Impeachment Fast Facts

Critics in Congress expressed alarm at reports that Taylor would be returning to the US. Rep. Eric Swalwell, a California Democrat, accused Trump of seeking retribution.

"Bill Taylor shouldn't be punished for doing the right thing," Swalwell told CNN a day after the House held its historic vote to impeach the President. "We're in the position we're in today," Swalwell said, because "people like ... Bill Taylor, did the right thing."

"They stood up, the President got caught, Ukraine got the aid, and the lesson I take from that is, when you stand up to the President you stop his corruption."

Taylor, career diplomat and military veteran, came out of retirement earlier this year to take on duties in the embassy after Ambassador Marie Yovanovitch was abruptly recalled to Washington at the President's direction.

#### 'A snake pit'

Taylor testified about his concerns about taking the post in Kiev in the wake of Yovanovitch's unexpected removal in May after a smear campaign led by the President's personal lawyer, Rudy Giuliani.

"I was concerned that there was, I think I put it, a snake pit in Kiev and a snake pit here, and I was not sure that I could usefully serve in that context," Taylor said, according to the transcript.

Taylor had served as the US ambassador to Ukraine from 2006 to 2009, but at the time he was asked to take over at the embassy, he had retired from the Foreign Service and was serving as executive vice president at the US Institute of Peace, a nonpartisan think tank.

Pompeo had to convince Taylor to take the job, a move the top US diplomat may regret if he runs for Senate and seeks the backing of the President's supporters. Pompeo has made multiple trips to Kansas this year and recently launched a personal Twitter account that features posts about his dog Sherman, farmers, football and the military.

Since Taylor's testimony, Trump has repeatedly made the unfounded claim that the former ambassador is a "Never Trumper," first leveling the charge in an October tweet. The President repeated it to a gaggle of reporters on the White House lawn. "Here's the problem," Trump said, referring to Taylor. "He's a Never Trumper."

Taylor has been widely described as a respected and apolitical public servant who has served in both Republican and Democratic administrations.

Kurt Volker, the former special representative to Ukraine, left his post earlier this year when the Ukraine controversy began. And those who are still tending to the relationship do not have the political vote of confidence from the Trump administration.

## Pompeo: 'I was on the phone call' with Trump and Ukrainian President

[cnn.com/2019/10/02/politics/mike-pompeo-ukraine-call/index.html](https://www.cnn.com/2019/10/02/politics/mike-pompeo-ukraine-call/index.html)

October 2,  
2019



(CNN)US Secretary of State Mike Pompeo admitted Wednesday that he was on the July 25 phone call in which President Donald Trump asked Ukrainian President Volodymyr Zelensky to investigate former Vice President Joe Biden.

### Mike Pompeo gave a very evasive answer when asked about the Ukraine call

"I was on the phone call," Pompeo said Wednesday during a news conference in Rome with Italy's foreign minister, hours before the State Department's inspector general's "urgent" private briefing he requested with senior congressional staff members about documents related to the Ukraine scandal.

The phone call was part of a whistleblower's complaint that alleged Trump sought "to solicit interference" from Ukraine in the upcoming 2020 election, and that the White House took steps to cover it up. Trump has denied doing anything improper.

Pompeo's remarks on Wednesday was the first time the top US diplomat confirmed that he was on the July call between Trump and Zelensky — after previously evading questions on what he knew about the conversation and news reports from Monday that revealed he was on the call.

During the news conference Wednesday, Pompeo was asked if he heard anything on the

call that gave him any concerns or raised a red flag, but he dodged the question.

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"The phone call was in the context of -- now I guess I've been secretary of state for coming on a year and a half. I know precisely what the American policy is with respect to Ukraine. It's been remarkably consistent, and we will continue to try to drive those set of outcomes," Pompeo told reporters.

"It's what our team, including Ambassador (Kurt) Volker, were focused on was taking down the threat that Russia poses there in Ukraine. It was about helping the Ukrainians to get graft out and corruption outside of their government and to help now this new government in the Ukraine build a successful thriving economy. It's what the State Department officials that I've had the privilege to lead have been engaged in. And it's what we will continue to do. Even while all this noise is going on."

The [Wall Street Journal](#) first reported -- and [CNN confirmed](#) -- that Pompeo was on the call with Trump and Zelensky, where Trump asked Zelensky for a "favor" -- investigate Biden, a 2020 candidate for the Democratic nomination, and his son, Hunter Biden. There has been no evidence of wrongdoing by the Bidens.

Pompeo was asked about the whistleblower complaint last week while in New York for the United Nations General Assembly, but he said at the time he had not yet read it in full.

He gave a similar answer to ABC News during a [September 22 interview](#), where he was asked what he knew about the conversation.

"You just gave me a report about a (intelligence community) whistleblower complaint, none of which I've seen," Pompeo told ABC News at the time.

The whistleblower complaint led House Democrats to launch a formal impeachment inquiry into Trump.

Late last week, Pompeo was [subpoenaed](#) by the chairmen of the House Intelligence, Foreign Affairs and Oversight committees over his failure to produce documents related to Ukraine. In addition to the subpoena, the [chairmen informed Pompeo](#) in a separate letter that they had scheduled depositions for five State Department officials who have been mentioned in relation to the inquiry. Pompeo [had responded Tuesday](#) that the proposed timetable for witnesses to testify in the coming days was too compressed, and Democrats warned Pompeo that any effort to prevent those officials from speaking to Congress "is illegal and will constitute evidence of obstruction of the impeachment inquiry."

In Rome Wednesday, Pompeo said he objected to the demands that "deeply violate fundamental principles of separation of powers," saying that the House Democrats had directly contacted the five officials and told them not to contact legal counsel at the State Department.

"We will, of course, do our constitutional duty to cooperate with this co-equal branch," Pompeo said. "But we are going to do so in a way that is consistent with the fundamental values of the American system. And we won't tolerate folks on Capitol Hill bullying, intimidating State Department employees. That's unacceptable, and it's not something that I'm going to permit to happen."

*This story has been updated.*

12/20/2019

Adam Schiff pushes John Bolton to testify but will not go to court to force him - CNNPolitics

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## Schiff pushes Bolton to testify but will not go to court to force him

By Chandelis Duster, Kristen Holmes and Manu Raju, CNN  
Updated 2:37 PM ET, Sun November 24, 2019

**(CNN)** — House Intelligence Chairman Adam Schiff left the door open to the possibility of more hearings or depositions in the impeachment inquiry but said that Democrats will not “wait months and months while the administration plays a game of rope-a-dope in an effort to try to stall.”

Schiff indicated on Sunday in an interview with Jake Tapper on CNN’s “State of the Union” that Democrats would not be taking former national security adviser John Bolton to court for his testimony.

Schiff also said Bolton should have the “courage” to testify like former National Security Council Russia expert Fiona Hill and others. And if he chooses not to testify, Bolton will have to explain to the country “why did he wait to tell” his story in his upcoming book rather than to the public “when it mattered.”

“We’ve certainly been in touch with his lawyer and what we’ve been informed by his lawyer because we invited him and he did not choose to come in and testify ... is if he subpoena him, they will sue us in court,” Schiff said. “Now, he will have to explain one day if he maintains that position why he wanted to wait to put it in a book instead of telling the American people what he knew when it really mattered to the country.”

Over the past two weeks of public testimony, Bolton emerged as a critical witness. During that congressional testimony, National Security Council staff placed him in key meetings with Ukrainian leaders and private meetings with the President on releasing military aid to Ukraine. Bolton’s lawyer told Democrats that the former national security adviser knows information that had not yet been disclosed to the committee but would only testify if a court ordered him to do so.

In his interview with Tapper, Schiff defended this decision, saying that the evidence was already overwhelming without the testimony of Bolton and other Trump administration officials being blocked from appearing in front of the committee by the White House.

### Calls for Schiff to testify



**Related Video:** Schiff: ‘There’s nothing for me to testify about’ Q2:10

Schiff also said he doesn’t want to testify in a Senate trial if the House approves articles of impeachment.

Trump and his allies have called on Schiff to testify in a Senate impeachment trial, accusing him of meeting with the whistleblower to orchestrate the accusations against the President that led to the impeachment inquiry. Schiff denies meeting with or even knowing who the whistleblower is. The anonymous whistleblower did have a meeting with some committee staff before filing a complaint with the inspector general for the intelligence community.

Schiff said Sunday that there was “nothing” for him to testify about, adding that the calls for him to do so mean “they are not serious about what they are doing.”

“There is nothing to testify about. I think if the President or his allies in the Senate persist it means they are not serious about what they are doing,” Schiff said. “What would I offer in terms of testimony that I heard Dr. (Fiona) Hill in open hearing say such and such? That is not pertinent. The only reason for them to go through with this is to mollify the President and that is not a good reason to try to call a member of Congress as a witness.”

Schiff added, “If they go down this road, it shows a fundamental lack of seriousness. A willingness to try to turn this into a circus like the President would like and I hope they don’t go there.”

Schiff pushed back on the idea that his testimony could be equated to President Clinton’s attorney questioning then-independent counsel Ken Starr during those impeachment proceedings, saying the two situations were not the same.

“I am not a special counsel. I do not work for a separate branch of government. I am not in the Justice Department,” Schiff told Jake Tapper. The Democratic representative went on to say that anything he could offer was already heard in public testimony.

<https://www.cnn.com/2019/11/24/politics/adam-schiff-house-democrats-impeachment-state-of-the-union-cnn/index.html>

1/3

12/20/2019

Adam Schiff pushes John Bolton to testify but will not go to court to force him - CNNPolitics

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Related Video: Schiff: additional witnesses could appear in Senate 01:36

Schiff also addressed a question from Tapper on whether or not Democrats were waiting for the impeachment to move to the Senate, where Supreme Court Justice John Roberts, who will preside over the trial, could compel White House aides to testify. Schiff said there was "merit to the idea that [they] may get a quicker ruling from a Chief Justice in a Senate trial," should it come to that, than "going months and months litigating."

"Ultimately though one thing is clear, because we have adduced so much evidence of guilt of this President, so much evidence of serious misconduct, any privilege the President would have would be vitiated by this crime fraud exception. So that will give way," Schiff said. "And if it doesn't to quote my colleague Chairman (Jerry) Nadler, it will mean that either Justice Roberts or the Supreme Court itself is not really a conservative justice or court, merely a partisan one. And I have to hope that is not the case for the country's sake."

### Obstruction of justice beyond Ukraine?

As impeachment proceedings head into the next phase, Democrats have been debating whether to bring articles of impeachment on allegations of obstruction of justice laid out in the Mueller report as well as potential violations of the emoluments clause of the Constitution which prevents federal officeholders from receiving payments or anything of

value from a foreign state.

On Sunday, Schiff did not rule out that the House could impeach Trump on matters beyond Ukraine.

"Now there's been more obstruction of Congress that goes beyond Ukraine. There's also the obstruction of justice that Mueller wrote about so extensively. And there are other violations of the Constitution that we will need to consider," Schiff told Tapper. "I'm not at this point, Jake, prepared to say what I will recommend."

Trump has denied obstructing justice or violating the emoluments clause. The Mueller report detailed numerous cases in which Trump asked his aides to take actions that would have obstructed the Russia investigation but stated they were unsuccessful because the aides refused the orders.

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## Senators were briefed on Russian campaign to blame Ukraine for 2016 election meddling in the fall

 [cnn.com/politics/live-news/impeachment-inquiry-11-22-2019/h\\_cc82dcd426da9f2c9e79fb6d4eaa60eb](https://www.cnn.com/politics/live-news/impeachment-inquiry-11-22-2019/h_cc82dcd426da9f2c9e79fb6d4eaa60eb)

November 22, 2019

### The latest on the Trump impeachment inquiry

By Meg Wagner, Zoe Sottile, Fernando Alfonso III and Veronica Rocha, CNN

Updated 8:05 p.m. ET, November 22, 2019

- **Scheduled public hearings are over:** The last scheduled public hearing in the impeachment inquiry was yesterday. Overall, lawmakers heard from 12 witnesses over five days.
- **What happens next:** The House Intelligence Committee and two other panels are working on a report that could be the basis of articles of impeachment. Democratic sources say the House could possibly vote to impeach President Trump by Christmas.
- **Sign up** for CNN's Impeachment Watch newsletter [here](#).

In a classified briefing this fall, US intelligence officials told senators and their aides that Russia has engaged in a years-long campaign to shift the blame away from Russia and onto Ukraine for interfering in the 2016 American presidential campaign, according to two US officials.

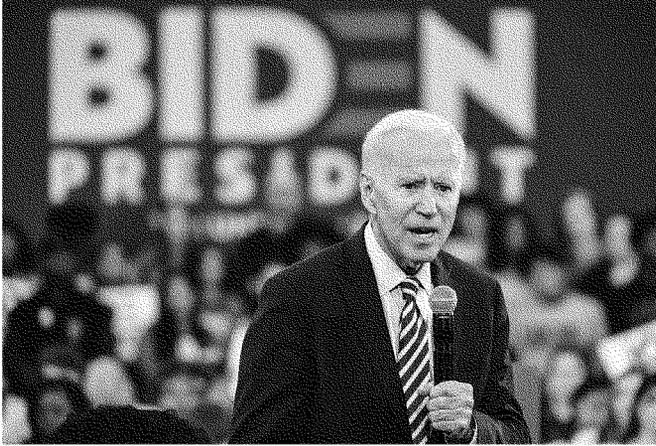
That briefing aligns closely with Thursday's testimony from Fiona Hill, President Trump's former top Russia expert. The message conveyed by US intelligence officials to lawmakers also takes on new relevance as many of those conspiracy theories have been increasingly repeated by Republican lawmakers.

Senators were told that the Russian disinformation operation focused on a handful of Ukrainians who openly criticized or sought to damage Trump's candidacy — efforts that were significantly less organized than the multi-faceted election interference push ordered by Russian President Vladimir Putin, one US official said, confirming details first reported by the New York Times.

US intelligence officials also told lawmakers that Russia used intelligence operatives to spread now debunked conspiracies, along with established facts, to frame Ukraine for the interference in the 2016 campaign, the official said.

Russian intelligence officers conveyed that information to prominent Russians and Ukrainians, including oligarchs, to pass along to US political figures and some journalists who likely were unaware of where it came from, according to the same official.

The Office of the Director of National Intelligence, which primarily oversees efforts to counter foreign election interference, declined to comment.



Democratic presidential candidate, former vice President Joe Biden speaks to the audience during a town hall on November 21, 2019. Sean Rayford/Getty Images

Former Vice President and 2020 presidential candidate Joe Biden addressed Republican Sen. Lindsey Graham's role in the ongoing impeachment inquiry in an interview with CNN's Don Lemon in South Carolina today.

"They're asking Lindsey Graham, they have him under their thumb right now," Biden said. "They know he knows that if he comes out against Trump, he's got a real tough road for re-election."

Graham, the chairman of the Senate Judiciary Committee, has been a vocal critic of the impeachment inquiry and recently asked the State Department for documents related to the Biden and his son Hunter's work in Ukraine. There is no evidence of wrongdoing by either of the Bidens.

Biden said that he is "disappointed" and "angered" by Graham's push to investigate him and his son.

“ “He knows me. He knows my son. He knows there is nothing to this. Trump is now essentially holding power over him that even Ukrainians would not yield to,” Biden said.”

Asked what he would say to Graham if he could, Biden replied, "I say Lindsey, I, just I'm just embarrassed by what you're doing for you. I mean, my Lord."

**Some background:** Biden and Graham have historically had a friendly relationship, with Graham once calling Biden "the nicest person he's ever met."

**Watch here:**

President Trump is tweeting his gratitude to the two GOP leaders in the Senate and the House, respectively, as the House impeachment inquiry begins to wrap up and a potential trial is set to begin in the Senate.

**More on this:** This week, the House Intelligence Committee wrapped up public hearings in the impeachment inquiry. The intelligence committee and two other House panels are now working on a report that could be the basis of articles of impeachment. Democratic sources say the House could possibly vote to impeach President Trump by Christmas. If that vote passes, it would setup a possible impeachment trial in the Senate.



House Speaker Nancy Pelosi speaks to the media during her weekly press conference on November 21, 2019. Alex Edelman/Getty Images

Democrats are "moving quickly" to impeach President Trump before Christmas, according to CNN's congressional correspondent Phil Mattingly.

**Here are the next steps for Democrats:**

1. **The report:** "At this moment and through the course of next week, Thanksgiving week, House Intelligence Committee staff are drafting a report of their findings based on the depositions, based on the public hearings we've seen to this point," Mattingly said.
2. **The articles of impeachment:** The House Intelligence Committee will then send the report to the House Judiciary Committee, which will draft articles of impeachment, Mattingly said, adding that that committee could have public hearings of their own.
3. **The vote:** There could be a committee markup of articles of impeachment in the second week of December. A vote on the House floor to impeach President Trump could come before Christmas.

“ “ "And it's very clear they are moving quickly," Mattingly said. "One thing is certain at this time: Impeachment is happening.""

He also pointed out that several key witnesses, like White House acting chief of staff Mick Mulvaney and former National Security Adviser John Bolton, have refused to testify.

While "there could be some movement on court cases related to someone like John Bolton sometime in the first or second week of December," Mattingly said that "Democrats have made clear they are not waiting on the courts."

"They are moving forward, and that means likely before the end of the year, likely before Christmas, the House Democrats will vote to impeach President Trump," he said.



President Donald Trump speaks to the media before departing from the White House on November 20, 2019. Mark Wilson/Getty Images

President Trump didn't answer questions on whether the whistleblower should be fired or whether he supported his lawyer Rudy Giuliani during an event today recognizing NCAA athletes.

CNN's Pamela Brown asked the President if the intelligence community whistleblower who filed the complaint at the center of the ongoing impeachment inquiry should be fired.

“What whistleblower?” Trump responded. “I don't think there is (one). I consider it to be a fake whistleblower cause what he wrote didn't correspond to what I said in any way.”

Earlier in the event, Trump also said it's been a “tremendous week with the hoax.”

“You know, they call it the impeachment hoax and that's really worked out incredibly well and we have tremendous support,” Trump said. “I don't think I've ever seen support in the Republican Party like we do right now.”

The President also wouldn't answer a question on whether he supported everything Giuliani did in Ukraine.

John Bolton, President Trump's former national security adviser, is back on Twitter today and just tweeted that he has "liberated" his account.

Bolton added that his account was "previously suppressed unfairly in the aftermath of my resignation as National Security Advisor."

He ended the tweet with a cryptic message: "More to come....."

This follows an earlier tweet today — his first in more than two months — where Bolton said: "Glad to be back on Twitter after more than two months. For the backstory, stay tuned....."

**Here's his second tweet of the day:**

**Some more background:** Earlier this month, Bolton's lawyer said the former adviser has "personal knowledge" of relevant meetings and conversations "that have not yet been discussed in testimonies thus far" as part of the impeachment inquiry into President Trump.

However, the lawyer added that Bolton is refusing to testify until a federal judge rules in an ongoing legal fight between House committees and the White House, according to his lawyer.

Rep. Brad Sherman said that the impeachment hearings are holding President Trump accountable — but also added that it wouldn't hurt for the Democrats to get more information in the ongoing impeachment inquiry.

"The question is, how many crimes would the President have committed beyond what he has done if he thought he was invincible?" the congressman asked on CNN's Newsroom with Poppy Harlow this morning. "It's a necessary protection that we do everything possible to restrain a president with clear criminal tendencies."

He went on to say the Democrats should not move slowly and wait for more evidence and people to testify but that "it wouldn't hurt for us to get a bit more information."

"The point I'm making is we shouldn't wait," Sherman said. "What we should do is move forward when we have the proof that he committed a particular high crime and misdemeanor. I think we have reached that point, but it wouldn't hurt for us to get a bit more information."

**Some context:** Despite speaking with 17 witnesses behind closed doors, including 12 witnesses in just a week of public testimony, Democrats have not obtained crucial documents or spoken with several key officials because the White House and State Department have refused to comply with subpoenas.

That has left top Democrats with a choice: They could fight in court to obtain potential smoking-gun documents and testimony from acting White House chief of staff Mick Mulvaney, Secretary of State Mike Pompeo and former national security adviser John Bolton. Or Democrats could move forward with the evidence they have.

House Speaker Nancy Pelosi has chosen the latter.

Yesterday, the House Intelligence Committee wrapped up its scheduled public hearings in the impeachment inquiry.

In total, 12 witnesses spoke publicly. Nine of those were this week.

Here are the key takeaways from each witness who testified in this packed week of hearings.

- **Lt. Col. Alexander Vindman:** Vindman, the National Security Council's Ukraine expert, described a July 10 meeting in which there was a demand in the White House of a direct quid pro quo by Ambassador to the European Union Gordon Sondland. He said that, "It is improper for the President of the United States to demand a foreign government investigate a US citizen and political opponent," he said in his opening statement.
- **Jennifer Williams:** Williams, a high level national security aide at Vice President Mike Pence's office, testified that President Trump's call with the Ukrainian president was "unusual." Williams was on the call at the time.
- **Kurt Volker:** Volker, former US Special Envoy to Ukraine, admitted that he was wrong to draw a "sharp distinction" between Burisma and former Vice President Joe Biden.
- **Tim Morrison:** Morrison, the former top Russia and Europe adviser on the National Security Council, said he never asked his Ukrainian counterparts to investigate the Bidens because "it was not a policy objective."
- **Laura Cooper:** Top Pentagon official Cooper testified that Ukrainian officials knew as early as July 25 that there was an issue with US aid to the country. This undercut a key Republican rebuttal — in their defense of Trump, Republicans have alleged that no bribery could exist if the Ukrainians weren't aware the aid was being held.
- **David Hale:** Undersecretary of State David Hale defended ousted Ukraine ambassador Marie Yovanovitch, saying that she served "with dignity and grace" while Rudy Giuliani and other Republicans accused her of interfering with President Trump's plans in Ukraine.
- **Gordon Sondland:** Sondland, the US Ambassador to the European Union, testified there was a quid pro quo for Ukraine to announce investigations into President Trump's political opponents that came from the President's personal lawyer Rudy Giuliani at the "express direction of the President." He also implicated Mike Pompeo, Mike Pence, and Mick Mulvaney.
- **David Holmes:** Holmes, a top US official in Ukraine, undercut the GOP's defense that there was no pressure on Ukraine. He testified that the Ukrainians felt pressure to move ahead with probes and that they want to keep White House happy because "they still need us now."
- **Fiona Hill:** Hill, the former White House Russia expert, delivered a rebuttal to the "fictional narrative" pushed by Trump and his GOP allies, including during the impeachment inquiry hearings, that Ukraine interfered in the 2016 election. And she implicated her former boss John Bolton, who has refused to testify in the investigation.



John Bolton, President Trump's former national security adviser, is back on Twitter.

**Here's his first tweet after more than two months:**

**Some background:** Earlier this month, Bolton's lawyer said the former adviser has "personal knowledge" of relevant meetings and conversations "that have not yet been discussed in testimonies thus far" as part of the impeachment inquiry into President Trump.

However, the lawyer added that Bolton is refusing to testify until a federal judge rules in an ongoing legal fight between House committees and the White House, according to his lawyer.

## Stalled Ukraine military aid concerned members of Congress for months

[cnn.com/2019/09/30/politics/ukraine-military-aid-congress/index.html](https://www.cnn.com/2019/09/30/politics/ukraine-military-aid-congress/index.html)

September 30,  
2019



(CNN)Lawmakers on Capitol Hill couldn't figure out over this past summer why nearly \$400 million in aid they'd voted to go to Ukraine still wasn't in the country's coffers.

There was growing speculation by the end of August. Congressional leaders, their aides and members of key committees -- including the Appropriations, Armed Services and Foreign Relations committees -- were scrambling to figure out why money that had been appropriated by Congress months before still hadn't been disbursed. Outreach by lawmakers to key agencies left few clues other than the delay was coming from the White House and no one could pinpoint exactly what the reason was.

Senate Majority Leader Mitch McConnell got involved, reaching out to both Secretary of State Mike Pompeo and Defense Secretary Mark Esper as other members urged action with letters, public statements, floor speeches and staff outreach.

"I have no idea what precipitated the delay, but I was among those advocating that we needed to stick with our Ukrainian friends," McConnell, a Republican from Kentucky, said about his outreach last week.

The comment came in a week in which a redacted, whistleblower complaint was released alleging that Trump was trying to elicit dirt from Ukraine's President Volodymyr Zelensky

about his political rival, Vice President Joe Biden (There is no evidence of wrongdoing by either Joe Biden or his son, Hunter). Earlier this month, the White House also [released a transcript a July phone call](#) between Trump and Zelensky in which Trump touts the US support for Ukraine while Trump later asks Zelensky for a favor.

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In more than a dozen interviews with members of Congress and aides in recent days, many lawmakers on both sides of the aisle say that while they don't remember the exact timeline of when they became aware there was an issue with Ukraine funding, there was a growing sense at the end of August that Congress needed to push the administration harder when it returned from its August recess to release it. Sen. Lindsey Graham, a member of the Senate Armed Services and Foreign Relations Committee, told CNN he talked to the Pentagon about the funding multiple times.

[Impeachment inquiry into Trump will test power of 'fully operational' right-wing media machine](#)

"I called the Pentagon. The Pentagon said that they were worried about the new administration, they were doing their due diligence, they were worried about corruption, they were worried about military aid. They wanted to figure out what was what. I said, 'Fine, just figure it out,' " Graham said, adding that it wasn't unusual for President Donald Trump not to be keen on foreign aid.

"As to the President, he wants to withhold aid across the board to get people to pay more," said Graham, a South Carolina Republican and key congressional ally to Trump, arguing there is no connection between the money and the President trying to get dirt on his potential political opponents.

Trump and his supporters on Capitol Hill and at the White House have denied there was any [quid pro quo](#). Instead, Trump's supporters have argued the delay in military funding came out of a fear the administration had about corruption in Ukraine.

Over the summer, Sen. Bob Menendez, the top Democrat on the Senate Foreign Relations Committee, had his staff making regular phone calls to the State Department while Menendez himself applied public pressure.

In a statement on August 29, Menendez said "in willfully delaying these funds, the Trump Administration is once again trying to circumvent Congress' Constitutional prerogative of appropriating funds for U.S. government agencies. It is also undermining a key policy priority that has broad and deep bipartisan support."

Sen. Chris Murphy, a Democrat from Connecticut, who planned to travel to Ukraine in the first week of September also released a statement urging the administration to release the money.

"Everything I had heard was that this was a decision made by the President. It was his decision and it was his decision alone," Chris Murphy, a Democrat from Connecticut, told CNN.

Republican Sens. Ron Johnson of Wisconsin and Rob Portman of Ohio each spoke directly with the President about it as well.

Earlier in the summer, most members and aides hadn't raised a red flag on Ukraine aid. The money hadn't been sent out, but given this was an administration where key players had made no secret of how they felt about foreign aid, it wasn't particularly unusual.

The President had been open he detested how much the US government sent to countries abroad. It was a refrain of his campaign. And Mick Mulvaney, the President's acting chief of staff and OMB director, who had earned a reputation from his colleagues on the Hill as a take-no-prisoners budget slasher, had been pushing for a rescissions package throughout the summer that would have cut roughly \$4 billion in foreign aid. Many members and aides assumed a holdup on Ukraine funding could have something to do with the package.

On August 22, news reports indicate Mulvaney and the administration had relented on rescissions, however. And, it was after that fight was over, members began to wonder why military aid to Ukraine still had not gone out. At the end of August, Politico reported millions in military aid to Ukraine was still being slow-walked.

## A bipartisan priority

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Lawmakers were struck by the fact that this was money that had already been appropriated with broad bipartisan support. Ukraine military aid was a rare, foreign policy issue that united members of both parties. Supporting the country was widely viewed on Capitol Hill as a way to deter Russian aggression, keep them at bay and secure the region. The fact that the money was being held up and without a clear explanation or briefings about a changing policy prescription in the region, bothered many.

While, it wasn't unprecedented for an administration to change course or hold back money if there was an evolving situation in a country they were aiding, it was unusual for members of the relevant committees not to be in the loop on those discussions.

"We would have expected congressional notification that in fact monies were being held, and that would have elicited from us a briefing and normally we would have gotten a briefing," Menendez told CNN.

He added, "This is emblematic of this administration in so many ways."

There were two separate lines of money being held up. There was \$250 million in military aid that was appropriated to come from the Department of Defense that had yet to be dispersed and another \$140 million that was supposed to come from the State Department. A Democratic Senate aide told CNN last week that the Defense Committees had been alerted by the Department of Defense that they were prepared to send off \$125 million in February and then another \$125 million in May.

A top Pentagon official sent a letter to Congress in May certifying Ukraine was making progress in the fight against corruption justifying the US provide Ukraine with a \$250 million military assistance.

On June 18, the [Pentagon announced 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.

Then, nothing, according to a congressional aide and a US official familiar with the

correspondence.

"We'd been given signals twice by the administration that they were going to release the funds then nothing happened. In August we were told the OMB is holding it," Senate Minority Whip Dick Durbin said. "They were withholding these funds that had been appropriated and signed into law by the President until the last two weeks of the fiscal year. That's crazy. It hardly ever happens,"

Another Democratic aide told CNN that the State Department notified OMB of their intention to obligate the \$141 million in aid to Ukraine on June 21. Typically, that process would have just been a courtesy. OMB would have had up to five days to ask questions about the process. But, instead, it was more than two months before Congress received a notice that the money was being dispersed.

State Department officials told Senate staffers in a briefing last week that the department had no objections to the money moving forward and were not aware that OMB had sat on it, according to a Senate source. But officials in the meeting pointed the finger directly at Mulvaney as the person who directed the State Department not to send out the funds. In the beginning of September, Johnson and Murphy traveled to Ukraine. When they returned, they both talked to Durbin, an Illinois Democrat and vice chairman of the Senate Appropriations Defense Subcommittee, about the need to make sure Ukraine got their money.

"I will tell you who brought it up to me was Ron Johnson," Durbin said. "He came back from Ukraine and said 'we gotta get this money released.' And, I said, 'I'll look into it.' "

Murphy would say later about his time in Ukraine that there had been "near panic" in the country during his trip about whether America was really committed to their relationship in part because of delayed aid.

In the meantime, more senators were catching on to the fact that the money was being held and they pointed their attention at Mulvaney. On September 3, Portman and Johnson along with Democratic Sens. Jeanne Shaheen of New Hampshire and Richard Blumenthal also of Connecticut -- members of the bipartisan Ukraine caucus -- sent a letter to Mulvaney demanding answers as to what was going on with the money.

"This body has long advocated for increasing the military capacity and capabilities of Ukraine — a fledgling democracy that is pro-West and pro-United States and since 2014 has been under increased military, political and economic pressure from Russia," the senators wrote.

In the House, the Foreign Affairs Committee Chairman Eliot Engel of New York and the committee's top Republican, Rep. Michael McCaul of Texas, sent their own letter to Mulvaney two days later.

Finally, there was an opportunity to put the Trump administration on the spot.

## A little-noticed committee vote

Durbin had been working on an amendment, which would hold back money to the

Pentagon if the administration didn't spend military aid money for Ukraine on time. He'd been talking with one very concerned Republican about it: Lindsey Graham.

On September 12, the Senate Appropriations Committee gaveled into their Defense Appropriations markup hearing. The routine session was mired with fireworks over the President's campaign promise of a border wall between the US and Mexico, but the meeting made news for another reason.

Graham announced the Trump administration had finally released the military aid for Ukraine. There was no longer any reason for Durbin to offer his amendment.

"Why was it released? Because of your amendment," Graham told the committee. "That is why it was released because I was going to vote for it ... If you are listening in Ukraine on C-SPAN, you are going to get the money."

Graham pushed for Durbin to drop his amendment.

"We can call the Secretary of Defense at any time we want to about 2020 funds and say, 'When are you going to release the funds to the Ukraine? If you have a legitimate problem, tell us now.' If they give us the run-around, count me in on a bill that will get 90 votes," Graham said.

Durbin spoke anyway, flirting with the idea he'd still force the committee to vote on his amendment that would put pressure on the administration to spend Ukraine aid money in the next fiscal year or face consequences.

But, multiple Republicans also chimed in that they were concerned about the money having been withheld. Sen. Susan Collins, a Republican from Maine, said she was "inclined" to vote for the amendment because "I think it has been a problem that the money has not been released."

Louisiana GOP Sen. John Kennedy asked multiple times, "Mr. Chairman I would like to ask Sen. Durbin and Sen. Murphy why they think the funds were held up. "

Durbin responded, "We don't know."

Durbin withdrew the amendment, which he said at the time was an act of good faith.

Less than two weeks later, Democrats across Capitol Hill including Durbin announced support for the [House's official impeachment inquiry](#).

# Trump at war with Democrats: 'We're fighting all the subpoenas'

By Jeremy Diamond and Allie Malloy, CNN

Updated 3:40 PM ET, Wed April 24, 2019



• LIVE TV 

## Dems: We may hold ex-White House aide in contempt 02:19

**Washington (CNN)** — President Donald Trump vowed on Wednesday to fight "all the subpoenas" issued by House Democrats investigating his administration, reinforcing his administration's increasingly combative posture toward congressional oversight.

Trump lashed in on the House Judiciary Committee's subpoena of his former White House counsel Don McGahn, calling it "ridiculous." The White House has already instructed former White House personnel security director Carl Kline not to comply with a subpoena for his testimony and officials have said the White House may seek to exert executive privilege to block McGahn from testifying.

"The subpoena is ridiculous," Trump said of the demand for McGahn to testify about his obstruction of justice testimony to special counsel Robert Mueller. "I thought after two years we'd be finished with it ... I say it's enough."

House Democrats have lambasted the White House's stonewalling of their requests.

In a statement Tuesday, House Judiciary Chairman Jerry Nadler said "the moment for the White House to assert some privilege to prevent this testimony from being heard has long since passed."

"I suspect that President Trump and his attorneys know this to be true as a matter of law -- and that this evening's reports, if

accurate, represent one more act of obstruction by an administration desperate to prevent the public from talking about the President's behavior," Nadler said of reports that the White House would invoke executive privilege to keep McGahn from testifying. "The Committee's subpoena stands. I look forward to Mr. McGahn's testimony."

While Democrats insist they are conducting legitimate oversight, Trump accused Democrats of pursuing their investigations for purely political purposes.

**Related Article:** White House may seek to prevent McGahn from complying with House subpoena

"These aren't, like, impartial people. The Democrats are trying to win 2020," Trump said. "The only way they can luck out is by constantly going after me on nonsense, but they should be really focused on legislation, not the things that have been."

Trump insisted on Wednesday that he and his administration have been "the most transparent ... in the history of our

country" and called on Democrats to drop their investigations.



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Trump hasn't talked to attorney general about having Ukraine investigate Biden, DOJ says


**politics**


- **The whistleblower complaint:** The complaint, which deals, at least in part, with the phone call Trump had with the Ukrainian leader, was hand-delivered to Capitol Hill this afternoon for lawmakers to review.
- **Impeachment inquiry:** House Speaker Nancy Pelosi has announced a formal impeachment inquiry into President Trump.
- *Our live coverage has ended, but you can scroll through the posts to read more.*



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10:10 a.m. ET, September 25, 2019

## Trump hasn't talked to attorney general about having Ukraine investigate Biden, DOJ says

The Department of Justice said President Trump has not asked Attorney General William Barr to contact Ukraine.

Here's the full statement from Justice spokesperson Kerri Kupec:

The Attorney General was first notified of the President's conversation with Ukrainian President Zelensky several weeks after the call took place, when the Department of Justice learned of a potential referral. 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 other 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

A Department of Justice team led by U.S. Attorney John Durham is separately exploring the extent to which a number of countries, including Ukraine, played a role in the counterintelligence investigation directed at the Trump campaign during the 2016 election. While the Attorney General has yet to contact Ukraine in connection with this investigation, certain Ukrainians who are not members of the government have volunteered information to Mr. Durham, which he is evaluating.



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## INVESTIGATIVE RULES AND PRACTICES

**I. Overview**

For 20 of the last 25 years, Republicans controlled the U.S. House of Representatives and led oversight and investigations. These are some of the rules and practices they followed, but now oppose:

- **Use of Depositions to Gather Evidence:** In the majority, House Republicans used depositions to gather evidence. One Republican-led committee, for example, deposed over 140 Clinton Administration officials. Now in the minority, House Republicans object to the use of depositions to gather evidence.
- **Maintenance of the Confidentiality of Depositions:** In the majority, House Republicans insisted on the confidentiality of depositions to preserve the integrity of investigations, directing that depositions could not be released without consent of the Republican chair or a committee vote. Rep. Trey Gowdy, the chair of the Benghazi Committee, repeatedly resisted calls to release deposition and interview transcripts because “[r]eleasing transcripts can impact the recollections of other witnesses, jeopardize the efficacy of the investigation, alert witnesses to lines of inquiry best not made public, and publicize personal information.” Now in the minority, House Republicans object to maintaining confidentiality during the investigative phase of the impeachment inquiry.
- **Exclusion of Agency Counsel with Conflicts of Interest:** In the majority, the deposition rules adopted by House Republicans prohibited executive branch counsels for agencies under congressional scrutiny from attending depositions. Now in the minority, House Republicans object to their own practice, calling it “completely devoid of any merit or legitimacy.”
- **Testimony and Documents from Political Appointees:** In the majority, House Republicans demanded and obtained testimony and other evidence from political appointees in the executive branch including top White House officials such as White House chiefs of staff, White House deputy chiefs of staff, and White House counsels. Now in the minority, House Republicans support White House efforts to defy congressional subpoenas for testimony and documents from political appointees in the White House and executive branch agencies.
- **Testimony and Documents from Career Employees:** In the majority, House Republicans regularly demanded and obtained testimony from career civil servants. In the Benghazi inquiry alone, House Republicans took testimony from over 60 career employees. Now in the minority, House Republicans support Trump Administration efforts to order career officials not to testify before Congress in violation of multiple federal statutes.

**II. Use of Depositions to Gather Evidence***Procedures during Republican Control:*

House Republicans gave deposition authority to committees for specific investigations in the 1990s (e.g., [deposition rules](#) for the House Committee on Government Reform and Oversight inquiry into the Clinton Administration; [deposition rules](#) for the House Committee on Education and the Workforce inquiry into the administration of labor laws). In 2011, House Republicans gave the Committee on Oversight and Government Reform standing deposition authority in the [House rules](#). In 2014, House Republicans gave [deposition authority](#) to the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, and in the House rules approved in 2015 House Republicans gave [standing deposition authority to four committees](#) in addition to the Committee on Oversight and Government Reform.

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In 2016, several House Republicans, including then-Rep. Mike Pompeo and current House Committee on Oversight and Reform Ranking Member Jim Jordan, recommended extending deposition authority to all House committees, [asserting](#):

“The ability to interview witnesses in private allows committees to gather information confidentially and in more depth than is possible under the five-minute rule governing committee hearings. This ability is often critical to conducting an effective and thorough investigation.”

In 2017, Republican leaders followed this advice. The 2017 House rules provided all standing committees (other than the Rules Committee and the House Administration Committee) and the House Permanent Select Committee on Intelligence with deposition authority.

Republican chairs made extensive use of deposition authority. In the 1990s, the Committee on Government Reform and Oversight under Republican chairmanship took 141 depositions of individuals who worked in the Clinton Administration, including White House chiefs of staff, White House counsels, and other officials at the most senior levels of government. The Benghazi Committee also used the deposition authority as part of its investigation into Secretary Clinton, taking the deposition of Hillary Clinton advisor [Sidney Blumenthal](#). The House Committee on Oversight and Government Reform under Chairman Darrell Issa took depositions during its inquiries into the [attack in Benghazi](#) and [alleged targeting of political groups by the Internal Revenue Service](#).

**Current Procedures:**

The House rules for the current Congress continue the Republican approach and grant standing committees deposition authority. This is the authority currently being used in the impeachment inquiry.

**Republican Comments on Current Procedures:**

Republicans are questioning the deposition process, with Rep. Jordan [asserting](#), “The American people understand fairness and they instinctively know that what is happening here is not fair,” and House Minority Leader Kevin McCarthy [claiming](#) that Democrats have “designed a process to pick and choose who to come” and [arguing](#) that the impeachment inquiry “should happen in the light of day.”

### III. Maintenance of the Confidentiality of Depositions

**Procedures during Republican Control:**

The deposition rules adopted by House Republicans have regularly restricted attendance at depositions to committee members and committee staff. In 2015, Oversight Committee Chairman Darrell Issa was escorted out of a deposition of the Benghazi Committee that he attempted to attend. Benghazi Chairman Trey Gowdy [explained](#): “I’m a prosecutor, we always follow the rules. [Issa] is not a committee member and non-committee members are not allowed in the room during the deposition. Those are the rules and we have to follow them, no exceptions made.”

The same rules have also restricted the release of deposition transcripts until approved by the committee chair or the committee. When House Republicans gave the Committee on Government Reform and Oversight deposition authority in 1997 for its investigation of the Clinton Administration, the [resolution giving the Committee deposition authority](#) provided that depositions would be “considered as taken in executive session,” which meant that deposition evidence obtained was subject to the [House rules](#) requiring committee authorization for any public release.

When House Republicans gave the Benghazi Committee deposition authority in 2014, the [deposition procedures](#) they approved provided that transcripts could be released only with approval of the committee chair or a committee vote. The [deposition](#)

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regulations established by House Republicans in 2017 adopted the same restrictions on release of deposition transcripts by other committees.

House Republican chairs have regularly used their authority to withhold the release of deposition transcripts for extended periods of time. In 1997, the House Government Reform and Oversight Committee kept depositions confidential for months during its inquiry into the Clinton Administration. In 2015, over a year into the investigation by the Benghazi Committee, Chairman Gowdy stated, “[T]he Committee does not plan to release the transcript of any witnesses. ... Releasing transcripts can impact the recollections of other witnesses, jeopardize the efficacy of the investigation, alert witnesses to lines of inquiry best not made public, and publicize personal information.”

In maintaining the confidentiality of depositions, the Republican rules were following long-established precedent. The House procedures for handling the impeachment inquiry into President Nixon expressly provided that “no member shall make any ... testimony or ... papers or things public unless authorized by a majority vote of the committee.”

***Current Procedures:***

The deposition regulations issued in 2019 by the Democratic Rules Committee chair adopt the same approach to confidentiality as the Republican deposition regulations.

***Republican Comments on Current Procedures:***

Republicans now object to confidentiality in depositions, with House Republican Whip Steve Scalise referring to the practice as “a Soviet-style process” that “should not be allowed in the United States of America” and calling for every Member of Congress and the press to be allowed into the depositions.

## IV. Exclusion of Agency Counsel with Conflicts of Interest

***Procedures during Republican Control:***

The deposition rules adopted by House Republicans have regularly provided that counsel for government agencies may not attend depositions. During the Government Reform and Oversight investigation of the Clinton Administration in 1997 and 1998, the Committee rules expressly provided that “counsel ... for agencies under investigation may not attend.” The Republican rule for the Benghazi investigation, in which then-Rep. Pompeo participated, likewise expressly provided that “counsel ... for agencies under investigation may not attend.”

Republicans chairs of the House Oversight and Government Reform Committee repeatedly implemented rules that barred agency counsel attendance (rules of the Committee on Oversight and Government Reform for the 112th, 113th, 114th, and 115th Congresses). When the House Republicans extended standing deposition authority to additional committees in 2015 and 2017, the deposition rules issued by the House Rules Committee chair also incorporated this bar (deposition regulations for the 114th and 115th Congresses).

***Current Procedures:***

The agency counsel provisions in the deposition regulations issued by the Democratic Rules Committee chair in 2019 are identical to those in the deposition regulations previously issued by the Republican Rules Committee chair.

***Republican Comments on Current Procedures:***

The Trump White House Counsel has called the bar on government attorneys in depositions “unconstitutional,” while Secretary of State Pompeo has said these

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procedures constitute “abusive prosecutions” and called them “not fair.” House Minority Leader Kevin McCarthy wrote that failure to allow White House Counsel to attend depositions “would create a process completely devoid of any merit or legitimacy.”

## V. Testimony and Documents from Political Appointees

### *Procedures during Republican Control:*

Congress has regularly demanded and obtained testimony from numerous executive branch appointees. To cite one example, Republican chairs took depositions of the most senior officials in the Clinton White House, including two White House chiefs of staff, a deputy chief of staff, two White House counsels, a chief of staff to the Vice President, and a chief of staff to the First Lady.

Republican chairs have also regularly demanded and obtained documents from the White House and agency heads. House Republicans received over 2 million pages of documents in their investigations into the Clinton Administration, including internal White House emails, confidential communications from the White House Counsel’s Office, Justice Department and FBI investigative and prosecutorial materials, and internal agency deliberations. The House Committee on Energy and Commerce under Republican Chairman Fred Upton in 2011 requested and received documents regarding the Obama Administration’s evaluation of a loan guarantee to solar energy company Solyndra that included emails between White House Office of Management and Budget Director Jack Lew and OMB Deputy Director Jeff Zients and between White House Director of Communications Dan Pfeiffer, Senior Advisor to the President David Plouffe, and Deputy Senior Advisor to the President Stephanie Cutter. The House Benghazi Committee under Republican Chairman Trey Gowdy requested and received documents that included emails of political appointees such as Secretary of State Hillary Clinton, State Department Chief of Staff and Counselor Cheryl Mills, U.S. Ambassador to the United Nations Susan Rice, and State Department Deputy Chief of Staff Jacob Sullivan.

### *Current Procedures:*

Consistent with Republican practices, House committee chairs are seeking testimony and documents from executive branch political appointees, including Secretary of State Mike Pompeo, Secretary of Energy Rick Perry, Secretary of Defense Mark Esper, and Acting White House Chief of Staff Mick Mulvaney.

### *Republican Comments on Current Procedures:*

The White House has directed federal officials not to cooperate with the impeachment inquiry. Political appointees who have refused to provide testimony or documents include Secretary of State Pompeo, Secretary of Energy Rick Perry, Secretary of Defense Mark Esper, and Acting Chief of Staff Mick Mulvaney. House Republicans are supporting the White House efforts to obstruct the investigation.

## VI. Testimony and Documents from Career Employees

### *Procedures during Republican Control:*

Congress has routinely demanded and obtained testimony from career civil servants. In the Benghazi inquiry alone, the Committee conducted interviews with over 60 career officials in the Department of State, Central Intelligence Agency, and Department of Defense.

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At least seven federal statutes protect the disclosure of information by civil servants to Congress. Federal officials who seek to prevent career employees from communicating with Congress face significant potential administrative, civil, and criminal penalties.

***Current Procedures:***

Consistent with Republican practices, Democratic committee chairs are seeking testimony from career civil servants.

***Republican Comments on Current Procedures:***

The Trump Administration has asserted that demanding the cooperation of career civil servants constitutes "strong-arm tactics" that lack "any regard for due process and the rights of individuals and of the Executive Branch," and is instructing individuals called to testify before Congress that there is an "Administration-wide direction that Executive Branch personnel 'cannot participate in the impeachment inquiry under these circumstances.'" House Republicans are supporting these White House efforts to obstruct the impeachment inquiry.

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## A Conversation With Christopher Wray

Friday, April 26, 2019

*Carlos Barria/Reuters*

### Speaker

Christopher A. Wray

*Director, Federal Bureau of Investigation*

### Presider

Richard N. Haass

*CFR* President, Council on Foreign Relations; @RichardHaass

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Director Wray discusses the FBI's role in protecting the United States from today's global threats.

HAASS: Well, good morning and welcome to the Council on Foreign Relations. I'm Richard Haass, president of the Council.

And we're honored this morning to welcome Christopher Wray, who is the director of the Federal Bureau of Investigation. He's going to be here to discuss the FBI's role in today's world. Director Wray leads the nearly thirty-seven thousand men and women of the FBI, and I just want to take a second to thank him and all of his colleagues for what they do for this country.

Timing is a lot in life, and the timing could hardly be better for us—the director may feel differently—(laughter)—given all that's going on that falls under his and the Bureau's purview. He's had a distinguished career. First served as the assistant U.S. attorney for the Northern District of Georgia in '97 to 2001. Then he joined the Office of the Deputy Attorney General here in our nation's capital. In 2003 he was nominated by forty-three to serve as the assistant attorney general for the Department of Justice Criminal Division, where he spent several years. Glad I didn't know you at that time. And then he returned to the government recently, in August of 2017, when he was confirmed overwhelmingly by the Senate to become the eighth director of the FBI.

Here's how we're going to do it today. The director will first offer some remarks from this podium, then he and I will have a conversation before turning to you, the membership, for your questions.

*cf* And with that, please join me in welcoming Director Wray to the Council on Foreign Relations. (Applause.)

WRAY: Well, thanks, Richard. It's great to be here with all of you. Listening to Richard go through my background a little bit there, I will say that if you had told me just even a couple years ago when I was back in private practice that I would be finding myself back in the world of law enforcement and national security in any capacity, much less standing in front of the Council on Foreign Relations as the FBI director, I would have been more than a little bit skeptical. My wife would probably have burst out laughing. (Laughter.) She and my grown kids—our grown kids both spend a lot of their time rolling their eyes at me and shaking their heads. But there's nothing like a loving family to keep your feet firmly on the ground. (Laughter.)

In spite of their amusement or maybe even amazement, I am, in fact, here today to talk about the national security threat from the FBI's perspective. And I want to talk about a number of things, but I want to focus in particular on the multilayered threat posed by China. I also want to talk about the need for stronger-than-ever partnerships with law enforcement, with the intelligence community, with all the communities we serve, and increasingly with our partners in academia and the private sector, because the reality is that the threats we face today are too diverse, too dangerous, and too all-encompassing for any of us to tackle alone.

As you heard, I last left DOJ's leadership back in 2005. And at the time I think it's fair to say we were still in many ways building up our national security capabilities in the wake of the 9/11 attacks. And we'd made a lot of progress by the time I left, but coming back now I see a before and after with the break in the private sector

that jumps out at me more, and I see firsthand the strides—really incredible strides—that have been made towards keeping people safe from all kinds of harm from an increasingly wide array of bad guys.

In some ways, for me it's a little bit like the experience that I'm sure a lot of you have had of seeing the child of an old friend and you think, wow, last time I saw you you were like this tall; when did you get so big? When did you get so grown-up? Of course, then I start thinking even using that analogy makes me wonder how did I get so old. (Laughter.) But putting my advancing age aside, the world is incredibly different now. 9/11 was a gamechanger in so many terrible ways, not just for the United States and for our own national security apparatus but for the whole world. And those attacks blew apart any notion of separation between foreign and domestic threats, any notion that such attacks only happen to other people in other countries.

I remember vividly standing in the FBI's 9/11 command center with then-Director Mueller and a slew of others in a jam-packed room in the afternoon of the attacks. I remember in the period that followed meeting with families of the victims of those attacks and absorbing their shock and their heartbreak face to face. And though none of us could have foreseen where we'd be now, today in 2019, we all knew that the world had shifted around us. And now when I look forward it strikes me that we face yet another paradigm shift in the way we view the world.

The nature of the threats we face is evolving. Criminal and terrorist threats are morphing beyond traditional actors and tactics. We still have to worry about things like an al-Qaida cell plotting a large-scale attack, but we also now have to worry increasingly about homegrown violent extremists radicalizing in the shadows. These folks aren't targeting the obvious—you know, the airport, the power plant; they're

targeting schools, sidewalks, landmarks, concerts, shopping malls with anything they can get their hands on, and sometimes things they can get their hands on pretty easily: knives, guns, primitive IEDs, cars. These are people moving from radicalization to attack in weeks or even days, not years. And they're doing it online and in encrypted messaging platforms, not in some camp or cave.

On the cyber front, we're seeing hack after hack and breach after breach, and we're seeing more and more of what we call a blended threat where cybercrime and espionage merge together in all kinds of new ways. We still confront traditional espionage threats—you know, dead drops, covers, things like that—but economic espionage dominates our counterintelligence program today. More than ever, the adversaries' targets are our nation's assets—our information and ideas, our innovation, our research and development, our technology. And no country poses a broader, more severe intelligence collection threat than China.

China has pioneered a societal approach to stealing innovation in any way it can from a wide array of businesses, universities, and organizations. They're doing it through Chinese intelligence services, through state-owned enterprises, through ostensibly private companies, through graduate students and researchers, through a variety of actors all working on behalf of China. At the FBI we have economic espionage investigations that almost invariably lead back to China in nearly all of our fifty-six field offices, and they span just about every industry or sector.

The kind of activity I'm talking about goes way beyond fair market competition. It's illegal, it's a threat to our economic security, and by extension it's a threat to our national security. But it's even more fundamental than that. This is behavior that violates the rule of law. It violates principles of fairness and integrity. It violates our

rules-based world order that's existed since the end of World War II. Put plainly, China seems determined to steal its way up the economic ladder at our expense. And to be clear, the United States—our country is by no means their only target.

They're strategic in their approach. They actually have a formal plan set out in five-year increments to achieve dominance in critical areas. And to get there they're using an expanding set of nontraditional methods, both lawful and unlawful, so weaving together things like foreign investment and corporate acquisitions, together with cyber intrusions and supply chain threats. The Chinese government is taking the long view. That's probably an understatement. They've made the long view an art form. They're calculating. They're focused. They're patient and persistent.

Overlaying all these threats is our ever-expanding use of technology: next-generation telecommunications networks like 5G, the rise of artificial intelligence and machine learning, cryptocurrencies, unmanned aerial system, deep fakes, all sorts of stuff that wasn't particularly focused on during my time in the private sector but now back in government I see blinking red right in front of me and right in front of all of us. And we grow more vulnerable in many ways every day.

Taken together, these, I think, could be called generational threats because they're going to shape our nation's future. They'll shape the world around us. They're going to determine where we stand and what we look like ten years from now, twenty years from now, fifty years from now.

Our folks at the FBI are working their tails off every day to stop and find criminals, terrorists, and nation-state adversaries. We're using a broad set of techniques, from our traditional law enforcement authorities to our intelligence capabilities. We've

got taskforces all over the country with hundreds of partners from local, state, and federal agencies. We've got taskforces now targeting everything from terrorism to violent crime to cybercrime to crimes against kids, crime in Indian Country, you name it. We've got legal attaché offices all over the world now, stationed around to participate in joint investigations and information sharing. We've got rapid-response capabilities. We can deploy at a moment's notice pretty much anywhere in the world for almost any kind of crime or national security crisis. And on the nation-state adversary front, together with our partners, we've got a whole host of tools we can and will use, from criminal charges and civil injunctions to economic sanctions, entity listings, visa revocations.

But even with all of that, we can't tackle all these threats on our own. We've got to figure out more and more ways to work together, particularly with all of you in the private sector. We need to focus even more on a whole-of-society approach because in many ways we confront whole-of-society threats. It is very clear to me that the next few years will be very much defined by what kind of progress we can make with private-public partnerships.

One of the things that I've found most pleasantly surprising since coming back to government is the state and enthusiasm of partnerships. I've spent most of the past twenty months since becoming FBI director visiting all fifty-six of our field offices, and in each office I've been meeting with all of our employees to get a better handle on the work they're doing in the trenches, but I've also been meeting in one state after another with our partners: law enforcement, the communities we serve, academia, the private sector. And while I hear about the same threats and concerns

everywhere I go, I also hear about how much more effectively we're working with our partners across the board with whole new levels of teamwork. And in my view, that's exactly the kind of thing we need to be building on every day.

In our country the vast majority of our critical infrastructure and intellectual property is, of course, in the hands of the private sector. You own it. You run it. You're on the frontlines. So you know the risks, you know the weak spots, and you're much more likely in many ways to see the emerging threats coming down the road.

Nation-state actors are also targeting academia, including professors, research scientists, and graduate students. They seek our cutting-edge research, our advanced technology, and our world-class equipment and expertise.

And that's why it's so important for these lines of communication to be open. We've got to share as much information as we can with you as quickly as we can through as many channels as we can. We've also got to create mechanisms for you to share information with us so that we have a better understanding of what you're seeing, what you're worried about. We've got to keep building trusted relationships with all of you so that you know with confidence that we're here to help.

So I hope we can keep this forward momentum going. I really do believe it's the only way we can maintain and strengthen our firm footing as the world continues to shift around us. So look forward to continuing the discussion with Richard and with all of you. Thanks for having me. (Applause.)

~~cf~~HAASS: Well, thank you, sir. This is—this is actually now going to be one of the cool moments of my sixteen years here, because as we start the Q&A I can now read the director of the FBI his Miranda rights—(laughter)—and tell him that it's on the record and anything he says can and will be used against him. (Laughter.)

WRAY: That means I can decline to answer. (Laughter.)

HAASS: Touché. (Laughter.)

We'll get to China in a minute, because you had a lot to say about China. But I wanted to speak about another country—to use your phrase, a nation-state adversary—namely, Russia. And I wanted to begin with the special counsel, Mr. Mueller, who described Russian interference in the 2016 election, to use his phrase, “sweeping and systematic.” Is that a view you subscribe to?

WRAY: Well, I think everybody has their own adjectives. I do think that Russia poses a very significant counterintelligence threat, certainly in the cyber arena, certainly what we call the malign foreign influence territory, certainly in their presence of intelligence officers in this country. So in a lot of ways, yeah.

HAASS: Did we see any change, from your vantage point, between Russian interference in the 2016 presidential election and the 2018 midterms? Did you see any evolution in the scale or nature of the Russian threat or interference?

WRAY: Well, I think it's important to distinguish between two categories. Sometimes the word “interference” and “influence” get—even by us kind of get bandied about a little interchangeably, and I'm not sure that's quite the right analogy for each.

foreign influence—malign foreign influence—we usually use to describe the fairly aggressive campaign that we saw in 2016 and that's described in the special counsel's report, and that has continued pretty much unabated, is the use of social media, fake news, propaganda, false personas, et cetera, to spin us up, pit us against each other, sow divisiveness and discord, undermine Americans' faith in democracy. That is not just an election-cycle threat; it's pretty much a 365-days-a-year threat. And that has absolutely continued. We saw that, therefore, continue full speed in 2018, in the midterms. What we did not see in 2018 was any material impact or interference with election infrastructure or, you know, campaign infrastructure.

HAASS: Since you raised that, I assume, though, you don't—you don't assume that won't be an issue in 2020. So do you feel that we either nationally or locally—how comfortable are you with what is being done to protect our election infrastructure?

WRAY: Well, I think—on the one hand I think enormous strides have been made since 2016 by all the different federal agencies, state and local election officials, the social media companies, et cetera. But I think we recognize that our adversaries are going to keep adapting and upping their game. And so we're very much viewing 2018 as just kind of a dress rehearsal for the big show in 2020.

HAASS: 2020. You talked in a slightly different context about public-private partnerships. What about the public-private partnership between your—the FBI and law enforcement more broadly and social media companies? What do you see as the division of labor? And are you comfortable with the nature and level of effort by the social media companies to make sure they're not exploited?

WRAY: You mean on this foreign influence threat?

 HAASS: Yes, sir.

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WRAY: So that's one of the places where I've seen the most dramatic change from 2016 to the midterms in 2018. The flow of information back and forth between law enforcement and the intelligence community and Silicon Valley, I think, has gotten dramatically better. I think those companies recognize that there is a need for them to take action, so that their own platforms are not abused. And so there was—there were a lot of success stories in the midterms, where some of these companies were taking pretty aggressive action on their own, voluntarily, not at our behest or requirement, to enforce terms of use and so forth on their platforms and shutting down and kicking off various accounts that fit into the kind of category we talked about.

HAASS: Russia is obviously the—again, to use your phrase—the national security adversary that most people are concerned about. But what about others trying to influence our society, our political processes? China, conceivably, North Korea, Iran, all of whom have fairly advanced cyber capabilities. To what extent is this a Russia problem? To what extent is this a much broader challenge?

WRAY: Well, foreign influence is certainly a broader problem. And it's been around for decades. I think what's changed and what the Russians have really take not a different level in 2016, and continuing, is the use of social media as kind of a bullhorn to facilitate those efforts. Certainly we see other types of foreign influence efforts by all those countries that you mentioned, but they tend to take slightly different forms sometimes to influence particular policymakers, officials, to shift decision-making and analysis in the government one way or the other. But certainly

of all those countries are watching and taking note of what the Russians attempted to do in 2016 and since. And I think we expect that this is going to become a phenomenon we're going to have to contend with, with a lot more than just Russia.

HAASS: Let's turn to China for a second, because that was a big part of your opening comments. You've got the challenge posed by Chinese students, some of whom seem to be more interested in acquiring technology than good grades. (Laughter.) What about the Confucius Institutes? What is your view of those and whether they are a dangerous platform, or a problematic platform in this country?

WRAY: Well, I mean, the Confucius Institutes are something that we view as part of a sort of soft power strategy that the Chinese government has, and certainly something we're concerned about. In many ways, a lot of the things that I talked about in my opening comments are things we're more concerned about even than the Confucius Institutes, though.

HAASS: Should there be clearer criteria or rules of the road, or rules of conduct, that universities put into place and enforce about scholar access and student access? And if those rules are violated, should there be penalties?

WRAY: I do think that the academic sector needs to be much more sophisticated and thoughtful about how others may exploit the very open, collaborative research environment that we have in this country, and reverse in this country. And I'm encouraged, actually, by the number of universities around the country that are taking very thoughtful, responsible steps to make sure that they're not being abused, and that their information, proprietary research, confidential information isn't stolen, which is happening all over the country. And it's a real problem.

**cf**HAASS: One of the phrases you used in your remarks was: China—I think I've got it right here—is determined to steal its way up the economic ladder at our expense. And then you talked about the first layer of responsibility is obviously the firms themselves. What more needs to be done? To what extent does this require things that are really beyond the capacity of individual firms? I mean, they're up against a nation-state. It doesn't sound like a fair fight.

WRAY: Well, we are structured very differently, right, as a country, than China, where essentially everything rolls up to the Chinese Communist Party. They have scale and centralization. We have decentralization and free markets. And I wouldn't want to change that. But it does mean that we need to be thoughtful about trying to find ways to partner together in a common defense. And we're trying to take steps in that regard with things like meeting with companies, providing threat awareness briefings, telling them things to be able to look out for, in some cases even doing what in the intelligence community we would call defensive briefings, you know, in a classified setting, and cautioning them about what some business partner might mean that they don't fully appreciate. But I do think companies need to make sure that they're taking a little bit more of the long view. They can't just be focused on what's going to look good in the next earnings call. The reality is that some of these threats are existential threats to them as a business. And they need to have that perspective.

HAASS: Is your relationship simply preventative, in the sense that you would go to company XYZ and say: You ought to be doing this sort of thing? Or do you also have a reactive relationship, where you would go to them and say: We have reason to believe you have now been penetrated by this or that, some national actor, and you have to deal with that? How does it work?

**CFWRAY:** Well, first off, we try not to be telling companies what they need to do.

Again, that goes along with the kind of free market world that we're in. So we try to have conversations where we're giving them facts, and information, and sensitizing them to things that they need to be concerned about. And more often than not, I've actually been pleased by the reaction we've seen in the corporate sector by companies making, I think, on their own, the right decisions.

Now, in the cyber arena, because, of course, one of the many tools in the toolbox of our adversaries are cyber intrusions, we have a whole protocol for when we make victim notification and when we try to provide information to a company that may have been hacked or where they may have had an insider who's been bought off, who helped steal information. And that's happening all the time. In the last several months alone, we've charged a number of either MSS officers or hackers associated with the MSS for what is out and out intellectual property theft.

**HAASS:** DOD has run into some problems with certain firms in Silicon Valley not wanting to work on certain contracts, when they felt it was being put for certain purposes, they were uncomfortable for civil liberties and whatever reasons. Have you run into that problem, where certain firms, companies in this country, have basically said: We're not going to cooperate for you because our—for example, our employees are not comfortable with doing so?

**WRAY:** You know, we—I would say our relationship with Silicon Valley is complicated. (Laughter.) But I think we are having, I think, increasingly positive interactions with them. We don't always agree on everything, but we're not experiencing, that I can think of, any company that just says: We don't want to work with you.

**CFR** **AAASS:** OK. The most recent large-scale terrorist attack, an awful one, a few days ago was in Sri Lanka. What is your take on what lessons—what does that tell us? What lessons? How should we understand that and perhaps act in any way differently going forward?

**WRAY:** Well, without commenting too directly on the Sri Lankan attacks specifically—other than to confirm that, of course, the FBI has sent personnel over to assist in the investigation, to work with our partners over there—I do think it's a reminder that the terrorist threat isn't yesterday's news, isn't yesterday's problem, isn't gone. I sometimes think people in this country and in other parts of the world have started to get maybe a little blasé or a little complacent about it. And it's a pretty chilling reminder that the threat is real.

I think it also shows that folks can radicalize in a virtual way, which is a bigger and bigger problem. You know, people talk about ISIS and the fall of the caliphate, absolutely true. On the other hand we, worry very much about what is in effect a virtual caliphate where terrorist organizations can organize in a way that don't require the same kind of physical infrastructure. The other thing we see, which is, I think, a problem that people need to be very aware of, is you always hear this phrase about connecting the dots in the terrorist arena, but a lot of the terrorist plots of today are more compact, involving fewer people, less complicated attacks, shorter period of time, which means fewer dots to connect in the first place.

And then if you add on top of that the different ways in which communication is encrypted and hidden, that makes the dots even fewer. And the time in which law enforcement and intelligence community folks can act has compressed. So the

Professionals sometimes refer to the time from flash to bang. Well, the time from flash to bang has shortened. And that's putting a whole new strain on our collective security.

HAASS: At the risk of worrying everyone in the room and beyond, have you seen any change in the interest on the part of these individuals, and networks, and groups in what we used to describe as grand terrorism—not content with car bombs and knives and boxcutters, but also thinking of weapons of mass destruction?

WRAY: Well, I want to certainly be careful about what I can talk about in this kind of a setting, but I will say that despite my description of the home-grown violent extremist, the ISIS-inspired attacks, the car bombs, the gun attacks, the knife attacks, et cetera, the so-called sleeper cells the efforts to conduct mass casualty attacks is still a phenomenon that exists today. And there's degrees to which some terrorist organizations are starting to rebuild and revive. So it's something we're definitely focused on.

HAASS: So—I don't want to put a words in your mouth, obviously—but implicit in what you're saying is that people have to rethink the way they think about terrorist, at times—you used the word, I think, some people are getting blasé. There's a sense of thinking it as a traditional threat there that it's time limited and at some point it goes away. And as I hear you talking about it, what you're basically saying is we have to think of this as an open-ended, ever-evolving threat.

WRAY: I think that's—I think that's fair. I mean, what I would say is there's a difference between resigning yourself to terrorism as a fact of life and becoming apathetic and numb to it. So finding that balance between staying vigilant, staying on the balls of our feet, taking it seriously, and not being consumed or distracted by

*cfjr*is, I think, where we need to be. And I think in many ways, that's one of the things I've actually been most encouraged about inside the national security arena. The sort of robust, mature machine that now exists inside the government, collaboration, integration between different parts of law enforcement, our joint terrorism taskforces within the intelligence community, with our foreign partners is so much more well-oiled than it was in the immediate aftermath of 9/11, that I was, you know, relieved, frankly, to find it. But it just has to be also caveated with the fact that the—you know, that the challenge keeps going up too.

HAASS: So a few more questions then we'll open up to our members. You alluded to domestic terrorism. How big of a problem is that? What you might call white nationalist groups in the United States? The emergence—a lot of people a few years ago would have talked about domestic terrorism and this focus of this or that Islamic cells. What about white nationalist terrorism?

WRAY: Well, we sort of separate the world of terrorism into kind of true international terrorism, which is, you know, al-Qaida, Al-Shabaab, Hezbollah, et cetera; homegrown violent extremists, which I was describing quite a bit earlier, which are more ISIS or other groups inspiring but maybe not directing—so efforts to conduct attacks by people who are already here on behalf of the global jihadist movement; and then what you're getting to, which is domestic terrorism, which is not just different kinds of violence committed on behalf of some kind of white supremacy ideology but all the way over to anarchist ideologies, and all kinds of things in between.

We have lots and lots of investigations in that space. It's a steady, persistent threat against all those different types of domestic terrorism. We've had quite a number of arrests. I think last year we had more arrests—domestic terrorism arrests, our JTTFs,

*for* Joint Terrorism Taskforces—than we did internationally terrorism arrests. So we're working very actively in that space. You know, we brought charges against some folks involved in the Rise Above Movement for their connection to the Charlottesville rallies and some other things. We had an individual—a Coast Guard lieutenant who wanted to commit an attack right here. We've had the so-called package IED case—

HAASS: Who might, by the way, be released, I saw, by the judge.

WRAY: We'll hope the judge does the right thing. (Laughter.)

HAASS: One issue that's come up obviously, and the president's made a—put a great emphasis on it, is the threat—the national security threat posed by, quote-unquote, “illegal immigrants” coming across the southern border. To what extent, from your point of view, are illegal immigrants in this country—to what extent do they pose a serious national security threat?

WRAY: Well, certainly the border security threat is something that I think needs to be taken extremely seriously. Having gone down and visited the border in multiple locations and been to all of our field offices that are in that area I think there are significant security threats posed along the border, ranging from drug trafficking concerns, human trafficking concerns, and a lot of the attendant violence that comes with it.

HAASS: OK. I could ask a lot more questions, but I will show uncharacteristic restraint. We've got a good chunk of time left. I guess I don't have to ask people to raise their hands. (Laughter.) You anticipated my—what I'll ask you to do is keep

four—raise your hands. We'll get you to stand up. Please identify yourselves. One question to a customer. And as brief as you can make it, and that way more of your fellow members will get in.

Jill, why won't you kick us off?

Q: Thank you very much. Jill Dougherty from the Wilson Center.

You know, Director Wray, I was thinking of a phrase, it came to mind as you were speaking, which is: dirty cops, a phrase used by President Trump. And it seems pretty obvious that the bureau has been under sustained rhetorical attack recently. To what extent has the bureau been damaged by this? If it has, how would you assess the impact of that on the bureau?

WRAY: So this is a topic near and dear to my heart. I would tell you that rumors about damage to our morale, or brand, or anything else, are grievously overstated. I say that now with the perspective of having been to all fifty-six field offices and met with—and when I say I met with, I mean, like, have a conversation with something like three or four thousand of our partners. The feedback I get from our partners is that the bureau has never been stronger and better. The feedback I get from our employees is that they're inspired. We're not focused on the rhetoric. We're focused on the work. We're focused on who we do the work with, and who we do the work for.

And I look at examples, like the woman in our Miami office, who had twelve stitches in her face from a bad accident. Next morning, back at it. I look at the guy, the SWAT agent in Chicago who got shot up in his arm by a fugitive from an AK-47

~~and~~ not only survived but retrained himself to shoot lefthanded, and then requalified for SWAT lefthanded. These are people who love their jobs.

HAASS: Have you had any issues or any changes in either recruitment or retention?

WRAY: You know, actually, I'm glad you brought that up because despite chatter—and lord knows there's enough chatter out there to keep everybody busy—I'm focused more on action and words—action than words. And so I look at recruiting. You know, we have had since October something like sixteen thousand people apply to be special agents, which is up from all of the prior year. That tells me something about brand and enthusiasm for the mission. I look at the interns applications—you know, we're in a thriving economy. So kids coming out of college have a ton of choices.

We have the highest number of people applying to work at the bureau out of college that we've ever had. And our selection rate in both of these pools is between 5 and 6 percent, which is more selective than just about any Ivy League school. Of course, I'm tempted to maybe stop using the Ivy League school analogy. (Laughter.)

HAASS: Yeah, the question is whether it's as selective as USC.

WRAY: Yes, right. But I look at retention—and then I'll be quiet. But again, this is something I feel very passionately about. You look at our attrition rate—meaning special agents leaving before their normal retirement age—and our attrition rate last year was 0.5 percent.

HAASS: Impressive.

**cfw**WRAY: And I bet you that there's not an organization represented in this room that has an attrition rate that low. So we have people who are grouchy and cynical all the time, just like everybody. (Laughter.) But when it comes time to manifest their views through their work, they move the mission.

HAASS: Good to hear.

Sir.

Q: Steve Charnovitz, George Washington University Law School.

You've explained that China has a formal plan to achieve dominance. And you said they're weaving together the legal as well as the illegal activities. And the FBI mission is the illegal ones. But since you mentioned the legal side, do you think the United States has a strong enough long-term plan of our own to deal with China's challenges in the world? So, for example, is the line between legal and illegal right, should it be changed? The Congress did that a little bit last year on export controls. Are there other areas where the Congress should change the line? You mentioned economic sanctions. Do they have a role, versus the legal activities of China? And then how can the United States take the long view, more than what we're doing, with respect to soft power?

WRAY: So it's an excellent question. I would say there are legislative fixes that are useful. For example, in the foreign investment space CFIUS, which a lot of people in this audience are familiar with, Congress did make, I think, very important reforms on CFIUS. That's not a matter of criminalizing or making something illegal, but it's a matter of using our laws to better protect our economic and national security. And I think there may well be things like that that can and should be done.

You know, the importance of recognizing that things like foreign investment is fine, corporate acquisition is fine, talent recruitment in the academic sector is fine. But understand that those things in the wrong hands can be abused. And so both punishing the behavior when it crosses the line and then using the tools that we have to better protect ourselves long term, I think is where the country needs to be. I do think that this country, going back the last couple of decades, has underestimated this threat. The good news is, everywhere I go in my first twenty months in this job—up on the Hill, throughout the administration with different agencies, the corporate sector, the academic sector, foreign partners—people are waking up and realizing that this is a threat that needs to be taken seriously. And I think that's good news for everybody.

HAASS: Edward Luttwak.

Q: Edward Luttwak.

I was very reassured by your—what I interpreted as a focus on China as a strategic threat. Question: Are you able to acquire the necessary human resources? Because the foreign intelligence community, twenty years after the Middle East high engagement, still has nobody who speaks Arabic in the room of fifty-two—maybe one. Question, can you acquire this expertise? Second, given that you have such wide responsibilities, but many of them are also the concern of state, local enforcement, and so on, can you offload these other responsibilities to focus on the strategic threat? These are the two questions. Thank you.

WRAY: So I'll take the second one first. We don't view ourselves as offloading responsibilities, but we do view ourselves as working more smartly, if I can use that—probably not a word—with our state and local law enforcement partners. That's

where these taskforces come into play. So take something like violent crime for example. We aren't offloading violent crime responsibility, but we are trying to focus on what does the FBI uniquely bring to bear to that problem set, and then leveraging partnership with others, like state and local. So try to imagine a car with an FBI agent at the wheel, and everybody else in the car is from another agency. We're all going the same place. We're working together. And that allows us to stay in the fight, to provide the expertise that we have without trying to be all things to all people. So that's the way we kind of view most of those phenomenon.

I think on the first issue, about whether we have enough resources to deal with the China threat—and it sounds like you're particularly talking about our language skills, certainly we are trying very hard to recruit people with language skills. Every time I go to a graduation—an agent or analyst graduation—I'm looking at language skills that are reflected in the class. So people who speak Mandarin, for example, are certainly attractive to us. But, again, that's where partnership with others helps us bridge that gap. So we're not the only agency working on this problem, so therefore we're not solely dependent on our own linguists. We work so much more closely now with our intelligence community partners, so we can share and collaborate with each other. And if we work more and more closely with the private sector, there are ways for us to leverage their expertise. Our foreign partners, we're able to leverage their expertise.

You know, there are very few people in this world who, having seen what it's like to work in silos and seen what it's like to work in teams, would pick silos. And it took, I think, the national security apparatus a little while to get to that recognition. But now that we're there, it makes it so much more efficient and effective to deal with some of these kinds of problems.

**HAASS:** What about on the technology side? Last I checked, your stock option plan is not very generous. (Laughter.) And how is it you compete with the private sector there to get people not who speak Mandarin, but might be able to also to be familiar with some of the cutting-edge technology, say in AI? How do you compete there?

**WRAY:** Well, certainly in terms of recruiting it's a challenge, but we find that most young technically savvy people today are drawn less to financial incentive and more to trying to do meaningful work and tackle hard problems. And so what we have to offer in terms of recruiting is we're dealing with the most sophisticated adversaries there are. And we're able to give them an opportunity, some of these kids, to do things that they can't legally do—(laughter)—in the private sector. So there's that. (Laughter.) And then second, we also—through our partners, we have a lot of ways in which we're partnering with the private sector to take advantage of their innovation. I've been out to northern California a couple times. A lot of my direct reports have done it as well. And so we're looking at ways in a variety of settings to capitalize on what they see in terms of innovation and technology.

**HAASS:** OK. Sure, yeah.

**Q:** Hi. Jeff Pryce, Johns Hopkins.

On the Russian intelligence adversary, one of the evolutions from the old days has been the increasing role of the GRU military intelligence in the Russian intelligence services. And I wonder if you have any thoughts on that shift in the balance of the Russian challenge. The GRU has a reputation of being more aggressive, operating by a slightly different set of rules than their sister Russian agencies. So thoughts on that shift in the Russian challenge, and implications for us.

*cfr* WRAY: I'm pausing because I want to think about what's appropriate for me to talk about in this kind of setting.

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HAASS: You're just among friends here.

WRAY: Yeah, exactly right. (Laughter.) Small, intimate collection.

HAASS: Exactly.

WRAY: Well, look, we've taken a number of steps to be more aggressive to call out GRU actors for some of the more brazen things that have occurred. I think about, for example, you know, we charged a number of GRU officers for their role in an extensive hacking campaign to undermine in the international anti-doping arena, for example. Some people sometimes question whether it makes sense to charge—you know, to indict foreign intelligence officers. I actually happen to believe that it makes sense because sometimes in the foreign intelligence arena you get into questions of attribution. I'm tempted to say nothing saying attribution more than an indictment. We believe very strongly in our criminal justice system. And that's our way of saying: We're so confident that we're right that we're willing to have these people come into a U.S. courtroom and take our chances with the jury, beyond a reasonable doubt. And also, we find that a lot of these folks like to be able to travel. And once they've been indicted, their travel options get decidedly smaller. And the FBI has a long memory and a broad reach, and I wouldn't be surprised if we see some of these people in orange jumpsuits one day.

HAASS: Nelson Cunningham.

*cf*: Thanks very much. Long ago I was an AUSA in the Southern District of New York. And on behalf of all the great agents I've worked with I want to thank you for spending a lot of time on the integrity and the reputation of the FBI as director.

My question, though, goes to the cyber intrusions—the celebrated cyber intrusions we've had—North Korea's hack of Sony, the Chinese hack of the Office of Personnel Management records, others. My question is: Do we have the right tools, the right framework for retaliating? In other words, not just saying: Stop doing that, don't do it again. But you did it, we know you did it, and here's the way that we've retaliated against you. Do we do that in the right way?

HAASS: You can even extend that to those who might try to influence our elections. Do we have the right retaliatory framework there?

WRAY: Well, the thing about offensive cyber is that it works best if people like the FBI director don't talk about it on television. (Laughter.) But suffice to say we're looking at an all-tools, all-agencies approach. I will use your question as an opportunity to say that what we're not a big fan of is what some in the private sector sometimes refer to as hack back. We don't think it's a good idea—

HAASS: Just can you explain what you mean?

WRAY: Yeah. We don't think it's a good idea for private industry to take it upon themselves to retaliate by hacking back at somebody who hacked them. That creates all kinds of potentially unintended consequences. And so not something we would recommend, any more than we would recommend people taking justice into their own hands privately in another arena. I do think we have to get more and more agile in dealing with the problem. And one of the—in the cyber arena in

particular. And one of the things that I think is still kind of lost, even among sophisticated audiences, is people tend to think of cybersecurity as their perimeter, whereas in fact in many ways the most important part of cybersecurity in today's world is inside. It's your own insiders.

So think about the analogy of a house, right? Yes, it's very important for you to have an alarm that goes around your perimeter. Yes, it's important for you to have locks. Maybe it's important for you to have cameras on the outside, and lights, and everything else. But all that stuff is kind of useless if the person who's in your house already got a key from somebody and is just hanging out in your basement and whenever you go off to work is rummaging through your personal and confidential information. So a big part of cybersecurity is encouraging companies and other organizations to much more quickly look inward, because it's not a question of if you get hacked, it's when. And so mitigation is in some ways more the appropriate concept than just out-and-out prevention.

HAASS: So you're going to say here on the record that you do not keep your password written on a yellow stickum next your computer? (Laughter.)

WRAY: I am.

HAASS: OK. Good. I just want to—just wanted to clarify that. (Laughs.) Yes, sir.

Q: Thank you very much, sir. My name is Andy Maslowski (ph) with the U.S. Department of State.

A question for you that may not be immediately within your purview but based on something you had shared with us. You said that you feel that malign influence from other countries targeting the United States with the intent to divide us is

going. I think, you know, any good analysis of threats requires a good analysis of the vulnerabilities of that threat. From your perspective, what makes us so vulnerable to attempts to divide us as a country? And what could we, as the federal government or leaders such as yourself or others, be doing to address that vulnerability? Thank you.

WRAY: Well, I don't think we in the FBI, or we in the federal government, can or should police content. And that's a core tenant of who we are as a nation. And so in a sense, though, that makes us inherently more vulnerable. So part of what we need to be doing is raising public awareness, so we have a more resilient, less reflexive, more thoughtful populace. So people need to be careful what they read. People need to try to do a little thought about maybe what's the sourcing of what I'm reading. People ought to get their news from a variety of different sources. People ought not to believe everything they see on Twitter.

HAASS: You don't think there ought to be any—just so I understand what you said—you don't think there ought to be any limits or constraints on content dealing with incitement, how-to to do certain things? You think all—that we basically ought to leave it up to the judgement of individual Americans and others to make of it what they will?

WRAY: I don't know that I would say that. I just think when it comes to passing laws or providing criminal tools that deal with content, we're in very delicate First Amendment territory, and we need to be very thoughtful about how we do that. We are trying to do our partner to raise people's awareness about what the issues are, what they should be on the lookout for. You know, we put out a website at one point called protected voices, that sort of tried to raise campaign awareness in other people in the voting public about how to be a little more intelligent consumers of

information. And, again, back to the private sector, there's an incredibly important role for Silicon Valley and a lot of the social media companies to be able to do things that they can do as a business to enforce terms of use on their own platform to prevent those platforms from being abused and manipulating our public.

HAASS: Sure. Yes, sir.

Q: Hi. I'm Andy Sullivan with Reuters.

If we could return to domestic terrorism for a minute, when you're investigating somebody who's inspired by ISIS, for example, you've got a very valuable tool you can use, which is it's against the law to provide material support to a foreign terrorist organization. When you're looking at somebody who's inspired by white supremacy or other ideologies like that—the Coast Guard guy is a good example—you don't have that. Do you need more tools from Congress? Do you need more laws to help go against people like this? The Coast Guard guy might go free today.

WRAY: Well, I would say that, look, we always like having more tools. That makes us more versatile and more effective. So I would never be one to turn down the offer of new weapons in the fight.

But I will say that what distinguishes the international terrorism arena from the domestic terrorism one is not just the existence of a material support statute. It's also true that we designate foreign terrorist organizations, and that's what people are providing material support to. The State Department is involved in those kinds of designations. In the domestic terrorism context we are not seeing so much terrorist organizations in the same way that you might think of ISIS or al-Qaida or al-Shabaab or Hezbollah as an organization. We're seeing more lone actors, more

people kind of informally kind of associated with each other. It's much more uncoordinated, decentralized. And so it's not really clear to me that you would be able to designate, for example, domestic terrorism organizations and really move the needle much.

We rely very heavily on all sorts of other charges in the domestic terrorism context: gun charges, you know, mass explosive charges, false statement charges. We work with state and locals, with all kinds of, you know, murder charges, attempted murder charges, assault charges, you name it. And so I think we've actually been pretty effective. But it does put a premium on the theme that I've been pounding on today, which is this partnership concept.

We certainly—we've also brought hate crime charges in the context of some of the domestic terrorism settings. One of the Charlottesville actors, for example, we had a twentysomething-count hate crime indictment.

HAASS: Got time for just a couple more. Mr. Slattery, you've been patient.

Q: Yeah. Jim Slattery, Wiley Rein.

I get the whole issue about regulating content—(comes on mic)—under the First Amendment. What can we do, though, to disclose origin of content and provide that information to the consumers of the content?

WRAY: So you're—I think you're—well, we sometimes use the word "source" instead of origin, but I think that's the right concept, which is we're focused on who's doing it, not on what they say. So I think it's important to understand that in

*cf*the space of foreign influence we don't start by looking at inflammatory content and then trying to figure out who's responsible for it. We're focused on the threat actors, and then we try to figure out what content they're generating.

And I think when we have something that we can expose publicly to raise awareness, we try to do that. We are also mindful, though, of the fact that the sort of perplexing thing about the sowing divisiveness and discord strategy is that we don't want to play into the adversary's hands by giving more amplification and volume to something that we might be able to nip in the bud fairly quickly, right? So think about some completely fake news effort using a false persona, bots, et cetera. If we're able to, working with Silicon Valley, get that shut down within a matter of days before it got a ton of traction, we don't want to then add to the problem by increasing everybody's concern by, you know, broadcasting information that we were able to prevent from really going viral. So there is sort of a balancing act tactically that we go through on a case-by-case basis.

But I do think you're right in general that focusing on the source or the origin, as you say, is really the name of the game. I think people would be surprised at how much content is a couple steps removed sourcing back to, you know, the IRA or some other Russian propaganda arm.

HAASS: Are you yourself on Facebook or Twitter?

WRAY: Nope. (Laughter.)

HAASS: Will you do it—after you're out of this job, will you—will you start?

WRAY: Nope. (Laughter.)

*cf* HAASS: Dan Yergin.

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Q: Director Wray, as you know, there's been some discussion recently about the issue of visas involving academics and researchers from China who are not in artificial intelligence, but rather things like international relations. Could you share your thinking about that and how you see that kind of issue evolving?

WRAY: Well, I don't want to comment on any specific visa-related decision or a specific academic center's decision. I will say that we have seen many instances in which the visa process, which I think is very important to ensure an open and collaborative research environment, which I have no desire to change in that sense, is being abused and exploited. And in those instances where we have information that exposes that abuse, we want to share it with the right people so they can make the right decisions. And as I said, I think that's starting to happen more and more often, and I think you can expect to see that happening more and more often.

HAASS: Got time for one last question. The gentleman in the back has been patient. And then—

Q: My name is Tarat Puladia (ph). I'm with the Voice of America Persian Service.

My question is that—so White House, in an unprecedented move, last week designated IRGC and Quds Force as FTO. So my question is this. In this context, the role FBI plays in combating IRGC, Quds Force, Hezbollah presence here in the U.S. And is there any credible threats from these individuals or these entities in the U.S.? Thank you.

*cf*WRAY: Well, I don't want to discuss any specific investigation, certainly. I will say that with or without the designation we've had any number of matters related to Quds Force activity, including here in the United States, as have some of our closest partners. And I think it's high time that that threat be taken even more seriously.

HAASS: When the director hears the initials CFR, his first instinct is the Code of Federal Regulations. (Laughter.) I want to thank him today for visiting the other CFR. And again, thank you not just for being with us today, but for all that you and your colleagues do.

WRAY: Thank you. (Applause.)

(END)

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## **Foreign Affairs Issue Launch with Former Vice President Joe Biden**

Tuesday, January 23, 2018



*Sardari.com*

### **Speakers**

**Joseph R. Biden, Jr.**

*Penn Biden Center for Diplomacy and Global Engagement; 47<sup>th</sup> Vice President of  
the United States (2009 to 2017)*

**Michael R. Carpenter**

*Senior Director, Penn Biden Center for Diplomacy and Global Engagement;  
Former U.S. Deputy Assistant Secretary of Defense (2015 to 2017)*

**Presider**

Richard N. Haass

*President, Council on Foreign Relations; Author, A World in Disarray: American Foreign Policy and the Crisis of the Old Order*

**Foreign Affairs Issue Launch**

*Coauthors Joe Biden and Michael Carpenter discuss the article, "How to Stand Up to the Kremlin: Defending Democracy Against Its Enemies," which appears in the January/February issue of Foreign Affairs.*

HAASS: Well, good afternoon.

I want to welcome one and all to today's Council on Foreign Relations meeting which, among other things, is here to launch the January-February issue of Foreign Affairs magazine. And I really do urge you all to read it. What a—like all of our issues, it begins with a cluster, and there is a cluster of about a half-dozen articles on a subject that doesn't really get the attention it deserves, which is how countries have either dealt with or failed to have dealt with the legacy of their own pasts, something I know intimately from my time trying to negotiate in Northern Ireland. But this deals with countries like South Africa, but also the United States, given our own complicated legacy, as well as Russia, China, and others. So I really urge people to look at it. It's just one step beyond the normal foreign policy conversation, but it's an important one.

The subject, though, today is another article in the—in the magazine. I probably should introduce myself. Should be familiar to everybody. My name is Richard Haass, by the way. I work here at the Council on Foreign Relations. (Laughter.)

CARPENTER (?): And I work for Richard.

HAASS: And we're joined today by the gentleman on my right, Joe Biden, who of course served as the 47th vice president of these United States and who now leads the Penn Biden Center for Diplomacy and Global Engagement. And let me say something about this center which is based here in our nation's capital. It officially opened its doors February 8th, and the mission of the center is to develop and advance smart policy and influence the national debate about how American can continue to lead in this century, and it's, quote, "founded on the principle that a democratic, open, secure, tolerant and interconnected world benefits all Americans." Close quote.

Full disclosure: the former vice president and I go back more than four decades. He was a newly minted senator, I was a wet-behind-the-ears young staffer on the Senate side of the Hill, and over the last 40-plus years we've had a continuing conversation about the world and our country's place in it, and the only thing I'd put as a caveat is I'm not sure we distributed the time equally in that conversation. (Laughter.)

BIDEN: This may be the only audience who will think it was you. (Laughter, applause.)

HAASS: Never go up against a pro, that's what I should have—should have known.

Sitting to the vice president's right is Michael Carpenter—your left—he's going to be our—is the senior director at the Penn Biden Center, and he's the former DAS—secretary—deputy secretary of Defense for Russia, Ukraine and Eurasia, and the two of them are co-authors of the recent article in this same issue: "How to Stand Up to the Kremlin: Defending Democracy Against Its Enemies."

Let me just say that their piece addresses many of the same issues as a just-published special report by our own Bob Blackwill and Phil Gordon on how to respond to Russia's intervention in the 2016 presidential election, and more broadly how to respond to the geopolitical challenge that Russia poses to the U.S. interests around the world.

And let me say, I returned from Moscow a few days ago, and I was struck by how limited this relationship is, our bilateral relationship. It's actually less to it right now substantively than it was during most of the four decades of Cold War.

I'm struck, too, by how different our views of the world are, but also—and it comes out in their article—by the case for at least exploring the possibility of limited cooperation in meeting the challenges posed, say, by North Korea's nuclear-missile program, on trying to reduce conflict in eastern Ukraine, or in Syria.

But with that, let me thank both of you for being with us today. Thank you for writing for our magazine.

And let's start. And again, I'll ask questions for a few minutes. Then we'll open it up to you, our members.

So let me start with a basic question, a scene-setter. Is it accurate or useful, either or both, to describe where we are with Russia as a second or new cold war?

BIDEN: I think that'd be a little bit of an exaggeration. I think, look, what we—the Cold War was based on a conflict of two profoundly different ideological notions of how the world should function. This is just basically about a kleptocracy protecting itself. That's a vast oversimplification. But I think that this is about the Kremlin, and i.e. Putin in particular, doing everything he can to dismantle the few structures that were, in fact, set up in Russia that were trending toward or at least squinting toward, as a famous founder of ours once said, squinting toward democracy.

And there's an overwhelming—I think a basic judgment has been reached that in order for Russia, with all its profound structural difficulties that it has, to be able to sustain itself and for this kleptocracy to continue, there's—it's much easier if you're dealing with 28 different nations not in union with one another, not a Western economy that is coordinated. And it gives them more room to wander and engage in the activities that they've engaged in, which is essentially when the wall came down, everything that was part owned by, quote, the Soviet government was now owned by apparatchiks personally.

And so I'm vastly oversimplifying, but I think there's a basic decision that they cannot compete against a unified West. I think that is Putin's judgment. And so everything he can do to dismantle the post-World War II liberal world order, including NATO and the EU, I think, is viewed as in their immediate self-interest.

HAASS: Michael, let me ask you a variant of the same question. And it picks up on what the vice president just ended with. If you had to describe, in an elevator, what you think the essence of Russian national-security strategy is, how they—how they would define success for themselves, what do you think it would be?

CARPENTER: So I think Russia has three principal goals. One is to weaken Western democracies internally. Another one, as the vice president said, is to divide the countries of NATO and the EU internally, to deal individually with those nations, as opposed to with a united front. And then third is to undermine the rules-based international order, which, from Moscow's perspective, is slanted in favor of the United States because it promotes norms of democracy, because it promotes certain other norms in the international sphere—territorial integrity, sovereignty—that Russia sometimes feels it can transgress when it wants to.

And so what Russia has essentially done is it's taken the fight from what was originally just contained to the post-Soviet space and taken that fight now to Europe, to the United States, by subverting our institutions internally, by using sometimes hard power, but more often corruption, energy, information, and cyber to be able to undermine these democratic institutions, as I said, internally.

HAASS: However one might describe U.S.-Russian ties, they are not good. And looking backwards over the last quarter of a century, in some ways it's anticipating what history will grapple with. Was this inevitable? Was there something about the nature of America, America's definition of what world order consisted of, something about Russian political culture that essentially—despite the optimism 25 years ago when President Bush 41, my boss at the time, talked about a new world order—was it inevitable? Or to some extent, does Western policy bear some of the responsibility for the current state of affairs? Obviously higher on the list of certain people would be NATO enlargement. Did we have to get to where we are, or could it have been avoided?

BIDEN: I think it's hard to say if it could have been avoided, but it's more easily able to identify why it didn't happen. And it wasn't, in my view, because of the expansion of NATO. As you may remember, that was my primary responsibility on the floor of the Senate with Michael Haltzel. And the only time I had a real serious and elongated disagreement and debate with Pat Moynihan was on the expansion of NATO. And his argument was, to vastly oversimplify it—it was much more articulate than I'm about to state—but was that this is not the time to worry the new leadership in Russia that they're about to be surrounded and overtaken, et cetera.

I don't see—I ask the reverse question all the time, is what happens if we didn't have NATO. Does anybody think if NATO did not exist, the expansion of NATO did not occur, and somehow the fact that a KGB thug ended up in control of that country would have been altered? I don't any evidence that suggests that would be

the case. Matter of fact, I would argue that you would very much likely see more use of military power and force. And one of the things we talked about, and I'll not go any further, is that as all these Eastern and Central European countries were, quote, "freed," they all had their own agenda, their own historical fears, their own concerns. And they're all engaging independently in activities and actions that could have been very destabilizing—destabilizing to the whole region.

And so part of what we did was to stabilize and give some assurance to each of those countries that they should yield toward what would be more considered to be basic democratic instincts and policies, than to go the route some of them were considering going. And so I don't think—I don't think that the expansion of NATO, history will—it will be a debate that will continue—was the reason why the instability to the extent that it—that it was inevitable that Russia would take the role that it took. But I do think there were a number of things, when you think about it, as you've written about—and many of you have—there is—

HAASS: You're not going to mention the name of the book? (Laughter.)

BIDEN: You just made me forget the name of the book right then. (Laughter.) But it's a very good book. I strongly urge you to buy—urge you to buy two copies. (Laughter.)

But think about it. I mean, look at all the countries in the world, including in this hemisphere, that are coming out from under what has essentially been somewhere either decades if not an entire history of corruption and dictatorships or oligarchs running those countries. And it's really—and I've spent a lot of time. I mean, I've spent more time I would—I know I spent more time than any member of our administration trying to deal with making sure that this revolution of dignity did not blow up in the face of what is a great opportunity for Ukraine. But the corruption is so endemic and so deep and so consequential it's really, really, really,

really hard to get it out of the system. So I think there were some—you know, there was at least 100 years of history and beyond in Russia that made it difficult to actually set up these institutions in the first instance.

HAASS: Michael, as you and just about everyone in this room, I know, knows, last month this administration published its first National Security Strategy. And among other things, it called for the United States to rethink the policies of the past two decades when it came to several countries, China and Russia—so let's focus on Russia, given our subject today—and it described those policies as being based on the assumption that engagement with Russia and its inclusion in international institutions and global governance would turn it into a benign actor and a trustworthy party. And the National Security Strategy goes on to say that this premise has turned out to be false. Do you agree with the National Security Strategy, then?

CARPENTER: So I don't think the premise that engagement with Russia is destined to fail, especially if one steps back and looks over the long run. Certainly, what we've seen is an increasingly revanchist and aggressive Russia acting out both on its periphery, in Europe, here in the United States.

You know, looking back, I think we can also see that there were some missed opportunities. But, you know, the goal of integrating Russia into both international economic institutions, the WTO, the IMF, and the World Bank, after the fall of the—collapse of the Soviet Union, but then also more sort of norms-based institutions, like the Council of Europe, I think that was the right choice to make then.

Obviously, we've—and, you know, and going back to your question about was this inevitable, I mean, there was a certain sort of original sin there where the ex-KGB elite, as the vice president alluded to, sort of captures the institutions of the state in Russia. And you can't get around that. And you saw that play out, you know,

prior to the last administration. You saw it in Georgia in 2008, with the cyberattack on Estonia in 2007. And yet, there were still sort of contingent events that shaped the flow of Russia's leadership and how it responded.

And one of those, by the way, was the mass protests in Russian cities in the winter of 2011, 2012 where all of a sudden you had the Putin regime, which seemed so stable, had been riding these high oil prices for years, starting to look fragile. I mean, there was one event where Putin shows up at a mixed martial arts competition amongst a crowd that's basically his base and they're jeering and booing him. And so that had a profound impact, followed up, as it was, on the Arab Spring in terms of internal calculus about how to interact with the West.

And we saw that the result of that ended up being confrontation. I don't think it was inevitable. I don't think that having tried to integrate Russia into those institutions was a mistake because there's still history ahead of us and we need to have that play out.

HAASS: So even if it might have been—or either failed or might have been a mistake in the past, it doesn't—you're both basically saying we shouldn't give up on the possibility.

CARPENTER: We need to—we need to look—

BIDEN: But I don't think we can give up on the possibility. I don't think we can give up on the possibility. I don't think we should be naïve about it. I think we have to do a number of things in the meantime to make it clear to Russia that they are going to pay a price for many of the things they have done, in addition to making sure that we just, in effect, advertise to the Russian population and to all of Western Europe what they're actually doing.

I mean, here we are, we're talking about Russian interference in the United States, whether there was collusion between the Trump administration and Russia. That's obscured a much larger discussion that should be taking place about whether or not what Russia is doing in the rest of the world right now and what Russia is doing in Europe right now. And part of it is just pulling the—pulling the Band-Aid off.

And for example, we recommend in here an international commission. Immediately, we got response from a number—I got response from a number of European leaders wanting to set up an international commission, an independent commission made up of all parties, the mainstream parties in Europe, to actually spend time and do what we haven't done here, look at what Russia is doing in Europe right now that their publics do not know. Because when they do know it, their influence diminishes precipitously, like it did in France in this election, like it has in—but part of this is that there is not much discussion. And our leadership has been abdicated.

Your point is there's three ways you lose power. One is just, you know, abdicate. Well, that's what we're doing. And part of it is just going out and telling—it sounds almost sophomoric—tell the truth, lay out what's happening out there and get the international community to join in in terms of providing the hard data after some serious looks as to what is going on.

And the second thing is, if you're sitting here—and when my grandchildren are writing their senior thesis to some great university about what happened to Russia, in 2018 what was the consensus in America about what Russia was going to look like in 2030? Well, you know, I wouldn't want to have to be in a position—I often say to classes I teach, I would not want to be in a position, no matter what approach I took, of having to lead Russia. Look at—look at the state of Russia now. They're in enormous decline. They're—by any definition, these guys are on a toboggan run. The question is when the run ends. You know, they have a second-rate military power. They have significant advantages geographically, where

they're engaged. They have a nuclear arsenal that is—can blow up the whole world. But in terms of their efficacy, their capacity is de minimis compared to ours. They're in a situation where they're an oil-based economy. You have Gazprom going from a market value of something like \$350 billion to \$50 billion in the last 10 years.

What do you do if you are a democratic leader of Russia? What do you do? How do you provide jobs for your people? Where do you go? How do you build that country, unless you engage the West? I don't know how that happens.

And so I haven't given up hope. I'm not naïve about it. As you've noticed, I've been a very strident voice in my—the last administration about Putin and Russia, as I am now. But that doesn't mean that this is a fait accompli that this is the way things are going to be.

Now, the last point I'll make is—you all know it better than I do—that, you know, when nation—my dad had an expression, never back a man in a corner whose only way out is over top of you. Well, you know, take a look at Russia now. Where do they go? They're incredibly dangerous as they continue to engage in this precipitous decline. Their life expectancy is changing. They're expected to be a 20 percent smaller population by 2050. I can go on. And so the—it's going to be a really tough, tough time to get them to the place where their citizens think they have any future.

And he's—and the last point. This new, phony nationalism and populism that is being used by charlatans all across the world right now, the only thing keeping Putin where he is is that it's the United States is the enemy. He's going to demonstrate that they're powerful again. But eventually he's going to have to produce something, and I don't see where it gets produced, absent a change in behavior.

HAASS: In the piece, the two of you say that there's no truth that the United States—unlike what Putin seems to believe or say, that the U.S. is seeking regime change in Russia. So the question I have is, should we be? And if not, if we shouldn't be seeking regime change, what should we be seeking in the way of political change inside Russia? What's an appropriate agenda for the United States vis-à-vis Russia, internally?

BIDEN: Well, first of all, there's a lot of brilliant minds sitting in front of me, and for me to presume to tell you what the answer to that question is. But I have an opinion, as you might guess. (Laughter.)

HAASS: Plus, you're sitting here and they're not, yeah.

BIDEN: That's right. (Laughs.) Look, folks, we can't make this about a conflict between Russia and the United States. We've got to make this about a conflict between the Russian kleptocracy and oligarchy and the Russian people.

There is no country in the world that, in fact, is comfortable with wholesale corruption—wholesale corruption, not based on any ideological rationale why the concentration of wealth has occurred the way it has. And the fact of the matter is that I think that there's a lot of things we can do and should be doing to make it clear that Russia has violated these norms, and still be willing on strategic matters to talk to them and cooperate with them.

HAASS: Would one of them be, for example, publishing what we think is Putin's net worth?

BIDEN: Yes. We had an argument inside the outfit I used to work with about that. (Laughter.) I'm all for publishing, especially when I had no money. (Laughter.) I had—you know, I—when I did my financial disclosure as vice president, the

headline in the paper was it's probable no man has ever assumed the office of vice president with fewer assets than Joe Biden. (Laughter.) I assume they weren't speaking intellectual assets. (Laughter.)

But, look, all kidding aside, I think to expose the truth. And we should be the friends of what is left of and the underground portion of civil society in Russia. We should not be silent. And part of that is laying out in stark relief what Russia is doing, how they have turned corruption into a foreign-policy tool and a weapon. It's being used extremely well in Western Europe and other parts of the world. And I think we—it's a matter of us speaking up and speaking the truth. We don't have to make any of this up.

HAASS: In the article, I'll quote—

BIDEN: If you disagree, jump in, man.

CARPENTER: No—100 percent.

HAASS: That'll be the last time, though, you'll do that. (Laughter.)

BIDEN: Former vice presidents have no power.

CARPENTER: I know where I get my salary.

HAASS: In the article—I'm going to quote from the article: "Washington needs to spell out clear consequences for interfering in the U.S. democratic process or tampering with critical U.S. infrastructure," closed quote.

So, given that, what exactly then should we be doing, not in terms of simply protecting our infrastructure and the like, our voting machines, but what should we be doing vis-à-vis Russia? Like, what should be the—should there be, and, if so, what should it look like in terms of a retaliatory dimension to U.S. policy? And what if it were to happen again?

BIDEN: We had long talks about this.

Go ahead.

CARPENTER: Yeah. So, I mean, my sense is that we need to look at this more broadly than just within the narrow scope of election meddling. And so this gets to a broader strategy of strengthening our alliances, helping our partners in Europe, by investing in energy security, reducing vulnerabilities at home. I think this is key, which you alluded to, looking at both, not just in terms of election infrastructure, but in terms of financial transactions, money laundering, real-estate deals, campaign finance, all of this. We need to make ourselves a harder target for Russia.

We need to impose costs when we have evidence, as we do now, of their interference in our election. They need to be able to look back on what they're doing now, say, in five or 10 years, and realize that the costs have outweighed the benefits, because otherwise they won't stop.

HAASS: In terms of—

CARPENTER: They will stop if they see that that cost-benefit ratio is different.

HAASS: Should we—moving forward, what's wrong with the notion essentially of telling them what the cost will be? If we pick up evidence that they're going to do this in the U.S. or in Europe, here's the price, at least for deterrence.

CARPENTER: One of the things we say in the article is that we need to expand also our communication. So we need to have a more robust dialogue, not just on strategic stability, which is about strategic weapons, but also about what we consider to be unacceptable from our perspective in terms of an attack on our democracy and our institutions, and telegraph very clearly—actually, as the last

administration did during the campaign—that this is unacceptable and there will be consequences. And that dialogue needs to be—right now it’s very thin, as you alluded to at the very start, and it needs to be expanded.

BIDEN: We should be very clear about it, but just not compare buttons in public, you know. (Laughter.) This is about—I’m serious. This is about communicating specifically, specific actions we’re willing to take relative to their interests if, in fact, they continue to behave the way they have. That’s not something you’re going to—the president should walk out and call a press conference and say what’s going to happen. It should be made very clear to Russia and Russian authorities what it means.

HAASS: In private, though—

BIDEN: And I think it should be initially in private. And then, in fact, if it continues to occur, then pull the trigger. I mean, look—look at what the Republican-controlled Congress did. They overwhelmingly supported giving the president this very broad authority to censure and to take action against Russia for their behavior. We haven’t said a thing.

And, I mean, look, we haven’t even put—can you imagine if any—I’m not being facetious—if any of you were heading up the State Department or the CIA or president or vice president—you had a major position in this administration—can you imagine not having called together all the major agencies that have something to do with our interests vis-à-vis Russia and begin to put together a game plan?

To the best of my knowledge—I may be mistaken. The staff I have at Penn includes my national-security adviser and the president’s, Colin Kahl and Tony Blinken and Bill and a number of very serious folks who played major roles, and had Hillary won would be playing major roles in this administration.

And the—when I'm told—I keep asking, well, you must have picked up—they must be having some conversations. There must be a discussion going on as to how you could better coordinate law enforcement and intelligence efforts to deal with some of these things. There must be some discussion. To the best of my knowledge, unless you all know—and you may very well; you're extremely well connected—I don't know of any systemwide analysis being—going on within this administration.

So what the hell are we doing? It's like, well, yeah, they're doing something out there, but let's keep moving. I don't—I really don't get it.

HAASS: Picking up on that, and looking with hindsight, should the Obama administration have done more? Once it was learned that the Russians were put to no good and interfering in our politics, either before the election or during the transition, should the Obama—if the Obama administration had a mulligan, should it have done more?

BIDEN: Well, the answer to that question is I'm not sure. I think we made the right decision. Let me explain what I mean. This was a moving target. What we were originally told at, I guess, around August, September, we knew they were up to, engaging in trying to delegitimize their electoral process. But the hard data we had was not very detailed, and it did not—and then we—we had—the next point, we went to the—it's the only engagement with the House and Senate that I wasn't asked to lead, and because—anyway. I always was being sent to the Hill to try to settle things. But the gang of 12 were called together. And we laid out to them, and the intelligence community laid out to them exactly what we saw was happening. We didn't know the extent of it then either.

And we asked, so that we wouldn't be in position—the president and I would sit there, literally, after the PDB, and everybody's walk out of the room, and say: What the hell are we going to do? Now, Mr. President, you go out and you unilaterally say this is what's happening, you're going to be accused of—in this

environment—of trying to tip the election. And unless you can give harder data than we have now, you're going to be in a terrible position and it's going to play into the delegitimizing of our electoral process, which was initially what the intelligence community—correct me if I'm wrong here—the intelligence community thought was what this was all about.

And then as we got further—and so we went up. And Mitch McConnell—who I get on with well and who's a smart guy—Mitch McConnell wanted no part of having a bipartisan commitment that we would say essentially Russia's doing this, stop—bipartisan, so it couldn't be used as a weapon against the democratic nominee of a president trying to use the intelligence community, which—now, at the time, people would say no. When we were internally having these discussions say, no one would do that. Well, look what the hell they've done. (Laughter.) The constant attack is on the intelligence community as a political organization run by, you know, Barack Obama for—to take on his political enemies.

Now, you know, as a friend of mine in Scranton would say, who would have thunk it? But it was done. And so there was this constant tightrope that was being walked here as to what would we do. So the second big play was we went and said, OK, look, here's all the data. And Brennan and company came up and said: Here's what we know. Why don't we put out a bipartisan warning to Russia—hands off, man, or there's going to be a problem? Democrat, Republican. Well, they would have no party—they would have no part of it. That, to me, hanging around that body up there for longer than any of you were around doing it, meant to me that this—the die had been cast here. This was all about the political play.

And so the moment the president at that time would come out and say: By the way, the Russians are doing this and hacking the DNC and so on, would have been turned into the president's trying to make this play. Then we learned more. And we learned more immediately after the election was over. But we did have a conclusion—I'll stop—there was a consensus in the intelligence community that

when the president gave a face-to-face warning to Putin overseas at a conference, that we saw no evidence—which really worried me in particular, but I think everybody—of actually going into the voting roles, going into the voting itself, impacting on using cyber to go into and strip the roles of Democrats or Republicans. We had no evidence of that.

And it seemed when that demarche was made that there was no more—it didn't move any further. But I'm sure I'm leaving stuff out. So the bottom line was it was tricky as hell. It's easy now to say, well, maybe we should have said more. But I'll ask you a rhetorical question: Could you imagine if the president of the United States called a press conference in October with this fellow, and Bannon and company, and said: Tell you what. The Russians are trying to interfere in our elections and we have to do something about it. What do you think would have happened? I imagine—I mean, I—I have a view, but I genuinely mean it. Ask yourselves, what do you think would have happened? Would things have gotten better, or would it further look like we were attempting to delegitimize the electoral process because of our opponent?

That was the constant battle. Had we known what we knew three weeks later, we may have done something more, but we—

CARPENTER: I would just say one other thing in addition to that, which is that, especially in the fall of '16, the focus in the administration was really on the cyberattack. We knew that they had—were—had intruded into 21 states' election infrastructure, and we were very focused, precisely as the vice president said, on not allowing the Russians to be able to go in and physically change votes or flip people's, for example, addresses to suppress voter registration. That was the preoccupation.

We are only learning now—in fact, the last 12 months we’ve learned so much in terms of the propaganda campaign, the disinformation, the stuff on Twitter and Facebook. You know, I think we both feel that, you know, that warrants an additional response and that CAATSA—the Countering America’s Adversaries Act—provides the right authorities now to be able to amp up the costs even further.

HAASS: That’s really, I think, helpful in getting that on the record.

OK, I will show uncharacteristic restraint and—time for our members to ask questions. Wait for the microphone, introduce yourself, please keep it short. And I know you are all dying to hear about the latest challenges facing Amtrak—

BIDEN: You’re going—(laughter)—

HAASS: But our goal here is—to the best we can is to keep the focus on the issue du jour and the article on Russia and U.S.-Russia relations.

Margaret Warner, I see you with the microphone.

Q: Thank you.

Hello, Mr. Vice President.

BIDEN: Hey, Margaret, good to see you.

Q: How are you?

My question is should we actually be going on offense in the information war, in the cyber war in terms of delegitimizing—not just exposing the corruption, but really playing offense the way they are playing offense.

BIDEN: The answer is yes, but not necessarily in the cyber space where we go in, and most of what happens in the cyber space is altering information or preventing information from being able to come forward. I think we should be on the offensive in making it clear exactly what we know Russia and/or Putin, in particular, is doing, and I think we should be working much more closely with our European and allies around the world and exposing and getting them to stand up and acknowledge with us that this is what's happening here—that message gets through.

I mean, to go back, when I got here, the last vestige of that Cold War was Radio Free Europe and Radio Liberty and all—it was an attempt to broadcast truth into Russia. And I think somehow we have to have, as a—as the democracies of the world have to be better coordinated in—at every level and every place doing just that: broadcasting to the Russian people what is happening and making clear this is all designed to protect vast amounts of wealth and vast amounts of corruption.

HAASS: I saw a hand this way—I'm all the way in the back.

Just to remind everybody, by the way, this meeting continues to be on the record, so you've just been read your Miranda rights.

Yes, ma'am. (Laughter.)

Next to last row I saw—either way. You two can slug it out.

Q: Hi, thank you.

Rachel Oswald, Congressional Quarterly.

Vice President Biden, there—to be a little bit more specific, there is bipartisan legislation in the Senate right now from Senators Rubio and Van Hollen that would put in place sanctions that would snap in place on Russia if in the future any determination is made that foreign election interference has happened, and you may be familiar with the legislation.

BIDEN: I am.

Q: These are sweeping sanctions, including on the financial sector. Do you think this is an appropriate step and that the potential unintended consequences have been adequately thought through?

BIDEN: I think it is an appropriate step. I'm sure there are consequences that could flow that are ones we did not anticipate, but I cannot—I do not believe the failure—doing that equals the failure to take these steps in terms of our interests. And so I would—were I in the Senate, I'd be supporting that legislation.

HAASS: OK, Barbara Slavin, right here on the front row. I'll try to get as many as I can.

Q: Thanks.

BIDEN: I'll try to be as short as I can.

Q: Thanks, Richard.

Vice President Biden—is this on? Yeah. Pleasure to see you.

BIDEN: Good to see you again.

Q: I would argue that Russia's attitude toward the United States changed not because of NATO expansion, but because of the Iraq invasion. And I wonder if you agree.

And the Middle East is the one area where Russia seems to be doing quite well. It has excellent relations with all the parties in the region, unlike the United States. So I'd like your advice on how we deal with Russia in the Middle East, particularly Syria.

HAASS: But on the historical part, let me just tack onto that because you had the 2003 Iraq war under the previous administration, under 43, but under your administration you also had Libya, which from Russia was bitterly resented as what they quite honestly thought was something of a bait-and-switch as the war reins. They thought they were signing onto something more limited, a humanitarian intervention, and obviously it grew beyond that. So looking back there, those two cases, Iraq and Libya, and then if you want to get into the question of how do we deal with Russia in the Middle East now.

BIDEN: Well, I'll try to be brief. That's an essay question, two of them.

HAASS: Yeah, sorry.

BIDEN: No, no, it's totally legitimate. There will be a lot written about Libya and why some—one of us thought it was a tragic mistake, a policy we undertook. No, I'm serious. It's not public, but it was—I think it—I think—I don't think that's the total cause, but it added to the perception on the part of Moscow as to what our intentions were. Number one.

Number two, I do think that our—I do think Russia concluded two things: one, that there was a danger in them not engaging and an opportunity if they did, but very limited. If you take a look, I predict to you you're going to see Moscow reducing its presence in the region, not expanding its presence. They have found themselves—they have—they have got a tiger by the tail, and if they want to own that issue then have it. They're going to be in enormous difficulty in a very short amount of time.

Initially, their notion was to get back some physical control of the Eastern Mediterranean with the ports and airports, et cetera. That made sense from their perspective. What doesn't make sense from their perspective is somehow, how do they rebuild a country that is so fundamentally fractured? How do—how does that happen? Where do they get the help to do that? I think—I think they've got—I think they've got a real problem.

But we have a problem as well, because I don't think we're paying—the one thing that I look at, and we talk about this a lot, my team at Penn, is that the one place the administration essentially maintained the policy we had begun with the same people that we had doing it was the anti-ISIS campaign. And that has been successful. But there is not the day-to-day handholding and badgering that is required on a daily basis. I mean, I literally—not a joke—I would spend—there wasn't a week that went by I wasn't on the phone with Barzani or Abadi or any—I mean, literally, both cajoling, threatening, negotiating among them and between them, et cetera. And it is really, really, really, really a difficult circumstance to think about being able to establish a stable Iraq in the absence of al-Qaida, the absence of ISIS.

It's still incredibly—we're talking about multibillion-dollar investments that are going to be needed to rebuild these cities, et cetera. And one of the things that we're not doing much about, we're not—we've lost, and there's some real experts in this room, we've lost the notion among our European friends that we know what we're doing, that we have a plan. No, I'm not—that sounds like I'm just deliberately trying to be critical. I'm not. But there was—we were building an overarching consensus—whether they would have ponied up is a different question—that unless you want ISIS 3, you better damn well move and figure out how you in fact stabilize in Syria, Raqqa and you stabilize Mosul. I mean, there's ways you've got—and it requires significant investment.

And I think we took the lid off with our Saudi friends when we basically said, OK, anything you want, man, we're with you, and our Israeli friends. And so there's not much of a coherent plan right now. But the idea that this is of some great benefit to—I think the biggest beneficiary short term is not Russia, but Iran. And that's another story. But I—I wish I could say it more succinctly.

But you want anything of that?

CARPENTER: I think that's—I agree completely.

HAASS: Sir—in the middle here.

Q: Hi. Thank you. Scott Moore from the World Bank.

HAASS: Kill the microphone closer. We're not picking it up very well.

Q: Sorry. Scott Moore from the World Bank.

You mentioned that you believe that Russia's interests kind of eventually lie more in terms of engagement with the West. But I'd just be curious in your relationship—or, I'm sorry, your assessment of the relationship between Russia and China and the direction that that might head.

BIDEN: I don't think it goes anywhere good for Russia or for China. I've spent a lot of time—apparently, I was told by the folks at State—I've spent more time in private meetings with Xi Jinping than any world leader. I have 25 hours of private dinners with him, just he and I, and one interpreter. And I don't think Xi Jinping, in my view, looks to Russia as anything other than an occasional foil. The idea that there's some modus vivendi that fundamentally benefits, other than access to the West, China, I don't see where that—I don't see where that goes.

So I'm not worried. It kind of reminds me of when I got here as a kid. I was 29 years old, running for the Senate, and at the time there was this great thing of this—you know, this connection from—running from Moscow to Beijing that was going to overtake the world. And looking back on it, I remember saying I don't get that. It's one of the most guarded borders in the world. It's not—I don't see—I don't understand where the mutual interest lies. I don't see it here either.

Now, I do see there's places where each will use the other for their benefit relative to us. And I can see that happening. But the idea of there being a long-term partnership, alliance, between Moscow and Beijing in the near term, I don't—I don't think it's in the stars at all.

HAASS: AI.

Q: Allan Gerson, AG International Law.

Mr. Vice President, I wonder if you might expand on the earlier question about Syria. Russia is certainly touting this as a great foreign-policy success. And the inverse of that is that it's a great foreign-policy failure for the United States. But looking forward, especially with the delicate balance between all the players, and especially Iran in the region, is there a way forward for U.S.-Russian cooperation? And how does that play vis-à-vis Iran? Can Russia be looked at as an agent that can curb their ambitions, or is it the reverse?

BIDEN: Look, I—let me organize my thoughts here. I do think that the idea—I used to always—as Mike Froman would be in these meetings sometimes—I'd say to the president, I'd say, you know, when our kids are writing their doctoral thesis and they're asked the question, what'd they do about the Arab Spring, the kid who starts off saying what made them think they could do anything about the Arab Spring will win the book and the course. And I'm being a little facetious, but not very.

And what you have in Syria is a classic example of the biggest conundrum that we have to deal with. Now, the nonstarter is, for Russia, the idea that Assad stays in power and continues to control means there's a guarantee that there will never be peace or security in that country, because so many—so many, you know, bottles have been broken here, man. I mean, there's no way he can put that together.

And there seems to be no willingness on the part of the Russians at this moment to work out—and we've tried 15 different ways—a modus vivendi to figure out how we have a transition of power and so on.

So I think—but there are ways in which we could, in fact, work with Russia to essentially take parts of the country—that's going to be a divided country a long time. You think you had a problem—we have a problem in Iraq. There is no uniting principle in Syria, in my view. There is none. And so I could see where you could work out a place where there was essentially safe harbor for certain parts of that country, and you could drastically reduce the number of people being displaced and killed. We tried that as well, and they didn't play fair there.

Now, with regard to whether or not they're going to be able—they can influence Iran or Iran influences them, I think that Iran, if you notice, got a little upset recently with some of the actions that Russia was taking in Syria. Made it pretty clear they were. And Russia sort of went, OK, well, I'm not so sure where we're going to be. I just don't know enough now—I'll conclude it this way. People ask me: What was the hardest part of leaving the vice presidency? There were two things. Losing Air Force Two. (Laughter.) And not getting up every morning and having a detailed national security brief on what was happening around the world. It was—it was—and so I am behind the curve in what may or may not be some of the opportunities that exist internally.

But in light of what Turkey just did in their northwestern province and what they're attempting to do, light of the distance that is being even further—distance being created between the United States and Turkey relative to the Kurds and people of the YPG we've supported—I don't have enough granular data to be able to give you a better answer than I have now, which is I don't think Russia can in fact dictate to Iran what happens in Syria. And I don't think Russia has the capacity—the capacity to do the things almost everyone would agree, even if it is—the continued leadership stays in place, to make the kind of multibillion-dollar investment needed to stabilize that country.

HAASS: So I can't help you with the airplane, but CFR.org. (Laughter.)

BIDEN: No, I get it.

HAASS: Go to—

BIDEN: But I don't want to acknowledge you guys are spying on the intelligence agencies. (Laughter.)

HAASS: Before I call—I just want to put one other issue on the floor before I get another question or two, which is Ukraine. This administration, unlike the administration you worked in, decided to provide limited defense articles to Ukraine. Do you think that was a wise decision? And more broadly, do you see any scope for any sort of a deal on eastern Ukraine?

BIDEN: The answer is yes, I think it was a wise decision. But then again, I was pushing that for two years before we left, so. And the reason is I think the more you up the ante, the cost to Russia for their aggression—I mean, as you all know, and you know this better than anybody, you know, the one big lie going on about Ukraine back in—and the rest of Russia is that no Russian soldiers are engaged.

They're not dying. No body bags are coming home, et cetera. Because there's overwhelming opposition on the part of the body politic in Russia for engagement in Ukraine in a military sense.

Do I think they're—I think the Donbas has potential to be able to be solved, but it takes two things. One of those things is missing now. And that is I'm desperately concerned about the backsliding on the part of Kiev in terms of corruption. They made—I mean, I'll give you one concrete example. I was—not I, but it just happened to be that was the assignment I got. I got all the good ones. And so I got Ukraine. And I remember going over, convincing our team, our leaders to—convincing that we should be providing for loan guarantees. And I went over, I guess, the 12<sup>th</sup>, 13<sup>th</sup> time to Kiev. And I was supposed to announce that there was another billion-dollar loan guarantee. And I had gotten a commitment from Poroshenko and from Yatsenyuk that they would take action against the state prosecutor. And they didn't.

So they said they had—they were walking out to a press conference. I said, nah, I'm not going to—or, we're not going to give you the billion dollars. They said, you have no authority. You're not the president. The president said—I said, call him. (Laughter.) I said, I'm telling you, you're not getting the billion dollars. I said, you're not getting the billion. I'm going to be leaving here in, I think it was about six hours. I looked at them and said: I'm leaving in six hours. If the prosecutor is not fired, you're not getting the money. Well, son of a bitch. (Laughter.) He got fired. And they put in place someone who was solid at the time.

Well, there's still—so they made some genuine substantial changes institutionally and with people. But one of the three institutions, there's now some backsliding.

HAASS: The courts.

BIDEN: They're—and the—yes. And they had made that commitment that they

wouldn't do that.

And so, when we left, the first thing I spent a lot of time—as did Mike because this was his territory as well, and people like Charlie Kupchan and Victoria, and anyway there were a lot of good people we had working on this—we spent a lot of time with Vice President Pence because I was worried that they would make a mistake as a—it would be a sin of omission rather than commission, failing to do certain things or say certain things. And that was at a time when there was an alleged or there was a grave concern among the foreign policy elite that maybe a deal was made to lift sanctions. Whether that was true or not, but that was the atmosphere right after the election.

And so what happened was they did some good things. And they've now—what's his name, the guy they have over there—

HAASS: Kurt Volker.

BIDEN: —Kurt Volker, solid, solid guy—but Kurt, to the best of my knowledge, does not have the authority or the ability to go in and say you don't straighten this up you're out of here. Because look, it all gets down to a simple proposition. We spent so much time—as you know, because I came, Mike, to you for advice—we spent so much time on the phone making sure that everyone from, at the time, Hollande to Renzi wouldn't walk away. They wanted no part of these sanctions on Russia. It had an impact on them. It was basically you've got to do this. And thank God Merkel was strong enough at the time to reluctantly—she didn't like it either—to stand with us, but always worked in Kyiv. I said, look, it's a simple proposition. If, in fact, you do not continue to show progress in terms of corruption, we are not going to be able to hold the rest of Europe on these sanctions, and Russia is not going to roll across the inner line here and take over

the rest of the country with their tanks. What they're going to do is they're going to take your economy down, you're going to be absolutely buried, and you're going to be done. And that's when it all goes to hell.

But to the best of my knowledge, even—and I have—it's a very difficult spot to be in now when foreign leaders call me, and they do, because I never, ever, ever would say anything negative to a foreign leader, and I mean it sincerely, about a sitting president, no matter how fundamentally I disagree with him. And it is not my role—not my role—to make foreign policy. But the questions across the board range from, what the hell is going on, Joe, to, what advice do you have for me? And my advice always is—I give them names of individuals in the administration who I think to be knowledgeable and committed. And I say you should talk to so-and-so.

You should—and what I do at every one of those times, I first call the vice president and tell him I received the call. Tell him—ask him whether he has any objection to my returning the call, and then what is the administration's position, if any, they want me to communicate to that country. But the point is there is no pressure that I'm aware of—correct me if I'm wrong—no pressure I'm aware of on the present leadership in Ukraine to hold them together to be able to continue what looked like was a real possibility of turning Minsk into something that was doable by being much tougher than Germany wanted us to be. But we were moving in that direction. But now it looks like the pressure's off. And this requires this day to day to day.

CARPENTER: Can I jump in? This may be my only chance. (Laughter.) But just on—

HAASS: Actually, you're going to get something you didn't expect. You're going to get the last word.

CARPENTER: OK. Well, just on—so on the Donbas—and I completely agree with everything the vice president said because I think that's actually the major issue right now, is helping Ukraine succeed. And if they don't succeed internally in terms of fighting corruption and establishing rule of law, then it's a lost cause.

But on Donbas, I truly believe Putin's play here is to turn the—he would be happy with a negotiated resolution to the Donbas, but as long as the Donbas is turned into something akin to Republika Srpska in Bosnia. If he doesn't get that, we're going to see the low boil, we're going to see the fighting continue, and we're going to see, more importantly, dirty money flowing into Kyiv to affect their politics. And they've got elections coming up in 2019.

HAASS: Yeah, I was just, as you know, in Russia. And one of the things that constantly came up was a refrain very much along those lines, that in order for Russia to leave the one thing Putin could never countenance would be on Russian TV reprisals against ethnic Russians on the Ukrainian side. That would politically put him in an extremely difficult situation. This is not to defend Russian policy, but to explain it.

Michael—

BIDEN: By the way, I think there's a way that we could have insisted that that not happen, with serious sanctions on our part against Ukraine if that occurred. I think that's—I don't think that's real.

HAASS: I want to thank—do you—

BIDEN: Take the last word, will you? (Laughter.)

CARPENTER: That was the last word. I'm done. I'm done.

BIDEN: I'm not going to live this down. (Laughs.)

HAASS: Well, I want to thank you, Michael Carpenter.

I want to thank the vice president for three things. I want to thank him for doing this article in Foreign Affairs. I want to thank him for being with us today. And I want to thank him for, what, four-and-a-half decades of extraordinary service to this country of ours. (Applause.)

(END)

## Graham: Rudy Should Scrub Evidence for Russian Propaganda

 [thedailybeast.com/gop-senators-are-avoiding-rudy-giuliani-ahead-of-impeachment-trial](https://www.thedailybeast.com/gop-senators-are-avoiding-rudy-giuliani-ahead-of-impeachment-trial) Dec. 29, 2019 6:36PM ET

In the weeks leading up to their impeachment trial, senators on Capitol Hill are actively avoiding meeting with President Donald Trump's personal attorney Rudy Giuliani—partly because they fear he might try to pass off Russian conspiracy theories as fact, according to interviews with more than half a dozen Republican and Democratic lawmakers and aides.

On his trip to Kyiv last month, Giuliani met with former general prosecutors and parliamentarians known for peddling Russian conspiracy theories, including supposed plots that involve Ukrainian intervention in the 2016 U.S. presidential election and 2020 presidential candidate Joe Biden and his son Hunter. When he arrived back in Washington, Giuliani updated Trump, according to two individuals with knowledge of their conversation, and said publicly the president asked him to brief Republican senators about the information he gathered.

"He wants me to do it," Giuliani told *The Washington Post* in an interview earlier this month. "I'm working on pulling it together and hope to have it done by the end of the week."

Since then, though, various lawmakers, as well as administration officials and national security brass, have privately expressed concerns about Giuliani's latest Ukraine jaunt, given that the Trump lawyer's efforts are what helped create this Ukraine scandal and get the president impeached in the first place. Both Democrat and Republican senators have steered clear of the president's personal attorney over concern that the information he is trying to disseminate originated from figures in Ukraine known for spinning the truth or spreading outright lies.

"He has not shared any of that information with me," said Sen. Lindsey Graham (R-SC) about the information Giuliani obtained overseas. "My advice to Giuliani would be to share what he got from Ukraine with the IC [intelligence community] to make sure it's not Russia propaganda. I'm very suspicious of what the Russians are up to all over the world."

Graham earlier this month called on Giuliani to testify in front of the Senate Judiciary Committee on allegations that Biden helped his son get a lucrative job at Burisma, a Ukrainian gas company.

While in Kyiv, Giuliani met with Andriy Derkach, a self-described political independent who attended the Dzerzhinsky Higher School of the KGB in Moscow and was for a time a member of the pro-Russia party—the Party of Regions—in the Ukrainian parliament. He also met with Oleksandr Dubinsky, a member of the parliament known for his close ties to controversial Ukrainian oligarch Ihor Kolomoisky. He and Derkach consistently disseminate conspiracy theories on Facebook and elsewhere. The Daily Beast recently obtained a dossier that in part contained the debunked claim that Ukraine intervened in the 2016 presidential election, a claim which had been disseminated by Derkach to Americans, including senior officials, close to President Trump.

That claim and others were aired on One America News shortly after Giuliani's visit in a documentary-style show. OAN traveled with Giuliani to Ukraine for his meetings with Derkach and Dubinsky and are currently working on a fourth segment to air sometime in the coming weeks.

As senators prep for the impeachment trial they are distancing themselves, now publicly, from Giuliani in an attempt to steer clear of his less-than-reliable associates in Kyiv.

"Rudy Giuliani long ago lost any shred of credibility, especially after the dossier he assembled for the State Department stunningly mirrored Russian propaganda," Sen. Bob Menendez (D-NJ) told The Daily Beast. "Knowing that, anyone that attempts to defend President Trump's behavior by citing Rudy's information over our own intelligence agencies is simply irresponsible, uninformed or willing to be that useful idiot the Kremlin desires."

Giuliani has not briefed any Republican Senate leaders, including Senator Mitch McConnell (R-KY), according to two individuals with knowledge of the Senate leaders' schedules.

"I wouldn't trust Rudy to represent me in a parking dispute so I'd say avoid," a senior GOP Senate aide said tersely when asked if it was a good idea for Republican senators to meet with Giuliani to get a Ukraine briefing. Another top aide in a different Republican office said their senator had informed staff that they had "no interest at all" in meeting with Giuliani on this, fearing it would amount to a "waste of time," if not something worse.

And it's not just Capitol Hill that's worried about associating with Giuliani.

"I do not want my name showing up in a [news] story about what Rudy and the president discuss," said one senior White House official. "I don't want my text messages with [Giuliani] being all over cable news," this official continued, referencing the incident when Trump's personal lawyer went on Fox News and unveiled texts sent between him and Kurt Volker, the former U.S. special envoy to Ukraine. As The Daily Beast reported in early December, senior officials in the State Department and within the national security apparatus began worrying that Giuliani's ongoing crusade (which has been explicitly blessed and personally encouraged by President Trump) could hurt American foreign policy, and it even got to the point where these officials frantically devoted resources to tracking his foreign movements and figuring out who he was meeting with in Europe.

When asked about Sen. Graham's recommendation to approach the intelligence community with his materials, and if he agreed that he should do so as due diligence, Giuliani would only reply to The Daily Beast, "It's not Russian propaganda."



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# Nunes Ally Kash Patel Who Fought Russia Probe Gets

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Patel was one of the leading staffers pushing back against FBI investigations of Trump-Russia. He's now senior director of the National Security Council's terrorism directorate.

Betsy Swan Updated Jul. 31, 2019 5:11AM ET  
Political Reporter Published Jul. 31, 2019 5:10AM ET



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A former congressional staffer who worked feverishly to discredit the Russia investigation has recently been promoted on the National Security Council staff.

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Trump associate has taken on the role of Senior Director of the Counterterrorism Directorate of the National Security Council (NSC), according to two sources familiar with the move.

Earlier this year, Patel left Capitol Hill for the NSC's Directorate of International

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counterterrorism—has not previously been reported. A spokesperson for the NSC declined to comment.

The vast majority of Hill staffers stay studiously out of the news. But Patel drew national attention in early 2018, when Nunes oversaw [the production and release](#) of a memo on surveillance of Trump campaign advisor Carter Page. [The memo](#)

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gathering practices. But it was a watershed moment for the right's critics of the Mueller probe and of senior DOJ leadership.

The memo was part of a broader effort from Nunes to investigate the origins of the FBI's counterintelligence probe into the Kremlin and

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the-investigators picked up steam as the public's understanding of Russia's 2016 interference skyrocketed. Many saw the effort as a way to run interference for the Trump administration, and Nunes' decision to make a late-night visit to the White House early in the process only raised suspicions.

But in other quarters, Nunes

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NEWS FROM MONTHS AGO OF HIS departure from the Hill.



**Carter Page, Ph**  
@carterwpage

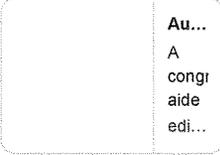
When the history of the Democrats' corrupt interference in the last Presidential election is written, Kash Patel should be remembered

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Au...  
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402 6:18 AM - Feb 3, 2019

237 people are talking about this

Patel also sparred with Rod

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Sean Hannity's Fox News show, Fox contributor Sara Carter said Rosenstein issued "direct threats" to Patel, in an effort "to keep these people quiet, to keep the American people from hearing the truth." But Rosenstein denied under oath that he threatened committee staff.

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Rosenstein stepped down from the DOJ and returned to private life. Nunes lost his post as chairman when Democrats flipped the House. Mueller, after marathon Congressional testimony, returned to civilian life. And now Patel has moved from countering the Deep State to counterterrorism.



Betsy Swan  
Political Reporter

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# 'Counterpunch' After Slaying of Soleimani

| 'REAL JEOPARDY' |

The consequences may not come quickly or directly. But they could be enormous.

Christopher Dickey, Adam Rawsley, Erin Banco

Updated Jan. 03, 2020 10:56AM ET

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revenge," said an Iraqi official as word spread in Baghdad on Thursday night that the Iranian general Qassem Soleimani had been killed in an American airstrike. But there is little question, the official added, that U.S. relations with Baghdad are in "real jeopardy."

**Blackwater Mercenary**  
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TOM SYKES

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they could be enormous. At their most dire, this strike may be the beginning of a much wider war in the Middle East—perhaps even the all-out war with Iran that Trump has said he wants to avoid.

In a tweet early Friday, Trump sounded a bellicose note: “Iran never won a war, but never lost a negotiation!”

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**MEMBERS ONLY**

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## Giuliani says he wanted to get rid of Marie Yovanovitch because she was enabling Ukraine corruption

 [dailymail.co.uk/news/article-7800263/Rudy-Giuliani-doubles-claim-removed-ambassador-Ukraine-Marie-](https://www.dailymail.co.uk/news/article-7800263/Rudy-Giuliani-doubles-claim-removed-ambassador-Ukraine-Marie-)

December 17, 2019

- Rudy Giuliani said he spearheaded the effort to remove Marie Yovanovitch because he claims she was enabling corruption in Ukraine
- '[S]he was denying visas to Ukrainians who wanted to come to US and explain Dem corruption in Ukraine,' Giuliani charged in a Tuesday morning tweet
- He told The New Yorker: 'I believed that I needed Yovanovitch out of the way. She was going to make the investigations difficult for everybody'
- Later on Monday he discussed his involvement in the removal of Yovanovitch as U.S. ambassador to the Ukraine during an interview with Fox News
- 'I didn't need her out of the way. I forced her out because she's corrupt,' he clarified to Fox News
- Giuliani claimed to have 'documentary evidence' that Yovanovitch committed perjury while testifying during House impeachment proceedings

Rudy Giuliani detailed Tuesday that he felt it was necessary for ousted Ambassador to Ukraine Marie Yovanovitch to be prematurely removed from her post because she was enabling Ukrainian corruption.

'Yovanovitch needed to be removed for many reasons most critical she was denying visas to Ukrainians who wanted to come to US and explain Dem corruption in Ukraine,' the president's personal attorney posted to Twitter Tuesday morning.

'She was OBSTRUCTING JUSTICE and that's not the only thing she was doing. She at minimum enabled Ukrainian collusion,' he continued.

The tweet came after Giuliani doubled down during a Fox News interview on The Ingraham Angle Monday night in confirming that he spearheaded efforts to force Yovanovitch out.

The admission confirms Democrats' allegations that the former Republican mayor of New York City engaged in shadow diplomacy in Ukraine.



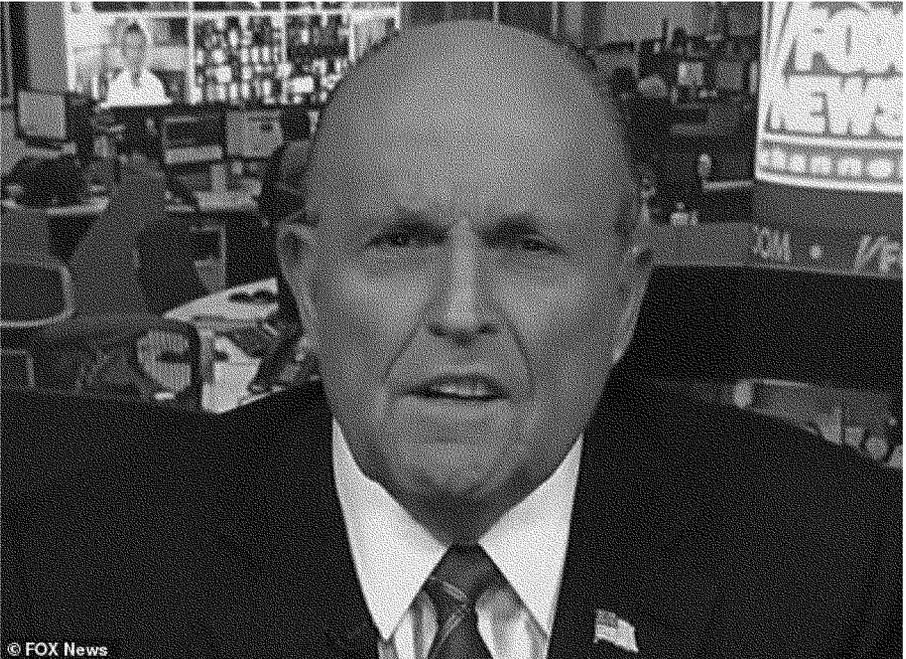
**Rudy Giuliani**   
@RudyGiuliani



Yovanovitch needed to be removed for many reasons most critical she was denying visas to Ukrainians who wanted to come to US and explain Dem corruption in Ukraine. She was OBSTRUCTING JUSTICE and that's not the only thing she was doing. She at minimum enabled Ukrainian collusion.

7:07 AM · Dec 17, 2019 · Twitter for iPad

Rudy Giuliani tweeted Tuesday morning that he urged for the removal of former Ambassador to Ukraine Marie Yovanovitch because he said she was enabling Democrat corruption in the country by preventing Ukrainians from reporting it to the U.S.



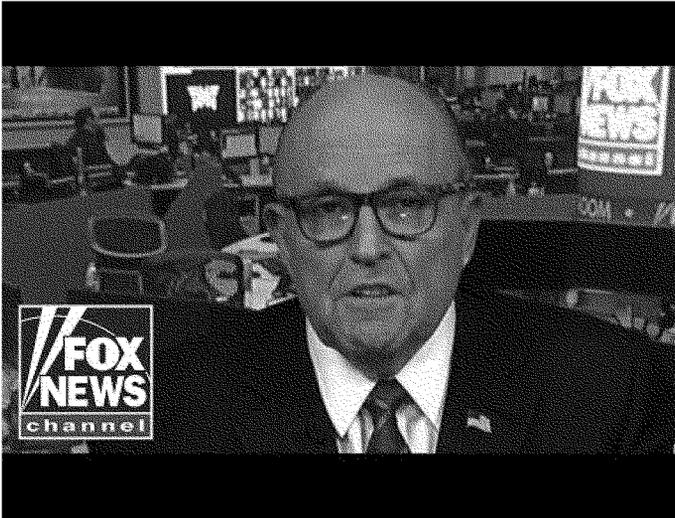
Giuliani (pictured) doubled down on his admission that he led efforts to remove Yovanovitch during a Fox News interview on Monday night



He revealed earlier in the day that he was instrumental in ousting Yovanovitch because he saw her as an obstacle to the president digging up dirt on Democratic 2020 frontrunner Joe Biden's son's dealings in the eastern European country



Asked why he needed Yovanovitch out during the interview with Fox News' Laura Ingraham on Monday night, Giuliani said: 'I forced her out because she's corrupt'



Watch Video At: <https://youtu.be/qFCeznGIXKs>

'I believed that I needed Yovanovitch out of the way,' Giuliani told The New Yorker in an interview published earlier on Monday.

'She was going to make the investigations difficult for everybody,' he continued.

Asked to explain what he meant with those comments during an interview with Fox News' Laura Ingraham later on Monday, Giuliani altered his reasoning.

'I didn't need her out of the way. I forced her out because she's corrupt,' he claimed

During her testimony before the House Intelligence Committee last month, Yovanovitch described being the target of a months-long smear campaign.

She insisted that Giuliani and other Trump allies accused her of bad-mouthing the president and protecting Biden and other Democratic interests.

Yovanovitch asserted that her termination in May of this year was based on 'unfounded and false claims by people with questionable motives'.

Giuliani also claimed Tuesday morning that he has acquired documents that proved Yovanovitch lied under oath.

The alleged document acquisition comes after his visit to Ukraine and Hungary where he met with current and former Ukrainian officials as part of a documentary series he's producing for conservative outlet One America News Network.

'Recently acquired documentary evidence shows she perjured herself before Schiffless Committee,' the attorney tweeted.

'Also her embassy stopped a Ukrainian audit of over \$5 billion in aid funding put in question in 2017 by Ukrainian auditors. Enough for now more to come, plenty more,' he continued.



Giuliani also claimed in recent interviews that he has 'documentary evidence' that Yovanovitch committed perjury while testifying during House impeachment proceedings (pictured)



**Rudy Giuliani** ✓  
@RudyGiuliani



Recently acquired documentary evidence shows she perjured herself before Schiffless Committee.

Also her embassy stopped a Ukrainian audit of over \$5 billion in aid funding put in question in 2017 by Ukrainian auditors.

Enough for now more to come, plenty more.

7:18 AM · Dec 17, 2019 · Twitter for iPad

On Twitter Tuesday morning, Giuliani confirmed his claims that he has documents that prove Yovanovitch lied under oath during her testimony before the Intelligence Committee last month

This reaffirmed his comments during Monday's Fox News interview where he claimed to have 'documentary evidence' that Yovanovitch committed perjury.

'There is no question that she was acting corruptly in that position and had to be removed,' he said. 'She should have been fired if the State Department were not part of the 'deep state'.'

Giuliani said he had four witnesses who are willing to testify that Yovanovitch personally rejected their visa applications to come to the United States and present evidence against Biden and the Democratic Party.

In an interview with the New York Times on Monday, Giuliani revealed that he briefed Trump 'a couple of times' on accounts of how Yovanovitch was, in his view, impeding investigations that could benefit the president, including the Biden probe.

Giuliani said Trump responded by connecting him with Secretary of State Mike Pompeo, who soon launched the effort to remove the ambassador.

## RELATED ARTICLES

Trump spoke out in support of his personal lawyer after Giuliani confirmed his role in Yovanovitch's removal, calling him 'a great crime fighter'.

Giuliani briefed Trump last week on the findings of his recent trip to Ukraine – an effort he undertook as Democrats took final committee action following an impeachment inquiry that featured numerous national security officials who raised concerns about Giuliani's back-channel efforts.

Asked on Monday about what Giuliani had told him, Trump told reporters in the Oval Office: 'Not too much. But he's a very great crime fighter. He was probably the greatest crime fighter over the last 50 years. Very smart.

'He was the best mayor in the history of the city of New York. He's a great person who loves our country, he and does this out of love, believe me, he does it out of love. He sees what goes on. He sees what's happening.'



Trump spoke out in support of his personal lawyer after Giuliani confirmed his role in Yovanovitch's removal, calling him 'a great crime fighter' during a press briefing Monday

Then Trump went after the Democratic-run impeachment effort in his only live comments of the day.

'He sees all of the hoax that happens when they talk about impeachment hoax or the Russian collusion delusion. And he sees it. He's a great gentleman,' Trump said.

Trump also said Giuliani – whose public comments have sometimes raised difficulties in Trump's defense – 'knows what he is doing.'

Two of Giuliani's associates, Lev Parnas and Igor Fruman, have been indicted on campaign finance charges.

The New Yorker piece describes how Giuliani compiled a dossier on Joe Biden and his son Hunter, as well as Yovanovitch, whom he viewed as standing in the way of his efforts.

Trump praised Giuliani in his infamous July 25 phone call to the president of Ukraine, where he also runs down Yovanovitch.



Giuliani briefed Trump last week on the findings of his recent trip to Ukraine – an effort he undertook as Democrats took final committee action following an impeachment inquiry that featured numerous national security officials who raised concerns about Giuliani's back-channel efforts. Giuliani is seen meeting with Ukrainian lawmaker Adrii Derkach in Kyiv on December 5

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## Ukraine

## IMF warning sparks Ukraine pledge on corruption and reform

Lagarde threat to suspend \$40bn aid package elicits swift response from Kiev



Christine Lagarde, IMF managing director © AFP

**Neil Buckley** in London, **Roman Olearchyk** in Kiev and **Shawn Donnan** in Washington  
FEBRUARY 10 2016

Ukraine has pledged to do more to fight corruption and reform state companies after the International Monetary Fund issued a blunt warning that it risked losing billions in financial support as a result of stalling reforms.

Christine Lagarde, the IMF's managing director, said on Wednesday that Ukraine needed to make a "substantial new effort" to invigorate reforms, warning that without such a push "it is hard to see how [a \$40bn IMF-led rescue of the economy] can continue and be successful".

The unusually blunt statement marked a huge turnaround for the IMF, which along with the US has been among the biggest backers of the government in Kiev.

It also prompted a rapid reaction in Ukraine with President Petro Poroshenko later speaking with Ms Lagarde to express his "unwavering commitment to reforms, including improving governance and fighting corruption".

In a statement Ms Lagarde said the two had "agreed on the principle of a road map of actions and priority measures to ensure prompt progress under the programme".

The IMF's intervention follows last week's resignation of Lithuanian-born Aivaras Abromavicius, the technocratic economy minister. He pointed the finger at associates of Mr Poroshenko and

Arseny Yatseniuk, the prime minister, for trying to block reforms.

Mr Abromavicius's resignation and disclosures about what prompted it have sparked one of the biggest crises in Ukraine since the pro-democracy revolution two years ago.

Establishing the rule of law, breaking the grip of vested interests, including billionaire oligarchs, and curbing endemic corruption were demands of protesters.

Mr Yatseniuk may face a confidence motion in parliament next week.

Suspension of its four-year, \$40bn IMF-led support programme would have been a big blow for the government, which is grappling with a deep slump following the revolution, soaring inflation and pressure on the currency, the hryvnia.

Vasyl Myroshnychenko, head of the Kiev-based Professional Government Initiative, a network of western-educated Ukrainians that promotes more effective governance, said: "They are spending so much time fighting among themselves that they are not fighting for Ukraine by speeding up reforms.

"The IMF threat to cut off the lifeline is real and I hope it forces the establishment to stop this and start doing something . . . we cannot survive without the support of the IMF and the US."

**The IMF threat to cut off the lifeline is real and I hope it forces the establishment to stop this and start doing something . . . we cannot survive without the support of the IMF and the US**

Vasyl Myroshnychenko

Referring to the IMF warning, Geoffrey Pyatt, the US ambassador to Kiev, tweeted: "Further argument here for completing reload of Ukraine's reformer-led government and zero tolerance for corruption."

The IMF and other lenders have always made clear that their support for Ukraine was conditional on reforms.

While it has been extremely supportive of the government and Natalie Jaresko, finance minister, in particular, the fund has grown frustrated with the slow pace of anti-corruption efforts and reforms at state-owned enterprises (SOEs).

As part of its original 2014 IMF programme the government had agreed to crack down on corruption and to improve the transparency and management of its SOEs, but too little has happened since on that front. When laws have been passed or institutions created they have often been toothless.

In a report released this week, the IMF painted a picture of what remains an intensely opaque state-owned sector, where the number of operating SOEs remains a mystery and their financial results are not available to parliament. Losses at SOEs amounted to 5 per cent of gross domestic product in 2014, mostly from Naftogaz, the state energy company, according to the IMF.

Analysts said Ms Lagarde's threat appeared to signal that the fund was looking for a widescale government shake-up to breathe life into the reform process.

"The message is that the international community demand[s] real and meaningful change as the price of continuing to write the cheques," said Tim Ash, a long-time Ukraine watcher at Nomura.

"Poroshenko will have to come up with something very meaningful in terms of cabinet changes and perhaps even a change in the much-criticised public prosecutor's office to regain credibility," he said.

The president has come under pressure at home and internationally for refusing to replace a long-time loyalist, Viktor Shokin, as chief prosecutor. Mr Shokin has been criticised for failing to bring to justice any of the snipers who killed dozens of protesters in central Kiev in the final days of the revolution, and for dragging his feet over investigating senior officials and businesspeople.

Taras Kuzio, a Ukrainian political analyst, tweeted that "the crunch is coming for President Poroshenko who has to choose between finally supporting anti-corruption efforts or losing IMF money".

Mr Abromavicius told the FT that only a fully technocratic government, free from ties to parties and vested interests could ensure the success of reforms.

He proposed that Ms Jaresko should take over as premier. However, the US-born finance minister is understood not to be keen on taking the role.

# INTERVIEW: SEAN HANNITY INTERVIEWS DONALD TRUMP VIA TELEPHONE - JUNE 19, 2019

● president ● Russia ● Democrats ● China ● attorney ● absolute do ● White House counsel Don McGahn ● purposes of other countries ● Mr. President

👍 Positive

## Sean Hannity



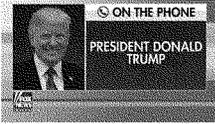
1

Joining us now is the president of the United States, President Trump. Sir, good to have you back on the program.

● president ● President of the United States ● President Trump ● Dr

👍 Positive

## Donald Trump



2

Hi, Sean.

● Sean

👍👎 Neutral

## Sean Hannity



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You know, I watched you last night. You seem to really love what you did last night. Explain – you know, why is this important to you? And why – there is a phenomenon that people show up at your rallies. We don't see the same thing at the Democratic rallies. Why is that in your view?

last night    Democratic rallies    phenomenon

Positive

### Donald Trump



4

There was tremendous energy in that room last night. And there was – and we've had a lot of energy in virtually every rally. But there was just a special energy. I announced we are going forward with the second term as you know. But the level – it was like being at a world championship college football game where the score was tied going into the last minute.

football    world championship college football game    second term    level

Positive

### Donald Trump



5

It was the entire rally. It was an incredible scene. And outside, there was thousands of people. And, I mean, we were asking people not to show up, we were saying, please don't come, letting the word – because we had 121,000 people who I guess it holds 20,000 or 25,000 people inside if you include the basketball court which was loaded up with great, loving patriots.

basketball    basketball court    people    word

Positive



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### Donald Trump

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6

And it was just an electric evening, Sean.

electric evening

Neutral

### Sean Hannity



7

You know, I want to ask you, I don't know if you saw the show on Monday. But Monday, we had our friend Lawrence Jones down there or I guess it was Tuesday night – no, it was Monday. And it looked like a tailgating party and people there, 40, 45 hours in the pouring rain before the event. I actually kind of regretted not going because I wanted to hang out with the people outside because they were having a blast.

tailgating 45 hours Howard Limmonson Jones Tuesday night tailgating party

Negative

### Donald Trump



8

They are people that love our country and they love seeing what's happening. And it was in a way a tailgate party for the country. Not for a team – although it's a team when you think about it. But it's a tailgate party for our country. And it was just – the feeling was – it was like love. But it's love for what we are all about, for the things we stand for.

team tailgate party love

Positive



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### Donald Trump

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9

It was a beautiful – it was a beautiful evening. It was – and even the enemies, and, you know, we have a lot of people that don't like us so much. You possibly have heard about that, Sean, I'm not sure, but possibly.

beautiful evening enemies

Positive

Sean Hannity



10

I might have read about that. [Crosstalk]

Crosstalk

Neutral

Donald Trump



11

The people were even saying –

people

Neutral



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Sean Hannity

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12

Yes.

👍 Positive

### Donald Trump



13

-- some say that they never seen anything like it. It was special. And you know it was pouring, they had a monsoon -- I don't think one person walked off line. They had a rain like you haven't seen. And it didn't -- nobody left. They just sat there and stood there and some brought tents. They were there for two days waiting to get in, incredible evening.

🔍 incredible evening   🔍 days   🔍 monsoon

👎 Negative

### Sean Hannity



14

I bought a painting from this guy in Utah. His name is John McNaughton and it was called "The Forgotten Man".

🔍 The Forgotten Man   🔍 John McNaughton   🔍 name   🔍 painting

👎 Negative



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### Donald Trump

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15

Right.

👍👎 Neutral

### Sean Hannity



16

I have the original copy, I paid a lot of money for it, and I bought it because it mattered to me. If you recall in 2015 and 2016, I told everybody what the Biden-Obama record was after eight years. I said it almost every day on radio and TV for a year, 13 million more Americans on food stamps, 3 million more in poverty, worst recovery since the '40s, lowest homeownership rate in 51 years, lowest labor participation rate since the '70s, more debt than 43 presidents before them combined, and they never hit one year 3 GDP growth, for a year.

🔗 eight years 🔗 51 years 🔗 one year 🔗 lowest homeownership rate 🔗 food stamps 🔗 lowest labor participation rate

👎 Negative

### Donald Trump



17

Right.

👍👎 Neutral



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18

And those are all real people. You talked at length about record low unemployment, the best employment situation from 1969. I know that the media talks about Russia still after four investigations, they want a fifth. But what does it mean to you that we now have 2 million more jobs available than people that are on unemployment?

[Russia](#) [media talks](#) [real people](#) [low unemployment](#)

Negative

---

### Sean Hannity



19

What does it mean to you?

Neutral

---

### Donald Trump



20

Well, the media isn't talking about Russia so much. You know, the Mueller report concluded on Russia, there was absolutely no collusion. And, frankly, they led to the conclusion by the great attorney general that there was no obstruction. It's the most ridiculous thing I've ever heard. It's a hoax. It was a hoax, a witch hunt, but a hoax, the whole thing.

[Russia](#) [witch hunt](#) [hoax](#) [media isnt](#)

Negative



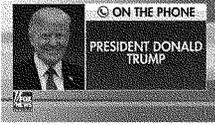
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### Donald Trump

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21

Gregg Jarrett said it very well when he named his book "The Russian Hoax." And it's disgraceful that they are allowed, and they are very upset now because it didn't turn out like they thought because we did. We had 18 angry Democrats that hated Trump and many of them contributed to Hillary's campaign. And it came out there was no collusion.

Gregg Jarrett angry Democrats Trump

Negative

### Donald Trump



22

So, they don't - I don't hear Russia much anymore. You know, they've given up on that one. But, you know, they did something that is a disgrace. I will say if the other side had won, if Hillary had won, you would instead of being up almost 50 percent since election, 5 million jobs plus, plus. Five million jobs, that's unthinkable.

Russia 50 percent side Hillary jobs

Negative

### Donald Trump



23

If I would've said we were going to create 5 million jobs in two and half years, people would have said how ridiculous. It would have been skewered by the press. All of the things that have been done that we've done, nobody has seen it. We have the best and lowest unemployment rate for African-Americans, for Asians, for Hispanics.

half years lowest unemployment rate African-Americans

Negative



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### Donald Trump

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24

Nobody has ever seen numbers like this. We have the best numbers on living standards for African-Americans. The best numbers we have ever had in history. So many things are – I mean, just one thing after another. If the other side would have won, we would have gone into a depression and we were headed that way.

depression best numbers African-Americans numbers

Positive

Donald Trump



25

We were headed that way. The rules and regulations – we've cut more regulations than any president, and unmeaningful regulation. We want regulation, but it's got to be meaningful. It stymied our country. Sean, We weren't able to do anything. Jobs numbers would've been a disaster. Instead, we have more people working today, almost 160 million people than have ever worked in the history of our country.

president unmeaningful regulations regulations rules

Positive

Donald Trump



26

Think of that. That's a great number. So, it's really been something. The other side, you would've had – I really you would have had a crash.

great number side crash

Negative



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27

You know, Mr. President, I come from blue-collar roots. Ten years in the restaurant business. At 12, I was washing dishes by hand. Ten years in the construction business, every job imaginable. So, I really identify with the forgotten man and women, and I think everybody in this job in the media were overpaid and most of them are lazy.

🔍 Ten years 🔍 Mr. President 🔍 restaurant business 🔍 construction business

👎 Negative

### Sean Hannity



28

And I just want to -- you know, when you think back on those statistics I gave you, it's 13 million, 8 million, those are real American citizens --

🔍 real American citizens 🔍 statistics

👍 Positive

### Donald Trump



29

Right.

👍👎 Neutral



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30

-- real lives and now they are really doing better. And I think one of the best things that is understated is we are for the first time in 75 years, energy independent, which means we don't have to go kissing the ass of --

best things real lives first time

Positive

Donald Trump



31

Right.

Neutral

Sean Hannity



32

-- countries that don't like us. And we don't have -- we are now a net exporter of energy. And, by the way, if Putin remains hostile and Russia remains hostile, I think we out-produce them and we bring their economy to its knees.

Russia net exporter of energy way Putin

Negative



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33

Well, we are now number one in the world and energy. It used to be Saudi Arabia, then Russia. It's now – we're number one and soon – as soon as I get the pipelines in Texas approved which I'll do pretty quickly, it would have taken 10, 15 years. I'm going to have it done quickly. We could increase our production by 30 and 40 percent in terms of sale.

[Saudi Arabia](#) [Russia](#) [number](#) [terms of sale](#)

Positive

### Donald Trump



34

So, it's – you know, what we have done in the last two and a half years has been great. We've had a lot of great people and they have worked hard. But the great people are the people of the country. They were being strangled. If you look at what we have done, just energy all – energy all over, all types of energy.

[lot of great people](#) [half years](#) [great people](#)

Positive

### Donald Trump



35

LNG now is – we are the hottest in the world, there's nobody even close. So, it's been an honor. It's been honor. We freed it up. But you would've had, I really believed you would have had a depression or very close had the other side won.

[depression](#) [there's nobody](#) [LNG](#)

Positive



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36

Mr. President, all this – Devin Nunes wrote a column, who was the former House – ranking member of the House Intel Committee. In 2014, warning the Biden-Obama administration about Russian interference in the 2016 election, he laid it out perfectly in 2014. This all happened on their watch.

House Intel Committee House Mr. President Devin Nunes Russian interference

Negative

Donald Trump



37

Yes.

Positive

Sean Hannity



38

All of it happened on their watch. And my question to you, is there really was some collusion, wasn't there? There was Russian interference, we know that. But we also had a bought and paid for Russian dossier.

Russian interference question Russian dossier

Negative



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39

Right.

👍👍 Neutral

Sean Hannity



40

And we didn't look into that and the whole two plus years of Mueller. The media has ignored it. And even "The New York Times" suggesting it was likely Russian misinformation from the get-go, the dossier. What are your thoughts about that?

[The New York Times](#) [New York Times](#) [Wash Post](#) [Fox News](#)

👎 Negative

Donald Trump



41

I think it's a disgrace. It's turned out to be totally discredited. Steele was sued by somebody. I understand a wealthy gentleman in London. I hear what was revealed was incredible, just a total phony deal. And yet, they didn't look into any of that. One of the things that amazes me because it's so simple, and, you know, it's - when you get right down to it, the whole thing is very simple what happened.

[London](#) [whole thing](#) [things](#) [Steele](#)

👎 Negative



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42

The fact is they were spying on my campaign, using agencies to – intelligence agencies to do it, going after Page and George Papadopoulos and probably others. I'm trying to – we are trying to find out whether or not they actually listened in on my calls, that will be the – that would be the ultimate.

intelligenc agencies fact agencies

Negative

Donald Trump



43

We'll see what happens. I think if it happened, we'll probably find out. We have a great attorney general who was working very hard and we'll see what happens. I stay uninvolved. I like to stay uninvolved. But a lot of things are going to come out. I mean, if they spied on my campaign and they may have, it will be one of the great revelations in history of this country.

attorney great attorney general lot of things campaign

Positive

Donald Trump



44

And I will tell you, it's going to be very interesting, I think we're going to find out. Can you imagine if it were the other way around and I spied on President Obama's campaign? Could you imagine what the repercussions would be? Or I spied on Crooked Hillary's campaign. Can you imagine with the repercussions would be?

Hillarys President President Obamas campaign Crooked Hillarys campaign way

Positive



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45

Let me ask you specifically, I want to stay on this topic because I think this abuse of power is very dangerous. You addressed it last night. Sir, your campaign was spied on. In October 2016, Hillary's dossier, brought and paid for Russian dossier, paid for by her and the money she controlled at the DNC that was funneled through a law firm that hired -- op research group that hired a foreign national -- we now know that Bruce Ohr testified behind closed doors that everybody was warned that Christopher Steele hated you, that Hillary paid for it, and that it was not verified.

Hillary's DNC Hillary's dossier closed doors op research group

Negative

Sean Hannity



46

That was August of 2016. Fourteen days before Jim Comey signed the first FISA application and a FISA application I'm told says the word "verified" on it. Before he signed it, he was warned by Kathleen Kavalec of the State Department who met with Christopher Steele. So, my question to you is, you are spied on as a candidate, during your transition, as president and then, abroad, we had Stefan Halper spying on Carter Page, Sam Clovis, George Papadopoulos.

Jim Comey first FISA application Stefan Halper

Negative

Sean Hannity



47

So, those are just ways we have already verified. It's not in dispute anymore. Your campaign was spied on. Your transition was spied on. Jim Comey, three months after he signed that warrant verifying the Russian dossier bulk of information is true, he then came to Trump Tower and told you it's salacious but unverified -- the opposite of what he was telling the court.

Trump Tower three months Jim Comey Russian dossier bulk of information months

Negative



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48

Do you believe there was a premeditated fraud committed against FISA court judges in these applications?

FISA court judges, fraud, applications

Negative

Donald Trump



49

Well, again, people are looking into that. If you're asking just my opinion, I would say absolutely yes. It would seem to be yes. And, you know, when you get the Strzok-Page, the two lovers who put right out on the public waves. I mean, they put the insurance policy – well, we have been living through the insurance policy, that she was going to win but just in case she didn't win, we needed an insurance policy.

insurance policy, Strzok-Page, didn't win

Positive

Donald Trump



50

Well, that's to subvert government. What they did was unbelievable that they could do a thing like that. And they reported to McCabe who I think is a terrible, terrible guy. And, you know, the FBI, you have some of the finest people in the world, and you know that, and we sat all the time. I bet you if we took a vote, I would be so high in that poll, you wouldn't believe it. They're great people, I know so many.

FBI, finest people, great people

Positive



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51

But at the top, people were terrible, they were leakers, they were liars. I mean, look at the leaking and look at the lying. Comey admitted he leaked. Think of it, the top of the FBI, he leaked. And when you look at what went on, Sean, it's disgusting. But the whole concept of they wanted insurance policy just in case she loses - well, that's what we've lived through.

FBI whole concept insurance policy top of the FBI

Negative

### Donald Trump



52

We've lived through the insurance policy. And yet, the House committee which I understand today was in a very close confidential meeting with the wonderful Hope Hicks, she's a wonderful person, she has been through hell. They put this young woman through hell. She has had to pay for legal fees and everything else.

House committee legal fees young woman

Positive

### Donald Trump



53

I hear they were taking pictures of her. Congressmen, two congressmen in particular that I see on television all the time. I won't mention their names, we don't want to make them any more famous. But two congressmen - but they were taking pictures of her -

Congressmen names television

Negative



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54

Oh, good grief.

As good as dead

Positive

Donald Trump



55

— with their cell phone and then leaking the pictures of her testifying. And this was in a closed room. Look, it's out of control. These people are absolutely — you know, they use the word, it's a good word, I guess — unhinged — what has happened to the Democrats, and in the meantime, they're not doing any work in Congress.

Congress cell phone good word people

Negative

Donald Trump



56

We could do legislation to lower drug prices very substantially, easily. We could maybe almost like the thing we need the most quickly is border security. We've done an incredible job but I have to do it myself. I can't get any — we can't get any votes from the Democrats. We can't get any votes. And infrastructure, we could do it so easily.

Democrats incredible job border security thing

Positive



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57

But they are so busy interviewing Hope Hicks and taking pictures of this incredible young woman and putting the pictures out to the press of her testifying. And they're not allowed to do that, it's probably illegal. It's a terrible thing going on, Sean.

terrible thing pictures of this incredible young woman Hope Hicks

Negative

### Sean Hannity



58

Sir, there have been four separate investigations, let remind you. The nine-month FBI investigation, the one that Peter Strzok said there's no "there" there. Lisa Page said we had nothing after nine months as it relates to collusion. And there was a House Intel Committee investigation, no collusion. Then, a bipartisan Senate committee, no collusion.

House Intel Committee Senate committee FBI Lisa Page nine-month FBI investigation separate investigations

Negative

### Sean Hannity



59

Then the Mueller report, directly quoted it, no collusion, no conspiracy. You -- I had wanted you -- I'm a talk show host, so I sometimes do straight news, we do investigative reporting, sometimes sports and culture. And I give strong conservative opinions. I've been a conservative all my career, we don't hide that fact.

strong conservative opinions Mueller report

Positive



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### Sean Hannity



60

But I have wanted you to declassify the 302s, declassify all this information, the FISA applications, declassify the Gang of Eight, declassify exculpatory information. You have done so but you gave it to the attorney general. Why?

attorney FISA applications attorney general 302s

Neutral

Donald Trump



61

Yes, because I think he's a very honorable gentleman who wants to do the right thing. And he is allowed to under my agreement — he's allowed to give it out to whoever he wants. But I think it's really — you know, maybe some of this, you need to have for purposes of other countries because I think other countries were involved.

purposes of other countries agreement right thing

Positive

Donald Trump



62

I think they — perhaps just based on what I'm seeing, they use other countries because they didn't want to get caught doing what they were doing in this country — you know that very well.

countries country

Positive



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63

Mr. President, I believe – [Crosstalk]

Mr. President Crosstalk

Neutral

### Donald Trump



64

So, I want to give to Attorney General Bill Barr. He's got it totally, everything he can do in terms of opening it up and making it transparent as the politicians like to use that word, transparent. I'm the most transparent president in history. I let Mueller have everything they wanted. If you think of it, 500 witnesses, interview our attorneys, interview whoever you want, I think 2,500 subpoenas.

Attorney General Bill Barr transparent president interview

Positive

### Donald Trump



65

I didn't use presidential privilege because I didn't speak to Russia. Russia has -- when I was winning in Wisconsin, when I was winning in Michigan and Pennsylvania and Ohio and Florida and all of these states, North Carolina, the last person or group I ever thought of calling would be Russia. It's a hoax.

Russia presidential privilege North Carolina dicit

Negative



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66

It's a terrible hoax and that should never happen to another president because many of them would not be able to handle it, I don't care who they are. Many of them would not be able to handle it, if you think Joe Biden could handle it? I mean, Joe Biden right now, he looks like he's got some big problems.

terrible hoax Joe Biden president

Negative

Donald Trump



67

But you think – can you imagine if this happened to Joe Biden? It wouldn't be good. But it should never happen to another president what happened to me and it should never happen – nobody should ever allow this to go forward again. And people have to learn – there has to be a lesson taught. There has to be a lesson taught.

Joe Biden president people

Negative

Donald Trump



68

It should never be allowed. It's so bad for our country.

country

Negative



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69

Mr. President, I do have a question about this because you didn't invoke executive privilege. You handed in 1.4 million documents. You encouraged your staff to cooperate with Congress, to cooperate with Mueller. I never liked Mueller's team. I could not for the life of me understand how does he hire Andrew Weissmann, the worst record of any lawyer I've ever seen.

🔍 [corruptive](#) [Congress](#) [Mr. President](#) [Andrew Weissmann](#) [fbi](#)

👎 Negative

### Sean Hannity



70

People like Jaannie Rhee who was once Clinton's lawyer on the Clinton Foundation, And you gave written answers. You even let your White House counsel Don McGahn testify for 30 hours. I was a little shocked, to be honest. Why would you allow that?

🔍 [Clinton Foundation](#) [White House](#) [30 hours](#) [White House counsel Don McGahn](#) [Jaannie Rhee](#)

👍 Positive

### Donald Trump



71

I let everybody testify. I wanted to be totally open because I knew there was nothing there. There was nothing there, nothing at all. But, you know, Bob Mueller was conflicted because he wanted to be the head of the FBI, the director. Again, he was already there for 10 or 12 years, but he wanted to be and I didn't allow that, I said no. I said it respectfully.

🔍 [Bob Mueller](#) [director](#)

👎 Negative



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72

We had a business dispute in private life when he was out of the FBI. We had a commercial business dispute. How about having a business dispute with somebody? Think of this, and then he supposed to be ruling on you. But it was a business dispute and it was a nasty little dispute. You know, not the biggest one I've ever been in to be honest with you, but we had a real business dispute.

FBI business dispute private life commercial business dispute

Negative

Donald Trump



73

So, you look at that, that's a total conflict of interest, how can somebody whom you have a dispute be ruling? And his best friend who very close to him is Comey and Comey played a big part of this, because McCabe didn't do anything without Comey. McCabe was totally dominated by Comey. He did nothing. Andrew McCabe was a bad guy, but Andrew McCabe did nothing without calling Comey.

best friend Andrew McCabe bad guy

Negative

Donald Trump



74

He wouldn't – there is an expression, he wouldn't go to the bathroom without getting Comey's approval. And so, Comey is in. And Brennan – you take a look at Brennan. You took the horrible rhetoric, the horrible – the horrible words he used to describe –

horrible rhetoric Brennan horrible words

Negative



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75

He accused you of treason, sir.

🔍 treason

🔍 sir

🗨️ Negative

### Donald Trump



76

And then he said, well, I guess I was misinformed. You know, he was making all these predictions. And then when it said no collusion in the Mueller report – which is amazing, because they had 18 people that were Hillary Clinton people, that – I think all of them were anti-Trump people in one form or another.

🔍 Mueller report

🔍 Hillary Clinton people

🔍 people

🗨️ Negative

### Donald Trump



77

But many of these people, they gave to Clinton's campaign, one or two of them were at – including Weissmann – were at the event which turned out to be, as you know, her wake – it was a funeral. It was supposed to be a party at the convention center in New York. It turned out to be a funeral.

📍 New York

🔍 Clintons campaign

🔍 convention center

🔍 people

🗨️ Negative



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78

He was at the victory party. Yes, the so-called victory party. [Crosstalk]

🔍 victory party 🔍 Crosstalk

👍 Positive

### Donald Trump



79

I saw the same scene as you did to. But think of it – Bob Mueller was great friends with Comey, right there there's a conflict. He wanted the FBI job, and we had a business dispute. And I would tell everybody who'd listen, I told you a long time ago, I said, how could he be doing this? But despite that, let him do it. I said, let him do it because I had nothing to do – they know that, they all know that, I had nothing to do with Russia.

🔍 long time 🔍 great friends 🔍 Bob Mueller

👎 Negative

### Donald Trump



80

I love our country. I love our country. By doing this, I've sacrificed a lot. I had a very simple life. I had a great company, great everything. Everything was great. I sacrificed a lot. But I've made a tremendous difference. You know, so many people come up to me, Sean, and they say, thank you, sir, for saving our country.

🔍 simple like 🔍 great company 🔍 tremendous difference

👍 Positive



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81

And I used to take it with a grain of salt, oh, there was a – but they said and they mean it. I went to – the other day, I was the commencement speaker at the Air Force Academy, incredible young people, and I handed out a thousand diplomas to the senior class. That's a lot of shaking hands and saluting. I will tell you.

[Air Force Academy](#) [commencement speaker](#) [incredible young people](#)

Positive

### Donald Trump



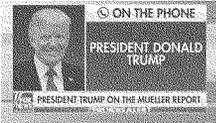
82

It was a couple of hours, but it was great. But so many young, beautiful people, they're young people, the beginning of an incredible life, they came up to me and they said, thank you, sir, for saving our country. I know exactly what they mean, our country was in big trouble and we've got to turn now in the right direction.

[young people](#) [beautiful people](#) [right direction](#)

Positive

### Sean Hannity



83

Mr. President, just as an aside, you did have the constitutional authority under Article II of the Constitution to fire Mueller who would have been replaced, and I would add –

[Mr. President](#) [constitutional authority](#) [article](#)

Negative



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84

Absolutely right. [Crosstalk]

🔍 Crosstalk

👍👎 Neutral

### Sean Hannity



85

It will be – it will be interesting –

👍 Positive

### Donald Trump



86

I had absolutely Article II powers. I could've done anything I wanted. I don't even bring it up because we don't even get there. Absolutely, I have Article II. We could have used that instead. I wouldn't even have to bother talking to you about all the other things. I wouldn't have to talk to you about conflicts.

🔍 wouldnt 🔍 Article 🔍 conflicts

👍👎 Negative



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87

I could have fired Mueller for conflicts. I could have fired anybody. But I didn't want to do it, because they said, let it play – play out, it's a hoax. It's a hoax. It's a disgrace.

didnt Mueller conflicts

Negative

### Sean Hannity



88

One of the --

Neutral

### Donald Trump



89

And that they are allowed to go forward with, you know, interviewing people, having people like Hope Hicks and others, having to pay for a new set of lawyers?

Hope Hicks people new set of lawyers

Positive



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90

Same questions.

questions

Neutral

### Donald Trump



91

They just went through it with the Mueller report. Now, she was totally exonerated. She did nothing wrong. And now, they have to start paying for lawyers again? It's a do-over because the report was terrible for them. And absolute do-over.

absolute do Mueller report to anyone

Negative

### Sean Hannity



92

Sir, this will be - Mr. President, this will be the fifth - [Crosstalk]

Mr. President Sir Crosstalk

Neutral



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93

You're not allowed to do-overs.

🔍 You're 🔍 do-overs

👍 Negative

### Sean Hannity



94

This will be the fifth investigation. And you're right, those Washington lawyers are expensive. I have had to hire a few of them in my day. But I just want to say one thing -- one good question I want answered. Did Italy, did Great Britain, did Australia, were they outsourced intelligence gathering by high-ranking people -- not rank-and-file -- to spy on American citizens and circumvent American laws?

🔍 Washington 🔍 Italy 🔍 Britain 🔍 good question 🔍 high-ranking people 🔍 American citizens

👍 Positive

### Sean Hannity



95

It will be a big question. But I want to change gears here. I want to ask you about --

🔍 big question 🔍 gears

👍 Positive



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96

And Ukraine, take a look at Ukraine. How come the FBI didn't take the server, Podesta told him to get out. He said, get out. [Crosstalk]

🇺🇦 Ukraine 🇺🇸 FBI 🔍 FBI dicit 🔍 server

👍👎 Neutral

### Sean Hannity



97

They're offering it.

👍 Positive

### Donald Trump



98

So, how come the FBI didn't take the server from the DNC? Think about that one, Sean. Think about that one.

🇺🇸 DNC 🇺🇸 FBI 🔍 FBI dicit 🔍 server

👎 Negative



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99

Let me ask you – there are 20-some-odd candidates. I want to get your general thoughts on all of them and is there anyone in particular you prefer to run against, or do you care at all?

🔍 general thoughts

👍 Positive

### Donald Trump



100

Well, we have to see how it plays out. I mean, whoever it is, it is. I don't know. I mean, I look at some of them, I don't see George Washington. I don't see Churchill. I don't see anybody in particular that I worry about. I think, honestly, however it is, it is. We will – [Crosstalk]

🔍 George Washington 🔍 Churchill 🔍 Crosstalk

👎 Negative

### Sean Hannity



101

I don't see George Washington either, sir.

🔍 George Washington 🔍 sir

👍 Neutral



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102

You see the polls that came out today. I read a couple of actually legitimate polls that came out today. Not the polls that the media makes up. See, I'm fighting the Democrats and the media together. It's not – and you know that better than almost anybody. But the people know that. I'm fighting the Democrat Party and I'm fighting the media.

Democrat Party legitimize polls Democrats

Negative

Donald Trump



103

They're partners. They are partners. I mean, that's why they don't go after Hillary Clinton with her emails where she – anybody else would be in jail for what she did, the emails, to delete 33,000 emails after you get – after, not before – after you get a subpoena from Congress, you delete everything so people never got to see 'em. But the media and the Democrats are – and not all of it, but a big portion of it, they are a partnership.

Hillary Clinton emails big portion

Negative

Donald Trump



104

And that's disgraceful. So, I'm fighting the partnership. I'm not fighting – actually, fighting the media is much tougher than fighting the Democrats if you want to know the truth.

media Democrats partnership

Negative



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105

Well, Mr. President, I call them the media mob. You know, if you're looking for example, I say it every second, every minute, every hour of every day, and they all feel and they all fell for the hoax in the conspiracy theory and they are trying to revisit it. But I want to just ask you this -

Mr. President conspiracy theory hour of every day

Negative

Donald Trump



106

They didn't fall for the hoax. They know it's a hoax. But they write about it anyway. It's not like they fell for it. These are very smart people. They know it's a hoax. And they write about it anyway. I watch when I have to, just to get a little ammunition, it's almost like - you know, you have to know where the other side is coming from.

little ammunition didn't fall side

Positive

Donald Trump



107

I watch every once in a while, I will turn to MSNBC and I'll see what they say. I know most of the people and it's a fraud. They go back and they meet and what can we make up? Remember when they used the word, everyone used the word "manufactured" and every newscast had the word "manufactured". But it's not a word associated with what they were talking about.

MSNBC fraud word newscast

Negative



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108

They were talking about something being manufactured. And every newscast started with "manufactured." And they did with numerous words. They come up with a word they put it out. They're all together. It's a really disgraceful situation. Here's the good news: we are president. We've got -- we've done it, and we're going to do it again.

president good news disgraceful situation numerous words

Positive

Donald Trump



109

When you see a crowd like that, Sean, no one has seen crowds like that. I mean, not only the crowd -- no one has seen the spirit, the spirit and the energy. It has been incredible. I said Republicans have far more energy -- you know, you hear about the energy on the Democrat side, they don't have energy.

Democrat side crowd energy

Positive

Donald Trump



110

They are all fighting with each other. I say the Republicans have far more energy than the Democrats. I really believe that. I think they have a lot more energy than the Democrats. I call them the radical left, Dems. [Crosstalk]

Democrats radical left Republicans lol

Positive



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111

A few of these Republicans, frankly, could use a spine transplant, in my view. But I don't want to go there. Let me ask you –

few of these Republicans view

👎 Negative

Donald Trump



112

I agree, you know, but we have some great ones too. We have some great ones. But you are right, there are some really should – look, Nancy Pelosi hands out subpoenas like they are cookies. Paul Ryan, nice guy but I will tell you when Jim, and when Mark – Mark Meadows, Jim Jordan and Devin, and all these people, they are great people – [Crosstalk]

Paul Ryan nice guy great people

👍 Positive

Sean Hannity



113

They're the amazing ones.

👍 Positive



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114

when they went to Paul Ryan to get a subpoena because they found the same things that we are talking about, Paul would say, well, let's take it easy, let's not this, let's come back in a week, let's see if we still think -- let's do this -- it was impossible. You couldn't get a subpoena. She hands out subpoenas like they are cookies.

Paul Ryan subpoena Paul

Positive

Sean Hannity



115

Let me ask you this, sir, about the Democrats --

sir Democrats

Neutral

Donald Trump



116

It's a big difference. They fight a dirtier fight. The Democrats fight a dirtier fight. It's too bad.

dirtier fight Democrats big difference

Negative



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117

All right. The Democrat debates begin next week. They're supporting this New Green Deal. In 10 years, they want to get rid of the lifeblood of our economy, oil and gas. Everything is going to be free. They are talking about a 70 percent top marginal tax rate for individuals, and 90 percent top marginal rate for businesses, and a wealth tax on top of that.

[top marginal tax rate](#) [top marginal rate](#) [Democrat debates](#)

Positive

Sean Hannity



118

And when you die, you got to pay a tax. And again, everything is free. They all seem to support some version of it and Medicare-for-All. But you can't buy private insurance according to, say, Kamala Harris, how did Obamacare work out for everybody? But what is your reaction to this agenda?

[private insurance](#) [Kamala Harris](#) [socialists](#)

Negative

Donald Trump



119

Well, first of all, with Obamacare, we took out the individual mandate which is the worst part. Obamacare is a disaster and we've managed it really well. That's why you don't hear so much about it. But we've really done a great job. Secretary Azar has been incredible the way they've handled Obamacare.

[Secretary Azar](#) [individual mandate](#) [Obamacare](#)

Positive



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120

But I got rid of the individual mandate which was the worst thing in Obamacare. That's where you pay for the privilege of not having to pay for insurance. It's a bad insurance. OK? Bad health care. So, you know, it's one of those things. No, I think -- I think that when I meet somebody who even doesn't like me, let's say it's a business person and they are not Trump fans, they say, you have no choice, you can't vote for anybody else because they want to turn this country over to -- I mean, we will be a Venezuela, it will take 10 years or 15 years, but if the wrong person got in, I've turned it around, Sean.

[# Venezuela](#) [# 10 years](#) [# 15 years](#) [# business person](#) [# wrong person](#) [# worst thing](#)

Negative

---

### Donald Trump



121

I've got rid of these rules and regulations that stifled everything. I approved the Keystone Pipeline. I approved numerous other pipelines.

[# Keystone Pipeline](#) [# rules](#) [# regulations](#)

Negative

---

### Sean Hannity



122

ANWR.

[# ANWR](#)

Neutral



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123

By the way, they are environmentally good as opposed to trains running across, you know, the Plains and all of the other things. No, I approved so many different things that are actually good to. Do you know that a report came out, our water and our air today is cleaner than it ever was, because in many respects, we are great environmentalists.

🔍 air today 🔍 different things 🔍 1997

👍 Positive

### Donald Trump



124

I'm an environmentalist. But a different kind, a real environmentalist. But our water is crystal clean. Our air, it's the best that ever was.

🔍 different kind 🔍 water 🔍 air

👍 Positive

### Sean Hannity



125

I would agree, sir, we all need to be good stewards of the greatest country God gave man.

🔍 good stewards of the greatest country God 🔍 sir 🔍 1951

👍 Positive



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126

We have to do that.

👍👍 Neutral

### Sean Hannity



127

Are you really going to live tweet -- are you really going to live tweet these Democratic debates, sir?

🔍 tweet 🔍 Democratic debates 🔍 sir

👎 Negative

### Donald Trump



128

I wasn't going to but I read about in "The Wall Street Journal," or some place, and it's fake news. No, I wasn't thinking about it, maybe I will now. You know, might as well make them right. But, no, I was not thinking about it.

🔍 The Wall Street Journal 🔍 Wall Street Journal 🔍 fake news 🔍 place

👎 Negative



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129

Well, if I can cast my vote, I'm a "yes". I think it would be a great idea. Let me ask you a question --

great idea (4) (positive) (4) vote (4)

Positive

Donald Trump



130

Well, they wrote about it as though it was fact. I've never even thought about it, it's just so ridiculous. But, you know, maybe I'll do it.

fact (4)

Negative

Sean Hannity



131

I see --

Neutral



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132

Instead of fake news, I will make them correct news and that's OK.

fake news CONTACT ISSUES

👎 Negative

### Sean Hannity



133

I think it would be a good idea. It would be very interesting actually. I see, for example, that you promised that ICE next week will begin the process of removing millions of people that didn't respect our laws, borders --

ICE next week good idea example

👍 Positive

### Donald Trump



134

Right.

👍👎 Neutral



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135

— sovereignty. Ninety percent of heroin in this country comes across our southern border. Now, fentanyl, we are losing 300 people a week in this week.

heroin | 90% | southern border

Negative

Donald Trump



136

Right.

Neutral

Sean Hannity



137

My question to you is, there are some people who will ask about you and they'll say, well, you've known him for over two decades, which I have, and I've known you a long time. And you said you'd be conservative and you are right and we didn't believe you and you are pro-life and you – conservative justices and tax cuts and the deregulation, and energy independence – all things I believed in 30 years in media.

two decades | 30 years | conservative justices | tax cuts | energy independence

Positive



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138

So, now, you're fighting for the border wall and people say, well, maybe Donald Trump should maybe tweet a little less and not fight so much on the personal level, and -- but yet take the fight against China, against Mexico, you are kind of standing alone saying you hit them with tariffs if they didn't stop these migrations from happening.

Donald Trump personal level border wall

👍 Negative

Sean Hannity



139

So, my question to you is, how do you respond to that? That people want you, I guess, to turn off the switch, that you fight for the borders, and you fight for your agenda, and -- but they don't want you to maybe fight on Twitter?

Twitter people borders agenda

👍 Positive

Donald Trump



140

Well, if I don't have -- I don't use the word "Twitter", I say social media. If I don't use social media, I have -- outside of you and a few other great people -- I call them patriots actually. You're not really patriots as much as you want ratings. I mean, you're getting great ratings, in all fairness, Sean.

social media great people word

👍 Positive



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141

It's like last night you got tremendous -- I heard the speech got --

🔍 last night 🔍 speech

👍 Negative

### Sean Hannity



142

Oh, yes, they were massive. [Crosstalk]

🔍 Crosstalk

👍 Positive

### Donald Trump



143

-- ratings you put on. That was an easy night. You and Tucker and everybody else --

🔍 easy night 🔍 ratings 🔍 Tucker

👍 Positive



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144

It was simple, I just showed up.

Positive

### Donald Trump



145

-- having to, you know, do it and you did it.

Positive

### Sean Hannity



146

Yes.

Positive



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147

And it was a great evening. But, no, I think -- I view it as a social media, a way of getting the word out. Look, when you have the lies and the frauds committed by the other networks, many of the other networks, you look at what's going on, it's disgraceful. This way I get the word out and I'm getting it out strongly.

social media networks trends

Positive

### Donald Trump



148

I mean, I have hundreds of millions of people that see this. Plus, as soon as I do a tweet, it gets broadcast even in the places you would least expect it because they are desperate for news. You know, they're desperate to do anything for news. So, it's really a way of getting the truth out because the media has gone loco.

tweet video photos

Negative

### Donald Trump



149

They have lost all control. They don't even call a fact check. You know, I remember 10 years ago, 15 years ago -- I actually used to get great press, if you want to know the truth. But 10, 15 -- before I decide to become a politician and one on the conservative basis because that's what it is. That's what we are doing so well at. That's why the country is doing so well.

great press conservative basis politician

Positive



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150

You know, we're probably doing better right now in our economy -- wages are up, haven't gone up in years, in decades. Wages are up over 3 percent. Think of things that -- things that have happened: the jobs, the unemployment, the amount of people working, companies are pouring back into our country from Japan.

Japan 3 percent amount of people things jobs

Negative

Donald Trump



151

They're coming back from -- frankly, they're coming back from China because of the fact that I put the tariffs on. In order not to pay the tariffs, they are coming back into this country. So many things are happening. But the way I get the word out is through social media, and it's a great thing. I don't know that I would've been successful if I didn't have it. And, you know, when I make a speech like last night, there was a fantastic woman in the front, she had, "please keep tweeting, Mr. President, it matters." That was her sign.

China last night fantastic woman social media

Negative

Donald Trump



152

Please keep tweeting, it matters. And I think it does matter. I don't do it because I enjoy it, I do it because when someone says an outright lie on MSNBC or CNN, both of whom are really suffering in the ratings which is very interesting -- it's incredible, because they have lost credibility. But when they put out lies, I can counteract those lies and I have many more followers than they do. So, it's a great thing.

MSNBC CNN outright lie great thing

Positive



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153

Let me ask you, you know, you said you were going to begin the process of removing millions of illegal immigrants.

illegal immigrants process

Negative

Donald Trump



154

Right.

Neutral

Sean Hannity



155

I also want to get to the status of the border wall. I know there has been miles repaired and miles built. You know, is it going to be finished with your first term? Because they were not able to override your veto and you were able to reallocate funds.

veto status of the border wall miles

Negative



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156

So, you know, the Democrats are doing everything possible to stop the wall. And they lost a big lawsuit last week. I won a big, big lawsuit against Nancy Pelosi in the House. The House actually brought a lawsuit. Can you believe that? The House, the Democrats, Nancy Pelosi brought a lawsuit. And we won the lawsuit as you probably read.

big lawsuit Nancy Pelosi House

Negative

### Donald Trump



157

We will have -- we have four other lawsuits against us, all semi-related and related to each other. We are building a tremendous wall right now. We are renovating vast areas of wall that collapsed, but it's good if you renovate, you save a lot of money by renovating it. But -- and we are taking down the wall and putting up new wall, some areas you can't renovate.

tremendous wall vast areas of wall wall

Positive

### Donald Trump



158

But we'll have over 400 miles of wall built by the end of next year which is very quick. It's rapidly approaching. We have three sections being built right now. We are building them in sections in different areas in different states. New Mexico has a tremendous problem with people pouring across New Mexico, and I'm hearing because of this, New Mexico is actually in play for me and for the Republicans because of what's happening.

New Mexico tremendous problem different areas

Negative



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159

It's horrible what's happening to New Mexico.

🔍 horrible whats

👍👎 Negative

### Sean Hannity



160

If you get 400 though --

👍👎 Neutral

### Donald Trump



161

We have sections that started and are about to start in New Mexico.

🔍 New Mexico 🔍 sections

👍 Positive



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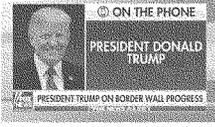
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162

Uh-huh.

4:35

👍👎 Neutral

### Donald Trump



163

We just finished San Diego, as you know. San Diego in California, they are so happy. The mayor was just up in my office, a great guy. He came up to thank me for having done the wall because has made such a difference. He says it's like day and night. He said people are flowing across and now nobody can come in.

San Diego like day people

👍 Positive

### Sean Hannity



164

Well, let me ask you this --

👍 Positive



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165

We are able to redesign the wall where it's stronger, bigger, higher, you know, it's at actually got a little bit higher if you remember that. But it's a better wall, and it costs less money. It's actually a stronger wall, costs less money. So, we are doing really well with the wall and it's a very important element and we are doing well overall.

important element stronger wall better wall

Positive

Donald Trump



166

And we are going to start removing all of these people that came in because the Democrats will not under any circumstances, they won't fix asylum - asylum is a big problem. They won't fix it. We could fix it in 15 minutes. And they won't get rid of the loopholes because they want us to fail. It's more important that we fail than the country succeed.

fix asylum people Democrats

Negative

Donald Trump



167

And you have drugs and you have all these other things. But what we are doing is as the people come up and as we get the necessary paperwork, we are moving people out of the innards of the country and we are bringing them back. And the countries that see this and they see it happening, it is already started on a much heavier fashion next week.

necessary paperwork innards of the country people

Positive



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168

You know, we're gearing up. It's, you know, sending a signal that you may get in, but you're not getting in for long and you're going out. And the other thing finally is Mexico for the first time ever, for the first time in many, many decades, they are respecting us. And we had a big fight and it worked out great.

Mexico first time big fight thing

Positive

Sean Hannity



169

Let me ask you about --

Neutral

Donald Trump



170

And Mexico now has 6,000 soldiers on the southern border, on their southern border, stopping people from coming in. And they have been really stepping it up. And, you know, frankly, I was going to put tariffs on if they didn't. If they didn't do that, I would have put tariffs on. And I still will if they don't. But they have been doing a really good job and people on the border will tell you that the traffic has really dropped down.

Mexico southern border good job

Negative



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171

So, a lot of good things are happening. But if the Democrats would meet for 20 minutes, 15 minutes, I would say, it used to be 45 – it's a very short meeting. We could solve the border problem but they don't want to do that because they think it's bad politically. I think what's bad, Sean, what is really bad as what they are doing, I think it's terrible politically.

15 minutes 20 minutes border problem lot of good things Democrats

Negative

Donald Trump



172

People come in, it's a crime, it's drugs, we can stop it all so fast, but we are going to stop it anyway even if we don't have the Democrats.

People crime drugs

Negative

Sean Hannity



173

I say that Nancy Pelosi is speaker in name only, and that Congresswoman Alexandria Ocasio-Cortez has really become the biggest star, and she even got to Joe Biden to come up with a New Green Deal plan. What are your thoughts on her and Congresswoman Omar and the position that Nancy Pelosi is in?

Hannity Pelosi Congresswoman Alexandria Ocasio-Cortez biggest star

Positive



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174

I don't really agree with you. I think Nancy Pelosi probably has control of it, I hear different things but I really think she does. And she knows what she's doing. So, we'll see how it all comes out. But, look, we have the USMCA, the Mexico and Canada trade deal, which is a phenomenal deal for our country and it's good for them too.

Nancy Pelosi different things control

Positive

Donald Trump



175

But it's a phenomenal deal for our farmers and manufacturers and even unions. Everyone wants it. So, the Democrats could do that in a bipartisan way. Mexico approved it today, you probably heard. They just approved it. Their House just approved it in a big vote. So, you know, we're just waiting to see whether or not they will put that up for a vote.

Mexico phenomenal deal Democrats bipartisan way

Positive

Donald Trump



176

I mean, think of it – can you imagine if they did? It's something that everyone wants. It will be a very bipartisan approval. But Nancy –

bipartisan approval Hannity

Negative



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177

But let me ask you on -- sorry.

👎 Negative

### Donald Trump



178

-- and all of the folks in the House, they have to put it up for a vote and they will vote. It's great for the farmers. Everyone wants them to do it. So, we'll see. Again -- do they want to do what's right for the party? They can take credit for that bill, because, frankly, we'd make it bipartisan.

🔍 talks 🗳️ House 📄 credit

👍 Positive

### Donald Trump



179

We'll all vote for it. But it's a big deal. Canada is approving it. Mexico just approved it. A very, very big deal. And it means hundreds of billions of dollars to our country and thousands and thousands of jobs. And it replaces NAFTA, one of the worst trade deals ever made.

🇲🇽 Mexico 🇨🇦 Canada 🔍 worst trade deals 🔍 big deal 🇺🇸 NAFTA

👍 Positive



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Let me ask you about foreign policy, if I may. You made promises to Israel, Jerusalem is now the capital. Many other presidents promised it. They didn't deliver. You recognize Golan, which other people promised and didn't deliver. You promised you get us out of the Iranian deal. I don't think you're going to drop \$150 billion in cash and other currency on the tarmac of mullahs that chant "death to America". I worry about Iranian hegemony.

📍 Jerusalem 📍 Israel 📍 America 🔍 remove it.mashba 🔍 foreign policy 🔍 traison deal

🗣️ Negative

Sean Hannity



181

I worry about Iranian proxy wars and terror. I worry about their alliance with Vladimir Putin and I'm not sure where China shakes out in all of this, as you look at the geopolitical workup – Iran, Russia, China, tell me your concerns.

📍 China 🔍 Vladimir Putin 🔍 geopolitical workup 🔍 Iranian proxy wars

🗣️ Negative

Donald Trump



182

I don't worry about a thing. Everything is under control. Don't worry about a thing. You are right, we did that for Israel. Jerusalem, as you know every president said, we're going to – you know, move the embassy to Jerusalem, it becomes the capital of Israel. Every president said, we're going to do it, we're going to do it, none of them did it. I did it. The Golan Heights – for 52 years, they talked about the Golan Heights.

📍 Golan Heights 📍 Israel 📍 Jerusalem 🔍 president

🗣️ Negative



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I did it. They didn't do it. And I understand why, because you get here, there's a lot of people calling, begging you not to do it for other countries, heads of countries. But presidents of all practically, all said they were going to do Golan Heights, they were going to do Jerusalem, they didn't do it. And then terminating one of the worst deals ever made, the Iran deal.

📍 Jerusalem 📍 Iran 🔍 lot of people 🔍 worst deals

🗣️ Negative

### Donald Trump



184

That was made by President Obama, paid \$150 billion – paid \$1.8 billion in cash. I terminated that and Iran is a much different country. I will tell you, much different today than when I took over. When I took over, it look like there was no stopping them. Right now, they've got problems.

📍 Iran 💰 \$1.8 billion 💰 \$150 billion 🗣️ President Obama 🔍 much different country 🔍 different today

🗣️ Negative

### Sean Hannity



185

Will you say they will never get nukes? They'll never get nuclear weapons?

🔍 nuclear weapons

🗣️ Negative



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But we'll see what happens. I would say, if I were you, don't worry about a thing.

🔍 don't worry 🔍 thing

👎 Negative

### Sean Hannity



187

What about Putin and China?

🔍 Putin 🔍 China

👍 Neutral

### Donald Trump



188

Well, they were forced together by President Obama, and you never like to see that what they were forced together by his attitude and by what they did. When I got here, they were getting very close. But we are doing things that nobody will be able to compete with in so many different ways. Second of all, we're going to have a good relationship with Russia and we're going to have a good relationship with China.

🔍 Russia 🔍 China 🔍 President Obama 🔍 good relationship 🔍 different ways

👎 Negative



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It's very important that we do. They are powerful nations and we are a very powerful nation. And I've rebuilt our military to a level that nobody thought possible - \$716 billion last year. Nobody thought - it was depleted when I got in. They had planes that were so old, they couldn't fly. And our military is almost completed in terms of being rebuilt.

powerful nations powerful nation military

Negative

### Donald Trump



190

We are doing missile --

missile

Neutral

### Sean Hannity



191

A lot of money.

lot of money

Positive



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192

– and missile technology that nobody's even seen before.

🔍 missile technology 🔍 nobody

👍👎 Neutral

### Sean Hannity



193

Mr. President, I would--

🔍 Mr. President

👍👎 Neutral

### Donald Trump



194

And think about do we announce it or do we not announce it? But we have tremendous – you know, the levels of sophistication like you've never seen. With all of that being said, I want to get along with Russia, and I think we will. I want to get along with China, and I think we will. I'm meeting actually both of them next week in Japan at the G20.

🇷🇺 Russia 🇨🇳 China 🇯🇵 Japan 🔍 next week 🔍 levels of sophistication 🔍 G20

👍 Positive



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### Sean Hannity

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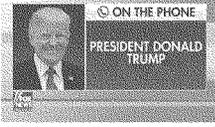
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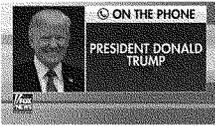
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Mr. President -- [Crosstalk]

Mr. President [Crosstalk]

Neutral

Donald Trump



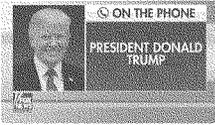
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-- the United States gets along. The Russian witch hunt really hurt us in terms of our relationship with Russia. I think it was just hurt -- I think it hurts in terms of relationship with a lot of people, but we have very good relationships with countries, and sometimes countries you wouldn't think so, because I've said, you have to pay for NATO.

NATO United States Russia Russian witch hunt good relationships terms of our relationship

Negative

Sean Hannity



197

Mr. President --

Mr. President

Neutral



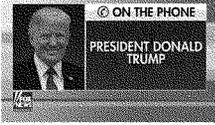
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Donald Trump

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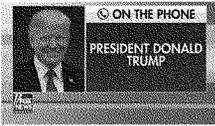
198

You know, the United States is paying for NATO. You have a lot of countries that were delinquent in their payments to NATO. I got them to pay over hundreds of billions of dollars toward NATO. But I think we are going to get along with a lot of countries, but those two in particular, I think we're going to have -- I hope we're going to have a good relationship.

🏠 NATO 🔍 lot of countries 🔍 United States 🔍 good relationship

👍 Positive

### Donald Trump



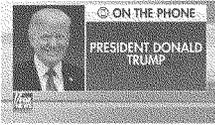
199

But we are a very strong country again, and we are respected again, Sean.

🔍 strong country

👍 Positive

### Sean Hannity



200

I hate to interrupt you, but I actually took 15 minutes of Laura Ingraham's show. But I want to tell you --

🕒 15 minutes 🔍 Hannity and Laura Ingraham

👎 Negative



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201

I know that, Laura must not be happy right now.

🔍 Laura

👍 Negative

### Sean Hannity



202

It's her birthday today, sir. I thought you might want to know that.

🔍 birthday today   🔍 sir

👍 Positive

### Donald Trump



203

She's a great person. I tell you what, I know her for a long time and she's a great person.

🔍 long time   🔍 great person

👍 Positive



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204

So, you can tell Laura yourself happy birthday and thank you for being with us. Laura, happy birthday for me. And the president I think would like to wish you a happy birthday.

happy birthday president Laura

Positive

Donald Trump



205

That's right.

Neutral

Laura Ingraham



206

Hey, Mr. President.

Mr. President

Positive



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Donald Trump

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207

Thank you, happy birthday. Wow. That's right. We've known each other a long time, and congratulations on your show. It's a big success, Laura, big success.

🔍 big success 🔍 long time 🔍 happy birthday

👍 Positive

Laura Ingraham



208

I appreciate it. Thanks so much, Mr. President.

🔍 Mr. President 🔍 Thanks

👍 Positive

Donald Trump



209

Thank you.

👍 Positive



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Laura Ingraham

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210

If you want to stay on for another few minutes, that's fine, but I don't want to take Hannity's interview and take the baton -- [Crosstalk]

🔍 0:04:55 🔍 Hannity's interview 🔍 0:05:00

👍👎 Negative

### Donald Trump



211

Could you imagine if she has the baton, we hand off to Laura.

🔍 before 🔍 Laura

👍 Positive

### Laura Ingraham



212

All right, Mr. President --

🔍 Mr. President

👍👎 Neutral



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# 213

I want to thank you both. But I'll tell you what, you're great patriots, you love our country, and you know what's happening, and I really appreciate it, and so does everyone else. And that's why you do as well as you do. They do appreciate it. They really get it. The people of this country, they get it. They are smart.

[great patriots](#) [country](#) [people of this country](#)

Positive

## Laura Ingraham



# 214

Mr. President, did you get briefed on this Syrian attack or planned attack on a Christian church in Pittsburgh yet? News broke this evening --

[Pittsburgh](#) [Mr. President](#) [Christian church](#) [Syrian attack](#)

Negative

## Donald Trump



# 215

I have been told about it and little detail, and I'm going to meet a little later about it, actually, tonight.

[little detail](#) [tonight](#)

Negative



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## Laura Ingraham

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216

It looks like tragedy was averted, thankfully.

🔍 tragedy

👍 Positive

### Donald Trump



217

Yes, that's right.

🔍 that's

👍 Positive

### Laura Ingraham



218

Another concern. Mr. President, thank you so much.

🔍 Mr. President   🔍 concern

👍 Positive



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DONALD TRUMP · Published May 6

# Transcript: Fox News interview with President Trump

Fox News



00:00 / 21:26



## President Trump on Venezuela, 2020 contenders, and the Russia investigation

President Trump sits down with Fox News chief intelligence correspondent Catherine Herridge for a wide-ranging interview in the White House.

*The following is a transcript of President Trump's May 2 interview with Fox News.*

CATHERINE HERRIDGE: President Trump, thank you for being with us.

PRESIDENT TRUMP: Thank you very much Catherine.

HERRIDGE: Did the attorney general make the right call, refusing to go to the House Judiciary Committee because he'd take questions from Committee staff lawyers?

TRUMP: Well I think so, it's not up to me, it's up to him. And they were going to treat him differently than they've treated other people. And of course we've been treated differently to start off with. We've gone through so many investigations, everybody. And it's so ridiculous. No obstruction, no nothing -- there's been no nothing. There's been no collusion, there never was, they knew that from day one.

HERRIDGE: Let me ask you --

TRUMP: He should be -- he should be treated the same way as other people are treated, and they're not doing that.

HERRIDGE: So he's not being treated fairly? Is that what you're saying?

TRUMP: Not when they want to bring in people -- outside people to interview him, or other people on staff. I mean they're politicians, they're supposed to be good at doing it, and I don't -- I thought he was -- I thought he was fantastic yesterday, he was very truthful, very straight up, a very solid person. A great person, and I think that no, they're not treating him fairly.

HERRIDGE: I want you to respond to some comments from the chairman of that committee, Jerry Nadler. He likened you to a quote, "Dictator" today and he's threatened to hold the attorney general

1/2/2020

Transcript: Fox News interview with President Trump | Fox News

in contempt.

TRUMP: Well look, I had been probably a person that's given more to (AUDIO GAP). Documents -- hundreds of people have been interviewed, I've allowed lawyers to be interviewed. I didn't have to do any of that, I could've used presidential privilege, but I've been the most transparent president in history.

I don't think anybody has been as open as I have, and you know the reason I was? Because I didn't do anything wrong, I didn't do anything with Russia. So I said, "Give them all the documents you want, give them all the people you want."

Somebody told me there was 500 people that were interviewed, I could've stopped all of it. I didn't do that, and now we win with Mueller, where they come up very strongly with no collusion, and no obstruction -- no nothing. We win very strongly, and now they want to do it all over again?

Now we won in the House, we won in the Senate because Senator Burr said there's been no collusion, so we won ... through that. We won here, I mean the Mueller report was a total win -- but think of it, we go through this, this is two and a half years now I've been going through the same thing, and the guilt is on the other side not on our side -- the guilt is on the other side.

HERRIDGE: Are you saying the House Committee should be satisfied with the findings in the Mueller report, and they should not do independent oversight?

TRUMP: Well I think they should be satisfied with the findings, they spent \$35 million -- or somebody told me today maybe \$40 million on the Mueller report. They had 18 people, most of whom -- I think all of whom disliked Donald Trump. They were Democrats, they contributed to the campaign of Hillary Clinton.

They had conflicts all over the place, and it still came out no collusion. I can't imagine they can keep doing this, this is done just to try and bring me down to a -- and I had my highest poll numbers today which is -- you'll have to explain that to me, because with all that we do I had my best poll numbers.

So with -- yes, I think they're treating this very unfairly, I think it's time to get down to business. I want to do infrastructure, I want to do prescription drug pricing, low. I want to do all the other things that we want to do. Nobody's done more. It's an incredible thing, Catherine.

Nobody's done more than President Trump and this administration in two and a half years, ever in their first two and a half years. And despite that, I'm wasting time with all of this stuff, it is very unfair. And I think they're treating our attorney general, who is a highly respected man, very unfairly.

HERRIDGE: Would you be comfortable if your attorney general was held in contempt?

TRUMP: Well, I'll have to ask him. I really don't know -- as far as I'm concerned I don't know how you could do a thing like that. Again, we've been the most transparent in the history of this country --

1/2/2020

Transcript: Fox News interview with President Trump | Fox News

there's never been a president that has allowed them to take every document. I didn't have to give -- you know the law better than anybody. I watch you all the time, I think you're terrific --

HERRIDGE: I've never been to law school, just to let you know.

TRUMP: But you know the law better than the lawyers, that I can say. But, I don't have to give -- I didn't have to give all of this documentation -- probably in the end I would have had to give none.

I didn't have to get all these testify, I let them all do it because we did nothing wrong, I knew that. They found nothing. With all of this, they spent \$35 to \$40 million, they found nothing.

So yes, I think we've been treated very unfairly. And they're doing it not for any legal reason, they're doing it for a political reason because they want to -- want-- look, they want to win a race in 2020, and I see what they're up against today.

I see where Biden put in a statement -- or a strong statement that China's not a big problem. Well China is a big problem. We're losing \$500 billion a year to China. There's a great hostility. There's a great -- China's a big problem. And when somebody says that it shows they don't know what's happening.

HERRIDGE: Let me ask you on China, what's it going to take to close the deal with China?

TRUMP: Well, we are very close to a deal with China. But it's a question of whether or not I want to make it. I mean we're going to make either a real deal, or we're not going to make a deal at all.

And if we don't make a deal we're going to tariff China, and that'll be fine. We'll -- frankly we'll make a lot of money. You know you saw the deficit going down. You see the 3.2, which was highly -- you know the GDP was 3.2 first quarter. Always the worst quarter, and we had a tremendous first quarter.

This country is doing well. This country is doing probably better economically than it's ever done before. We have the best unemployment numbers we've had in 51 years, soon to be historic.

HERRIDGE: Let me ask you President Trump, where are you willing to give with the Chinese?

TRUMP: Well look, I have a very good relationship with President Xi, but as I explained to him, I don't blame them because they ripped off our country and we allowed that to happen. I blame past presidents and representatives for allowing this to happen.

Representatives of our country, why did they let this happen? Why are we losing \$500 billion -- for years, \$500 billion a year. We -- we rebuilt China. They took advantage of us on trade like nobody in history has ever taken advantage of anyone.

1/2/2020

Transcript: Fox News interview with President Trump | Fox News

Now we're making either a great deal or we won't make a deal at all. And if we don't make a deal at all, we'll use tariffs and we'll get back to (inaudible).

HERRIDGE: (Inaudible) White House meeting with the Chinese president?

TRUMP: I think it could happen. It depends where we are. I mean we're, you know, very far along on a deal. Intellectual property theft. We're covering a lot of ...

HERRIDGE: Are you optimistic – are you optimistic about a June meeting?

TRUMP: I think we can probably do that. Yes, I do. I think we can do that. Yes.

HERRIDGE: I want to come back to the attorney general, because the House Speaker Nancy Pelosi made a very serious charge today. She accused him of lying during his April testimony about his conversations with Mueller and Mueller's concerns.

Should the attorney general have volunteered to Congress during his April testimony that he had received the letter from Mueller and that Mueller had concerns about this notification to Congress and context?

TRUMP: Well, I know nothing about it. You're just telling me that for the first time. But I will say this, that we gave the entire report, 400 and some odd pages, so whether it was a little bit down road, which of course they want to be able to read it and they want to be able to see it.

But any letter that was written or any statements that were made, we have been -- I think they held back about 8 percent, and that's because they had a legal reason to hold 8 percent. It was redacted, and even that I understand is a big deal. But we gave the entire report. So I don't think a letter makes any difference.

HERRIDGE: Maybe let me rephrase that.

TRUMP: Please.

HERRIDGE: Yes. Do you think the attorney general should have been more forthcoming during his April testimony and volunteered to lawmakers that he had received a letter from Robert Mueller and that Robert Mueller had concerns.

TRUMP: I really don't know the subject. I really don't know what the complaint is. I think that ...

HERRIDGE: The complaint is about the attorney general's notification to Congress lacking context and really not effectively communicating the nature and the substance of the investigation.

TRUMP: Well, of the investigation or what was in the agreement – I mean what was in the pages?

HERRIDGE: What was in the four page letter from the attorney general.

TRUMP: Well, the four page letter really was followed by 400 and some odd pages very shortly thereafter with very little redaction. So if you look at it, he (ph) was very open. Again, he was very transparent. We could have redacted -- again -- you know, we could have redacted 90 percent of it. We didn't have to give it at all.

You know it was my prerogative. I didn't have to give that 400 page document at all. I could have held it back. In fact, Rod Rosenstein, I believe, wanted to hold it back. Others wanted to hold it back. People said you don't really have to give it at all.

HERRIDGE: The deputy -- the deputy -- excuse me for interrupting. The deputy attorney general ...

TRUMP: I heard that his recommendation -- no it wasn't like you have to or we can't -- but we had the right. I had the right to hold back that document if I wanted to -- or they did. They didn't do that.

They gave the entire 400 and some odd page document and that was made by the attorney general and perhaps the deputy, but there were people that said you didn't have to do it at all. We gave it. So we were very transparent. I can't imagine, Catherine, being more transparent.

HERRIDGE: After everything that's happened today, under what circumstances would you allow the White House Counsel Don McGahn to testify to Congress about the Special Counsel investigation?

TRUMP: Well, he's been testifying for so many hours, 30 hours. I allowed him to testify. Nobody else would do that. I did that because it wouldn't matter to me. He can say whatever he wants to say. I did nothing wrong. I knew that.

And if I thought I did something wrong, I don't know what I'd do. I wouldn't have probably let anybody testify. But I let everybody. Again, almost 500 people they interviewed and there's never been anything like this.

Now, they've already testified. I don't want to go through this -- and what's going to happen when we're finished with the House? Then we're going to do another one with the Senate, then we're going to do another one with somebody else?

Look, I think what they should be focusing on is how did this mess start? How did this whole investigation start, because I think it's corrupt as hell, and I think what's happened between Comey and McCabe and Brennan and all of these people -- and Strzok and his lover, Lisa Page; there's tremendous things that people want to find out, and they really want to find it out and I hope they're going to.

HERRIDGE: Is there a timeline on when the public will see these Russia records declassified?

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TRUMP: Yes, I'm going to be allowing declassification pretty soon. I didn't want to do it originally because I wanted to wait, because I know what they -- you know I've seen the way they play. They play very dirty. So I decided to do it, and I'm going to be doing it very soon, far more than you would have even thought?

HERRIDGE: May, June, July?

TRUMP: No, soon. I mean whenever they need it. Whenever they need it I'll be doing it but I will declassifying it. Everything.

HERRIDGE: Director Comey wrote in the New York Times; he called you quote "a moral" and that this has rubbed off on the attorney general and the deputy attorney general.

TRUMP: Well Comey leaked and he lied. He lied in front to Congress. He was sworn testimony, classified information. I did a terrible job. Everybody wanted him fired -- you now everybody; Schumer, every Democrat almost, every Republican, almost-- probably 100 percent, but I say almost just to say it so there's no mistake.

But I -- I read quotes from Schumer and prior to my firing every wanted him gone. He did a lousy job. He was a terrible director. Terrible. There was dissension in the FBI.

HERRIDGE: Can I ask you a question President Trump?

TRUMP: Yes.

HERRIDGE: If you take Director Comey out of the equation and his actions in 2016 and 2017, would the country be where it is today?

TRUMP: I think that he did a terrible job. I would say he probably, say he probably led some kind of an effort. The word spying has been used. He probably was one of the people leading the effort on spying.

HERRIDGE: That's a very serious charge to make.

TRUMP: I know, I know, and we'll find out whether or not it was true, and I think it could very well be true, but we're going to find out pretty soon.

HERRIDGE: On Venezuela, if Juan Guaido is detained or physically threatened, how will the U.S. respond?

TRUMP: Well that won't be a good thing, that would be very unfortunate. He's actually a brave person, and because I know what he's going through -- I'm speaking to our people all the time. He's a brave guy, and what's happening in Venezuela is sad.

1/2/2020

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When you look at 20 years ago it was one of the wealthiest countries in the world, if you think about it, and now they don't have food, and they don't have water and people are dying from hunger. It's a very, very serious situation.

HERRIDGE: What are your red lines in Venezuela?

TRUMP: I don't want to say, but we have lots of options and some of them are very tough options.

HERRIDGE: Is there a tipping point for military intervention?

TRUMP: There's always a tipping point, but certainly I'd rather not do that. I just want to help the people -- the people are dying. They have nothing, these were people that were living well 20 years ago. Catherine, they have nothing, they don't have water and food -- and they're dying of hunger right on the border, it's terrible.

HERRIDGE: I want to talk about 2020 --

TRUMP: OK.

HERRIDGE: Have you told the Russian president to back off the 2020 election?

TRUMP: I don't think I've spoken to him about the 2020, but I certainly have told him you can't do what you're doing. And I don't believe they will be -- I don't believe they will --

HERRIDGE: Have you been very firm with the Russian president on that point?

TRUMP: I think so, I think I have been. I think nobody's done more about Russia than I have. President Obama in September, before the November election -- my November election, if you look he was told by the FBI and others, he did nothing about it.

HERRIDGE: What could he have done?

TRUMP: Well he could have done something, I mean he could have called out to Putin (ph) and he could have said let's look at this very closely -- he did absolutely nothing, because he thought that crooked Hillary, was going to win the election and she didn't even come close.

So it's just one of those things, you know? And it had nothing to do, by the way, with Russia because everybody said it didn't affect the vote, you've heard that many times it didn't affect the vote. But I don't want Russia or anybody else playing around with our elections.

HERRIDGE: Senator Graham said to CBS last weekend that he would support more sanctions, not less -- what's your position?

TRUMP: On what?

1/2/2020

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HERRIDGE: On Russia.

TRUMP: Well I think we've done a lot of sanctioning of Russia. I brought up the pipeline, I'm helping Ukraine far more than President Obama did. We're doing a lot of sanctions on Russia, I've signed a lot of sanctions on Russia.

You know, eventually we want to be able to get along with countries too, you have to remember that. Whether it's Russia, or China, or anybody else. But again, nobody has been tougher on Russia than Donald Trump.

HERRIDGE: I want to ask you about politics.

TRUMP: OK.

HERRIDGE: Another Democrat entered the race today, is it Joe Biden's nomination to lose (ph)?

TRUMP: Who's the other Democrat that entered?

HERRIDGE: It was the Colorado Senator, I believe Bennett.

TRUMP: He's not going to win.

HERRIDGE: Is it Joe Biden –

TRUMP: I think that Biden seems to have the lead, I'd be very happy if it were Biden.

HERRIDGE: Happy why?

TRUMP: Sleepy Joe – I think he does – I think he did a bad job, I'd be running against President Obama.

HERRIDGE: So you think he's beatable?

TRUMP: I just don't think he'd be a very good candidate. I mean, we'll see what happens -- I hope. You know, I wish him well -- I'd like him to get it, I'd be happy. I'd be happy with Bernie. I personally think it's those two.

HERRIDGE: Between those two?

TRUMP: I think it's between those two, I don't see anybody else (inaudible). Now in my case --

HERRIDGE: Who would you rather face?

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Transcript: Fox News interview with President Trump | Fox News

TRUMP: I announced, and I think I was pretty much right at -- I know I was at the top from the beginning. I think he is now leading, Bernie would be second -- we'll see what happens.

HERRIDGE: Who would you rather face?

TRUMP: Well I don't want to say that to you, but I don't think it matters very much. I think we're going to do well. We have the strongest economy that we've ever had, we're doing phenomenally.

We have the best unemployment numbers, African American, Asians, Hispanics -- best numbers we've ever had. Women -- the best in 61 years, unemployment numbers, job numbers, wealth numbers -- we have the best numbers. We -- I think we have the best economy we've ever had and we have more people, Catherine, working right now than ever in the history of our country. So I don't know why somebody beats that.

HERRIDGE: I'd like to you comment on some statements the vice president made while he was campaigning in Iowa. He said, China is, quote, "Not competition for us," for the U.S.

TRUMP: Are you talking about -- which vice president?

HERRIDGE: Vice -- I'm sorry, former Vice President Biden. I apologize.

TRUMP: Oh, the current vice president is much more talented. He wouldn't have made that statement.

HERRIDGE: Pardon me.

TRUMP: Mike Pence would not have made that statement. Everyone's competition. I view everybody of competition.

HERRIDGE: Is he being naive about China?

TRUMP: Oh, he is very naive about China. China -- right now, we lose \$500 billion. After I sign the deal, there won't be anything like that. China just, during the Obama years in particular, just took advantage of our country so badly. A very, very big competition, China. And I've stopped it, and I am stopping it.

You know, during the course of the last two and a half years, we've gone up \$17 trillion in value. China's gone down \$17 trillion. China, as you know, has taken a very, very big hit, because of the tariffs and everything else I've imposed. We'll see whether or not we have a deal.

We have a very big chance to have a great deal. But for somebody to be naive and say that China's not a problem, if Biden actually said that, that's a very dumb statement to make.

HERRIDGE: That's the quote, "Not a competition for us."

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Transcript: Fox News interview with President Trump | Fox News

TRUMP: Yes, that's a very foolish statement.

HERRIDGE: Should the former vice president explain himself on his feelings in Ukraine and whether there was a conflict –

(CROSSTALK)

TRUMP: Oh, I hear it's – yes, I hear it's a very serious problem. Sure.

(CROSSTALK)

HERRIDGE: – with his son's business interests?

TRUMP: I'm hearing it's a major scandal, major problem. Very bad things happened, and we'll see what that is. They even have him on tape, talking about it. They have Joe Biden on tape talking about the prosecutor. And I've seen that tape. A lot of people are talking about that tape, but that's up to them. They have to solve that problem.

HERRIDGE: You retweeted a story from "The New York Times" today.

TRUMP: On what?

HERRIDGE: On Biden, the former vice president –

TRUMP: About that – or about Ukraine?

HERRIDGE: – Ukraine?

TRUMP: Yes.

HERRIDGE: Ukraine, yes.

TRUMP: Yes – no, I think it's a big problem for him.

HERRIDGE: This is not fake news on that story?

TRUMP: It might not be. I hope for him it is fake news. I don't think it is.

HERRIDGE: I know that we want to wrap up, but I just have a few more questions –

TRUMP: Go ahead.

HERRIDGE: – if that's OK? Thank you very much. I just want to be clear on Don McGahn, under what circumstances would you allow him to testify to Congress about the special counsel

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investigation?

TRUMP: Well, I've had him testifying already for 30 hours.

HERRIDGE: Was the answer no –

TRUMP: And it's really – so I don't think I can let him and then tell everybody else you can't, because – especially him, because he was a counsel. So they've testified for many hours, all of them, many, many, many people.

(CROSSTALK)

HERRIDGE: So as far as you're concerned, it's really kind of done? It's not –

(CROSSTALK)

TRUMP: I can't say well, one can and the others can't.

HERRIDGE: OK. So is it done?

TRUMP: I would say it's done. We both knew this. Nobody has ever done what I've done. I've given total transparency. It's never happened before like this.

HERRIDGE: So Congress should be –

TRUMP: They –

HERRIDGE: Congress should be –

TRUMP: – they shouldn't be looking anymore. This is all – it's done. Even my finances, it must've been looked at for \$35 million. I assume they looked at my taxes. I assume that Mueller looked at my financial statements.

For \$35 million and having 20 people plus 49 FBI agents and all of the staff and all of the money that was spent, they – I assume they looked at my taxes, which are fine. And I assume – except they are under audit, by the way. I will tell you that officially, because –

HERRIDGE: And the New York attorney general's coming at you pretty hard.

TRUMP: Well, she campaigned on the fact that "Oh, I'm going to get Trump. I'm going to get Trump." So right there, she's precluded from doing anything. I mean can you imagine somebody campaigning who doesn't know anything about me? And she's campaigning on that fact.

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So I assume that, for the \$35 million, they've gone through everything – my taxes, my financial statements, which are phenomenal. They've got through everything, and I'm so clean. Think of it. After two and a half years and all of that money spent, nothing. Very few people could have sustained that.

HERRIDGE: I'm getting the wrap up signal, but if I could get two more questions in.

TRUMP: No, I've got to go but we'll do another one.

HERRIDGE: OK. Yes. Can I – all right –

(CROSSTALK)

TRUMP: I have that group waiting for me.

HERRIDGE: Yes. Can I just do – can I do just one final question.

TRUMP: Go ahead. One more.

HERRIDGE: OK. How did the deputy attorney general explain media reports that he discussed secretly recording you and invoking the 25th Amendment?

TRUMP: I don't know – I don't know what happened. I mean that ...

HERRIDGE: Did he have a phone call with you about it? Did he explain it on Air Force One?

TRUMP: I mean honestly I'd much rather have you ask him that question. It sounds a little bit farfetched frankly but a lot of things in this case are far-fetched. But I got along with him, and I think that question you'd probably have to ask him.

HERRIDGE: OK. Is there anything you want to add?

TRUMP: No, I think it's fine

HERRIDGE: OK. All right. Thank you very much for the opportunity. I hope we'll be able to do it again.

TRUMP: Thank you. Good. We will do it again. Thank you Catherine. I appreciate it.

HERRIDGE: Thank you. Thank you very much.

TRUMP: Appreciate it.

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TRANSCRIPT · Published April 7

# Giuliani slams Mueller leak

Fox News



00:00 / 09:46



## Giuliani slams Mueller leak

New York Times reports on frustrations with Barr.

*This is a rush transcript from "MediaBuzz," April 7, 2019. This copy may not be in its final form and may be updated.*

(COMMERCIAL BREAK)

HOWARD KURTZ, HOST: On "MediaBuzz" this Sunday, Robert Mueller's prosecutors leaked words to The New York Times that their findings are far more negative toward President Trump than the attorney general summary says.

(BEGIN VIDEO CLIP)

RACHEL MADDOW, MSNBC HOST: You mean to tell me that maybe the Mueller report isn't exactly as exciting and positive and exculpatory for the president as the Trump administration and conservative media and congressional Republicans would have you believe? Really? Who could have seen this coming?

UNIDENTIFIED MALE: If Bill Barr in any meaningful or significant way had mischaracterized the bottom lines of Robert Mueller, I think we would have heard from Robert Mueller saying that is not true.

LAURA INGRAHAM, FOX NEWS HOST: OK. So now we're to believe that the sainted figure Mueller has become either muzzled or in some way manipulated? Fat chance.

(END VIDEO CLIP)

KURTZ: Is the press trapped by the spinning of unnamed sources? Rudy Giuliani, the president's personal lawyer, will be here. The media deeply divided over Joe Biden as women accuse him of unwanted touching with liberal pundits who know him leading the defense.

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(BEGIN VIDEO CLIP)

JOE BIDEN, FORMER VICE PRESIDENT: I'm sorry I didn't understand more. I'm not sorry for any of my intentions. I'm not sorry for anything that I have ever done. I've never been disrespectful, intentionally, to a man or a woman.

MIKA BRZEZINSKI, MSNBC HOST: He is a nice guy, he's not a predator, and this is ridiculous. And Democrats and those on the left who want to tweet me today and go nuts and get all woke, you're eating your young.

(END VIDEO CLIP)

KURTZ: But commentators on the left who find the former VP insufficiently liberal along with some conservatives are far more critical of his conduct.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: I'm not sure that somebody who is so out of step with where this sort of energy in the Democratic Party is needs to get into this race and sort of swim against the tide, right?

UNIDENTIFIED FEMALE: If he were pushing policies right now more progressive than where the Democratic Party is or even on the more progressive end of where the Democratic Party is, that would be one thing.

UNIDENTIFIED FEMALE: If this was a Republican, it would be called groping. He would be disqualified from ever running from public office. Again --

SEAN HANNITY, FOX NEWS HOST: Creepy, crazy Uncle Joe Biden, he's facing a serious backlash for, you guessed it, being creepy.

(END VIDEO CLIP)

KURTZ: Does the press give you the benefit of the doubt when you're a Washington insider? Plus, journalists are accusing the president of reversing himself on health care and on closing the borders. He dismisses that. Who is right here? I'm Howard Kurtz and this is "MediaBuzz."

The media anxiously in some cases breathlessly await the Russia report. The New York Times says that some of Bob Mueller's investigators believe William Barr failed to portray their findings as more troubling for the president than he indicated, that according to government officials and others familiar with their simmering frustrations.

And joining me now here in Studio One is Rudy Giuliani, the president's personal lawyer, welcome.

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RUDY GIULIANI, PERSONAL LAWYER OF PRESIDENT DONALD TRUMP, FORMER NEW YORK MAYOR: Howard, how are you?

KURTZ: I'm great. Some of these unnamed sources telling the Times that the Barr summary doesn't reflect damaging evidence they say they have on the president. Are you concerned first of all about these leaks?

GIULIANI: I'm very concerned about the leaks. I'm not concerned about the report. I would like the whole report to be out. I think we can handle it. I think it will show that the president didn't do any of the things he has been accused of.

KURTZ: Let me stop you right there. You would like the whole --

GIULIANI: I would like the whole report out. I mean, I can't do that because I can't deal --

KURTZ: I understand.

GIULIANI: -- with the grand jury --

KURTZ: The president wants the whole report out.

GIULIANI: Of course, he does.

KURTZ: And without redactions?

GIULIANI: The president will be very satisfied if the whole thing came up but it's up to the attorney general. I'm not -- I am a lawyer and I realize that Democrats are exploiting the fact that the A.G. is in a difficult position. There is grand jury secrecy. There is classification. Their reputation is used to consider on (ph) their ongoing investigation.

KURTZ: Right.

GIULIANI: But putting that aside, that leak really indicates all you need to know about Mueller's prosecutors. Leaking like that and they don't leak, that's been the biggest canard in this investigation. KURTZ: Journalists who covered the investigation said that was a very tight ship. But until now, clearly there has been --

GIULIANI: Journalists covering the investigation would call me up and say, "We just got this from the special counsel's office, how do you respond to it?" It could have only come from the special counsel's office. There are memos they only had that were put out.

KURTZ: Why --

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GIULIANI: How about CNN being there when Roger Stone's house was raided in the early morning hours? KURTZ: CNN says it wasn't tipped off by Mueller.

GIULIANI Oh, they just kind of figured they were going to be there that day? So, OK --

KURTZ: Why --

(CROSSTALK)

KURTZ: -- if the story is true, why shouldn't the newspaper report that Mueller's prosecutors feel that this is not an adequate --

GIULIANI: There's something wrong with the prosecutor. But here is what it tells me. It tells me they don't have anything. Because if they were malicious enough to do that and they had a smoking gun, they wouldn't just say in general, you know, it's very damaging. They would have said -- in fact, a good reporter would have asked, give me an example.

KURTZ: They might have asked.

GIULIANI: But they didn't get an answer.

KURTZ: Right.

GIULIANI: Because there isn't anything.

(LAUGHTER)

KURTZ: Well, sources close to Barr say that he is unhappy in the same Time story being put in the position having to decide on whether to indict on obstruction because Mueller essentially punted on that front (ph). But here is the thing. House Democrats, as you know, mayor, have moved to subpoena the report and -- but the White House has a problem with that.

GIULIANI: The White House has problem with their getting the report?

KURTZ: Getting the report with the grand jury information in there on theory that --

GIULIANI: That's up to the A.G.

KURTZ: -- they will protect it and not --

GIULIANI: Well, they are not going to protect it.

KURTZ: You don't think so?

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GIULIANI: Have they ever protected anything in the last five or six years? I mean, look, this is a joke. This is like Jerry Nadler and Cummings and – they all decided he should be impeached a year ago, a year ago. Nadler was overheard on the train lining up the impeachment.

KURTZ: But there's no serious talk of impeachment now, according to Nancy Pelosi.

GIULIANI: But they prejudged the president -- collusion, collusion, collusion. I was just on with Jerry Nadler. He still thinks there may be evidence of collusion, could have been clear on collusion. So, you're really asking the president in all the circumstances of subpoena to go before a kangaroo court.

It is like saying, oh, you know, I'm going to execute you but I will you a trial first. That's essentially how unfair they've been, nothing like Watergate. When Watergate was going on, the committees were circumspect, were judicious. They had the Watergate report for 37 years and it never leaked. These guys can't hold on to a piece of paper for two days before it leaked.

KURTZ: Are you accusing the House Judiciary Committee controlled now by Democrats, obviously there are Republicans --

GIULIANI: Of being biased?

KURTZ: Of running a kangaroo court.

GIULIANI: Of course. Nadler shoot his mouth off too much. There are too many quotes from him. Let's just talk about the House Judiciary Committee. They have a fire house. The other congressman who announced that he's guilty of collusion, that they have evidence of collusion, where is the evidence of collusion? Why aren't they called to account for lying? Cohen goes before the House of Representatives.

KURTZ: Michael Cohen.

GIULIANI: He commits perjury at least five times, two of them demonstrable.

KURTZ: He is going to jail.

GIULIANI: He should go to jail for that perjury and not for the earlier perjury.

KURTZ: There is another charge of line to Congress.

GIULIANI: I don't see Cummings asking for him to be prosecuted. Remember Cummings to the beginning of the hearing said to him, "If you lie now, we will throw the book at you." He lied once, twice, three times, four times. I got tapes to prove his lying. I don't see Cummings throwing the book at him.

KURTZ: Where are these tapes? Are you going to provide these tapes?

GIULIANI: He has them. Chris Cuomo -- he said, "I never asked for a job." I could play Chris Cuomo's tape saying, "I asked for the job of chief of staff to the president of the United States." Direct lie. Direct perjury. It is -- it is required really when somebody cooperates and then they lie after that a prosecutor prosecutes.

KURTZ: Speaking --

GIULIANI: That is part of the prosecution agreement.

KURTZ: You were on with Chris Cuomo. You said that he should apologize and CNN should apologize for their coverage of the Mueller --

GIULIANI: Absolutely.

KURTZ: Why?

GIULIANI: Collusion, collusion, collusion, collusion, blockbuster. Papadopoulos, blockbuster, it's going to show collusion. Manafort, blockbuster, going to show collusion. Eight times, nine times. Totally biased, prejudice reporting, creating hysteria over what turns out to be something that's not true. KURTZ: I've been critical of the coverage saying that at times it was overwrought and overhyped. I'm talking about all media coverage here. But on the other hand, this was an investigation authorized by the president on deputy attorney general, 37 indictments. I've covered investigations but nobody ended up getting charged. It doesn't mean the stories were illegitimate. And yet you say the networks should apologize.

GIULIANI: They should apologize of overhyping the case.

KURTZ: Yeah.

GIULIANI: For not giving balanced coverage. NBC puts out the Lester Holt interview --

KURTZ: This is the one right after James Comey was fired, right after Comey was fired.

GIULIANI: I just did it this morning. If you go on CNBC and you Google it, you just get the first part of the interview. You got to go to the transcript to get the second part of the interview. It is on the second part of the interview where he completely exculpates himself by saying, "I believe that by doing this, I was going to extend the investigation and make it longer."

How can you be obstructing an investigation? You just extend it by firing -- by firing Comey. But they leave that out. They don't emphasize that. They bury it. In the first time they covered it, they buried. I can give you so many examples of that, my god. The coverage was so biased that it is

embarrassing. They should have apologized. They painted him as guilty before he was proven innocent.

KURTZ: Well, during the coverage, you appeared on just about every network as the president's personal lawyer. During that time, you took a lot of personal criticism from the press. I mean, look, there were some missteps where you had to come up with clarifying statements. Rudy is not good advocate for the president. Do you feel looking back that you were diverting heat from Donald Trump?

GIULIANI: No. I felt like they tried to twist everything you say in a way that they wouldn't have done to Avenatti. I can go on interview with one of them. One of them will be given by the press, softball question, never interrupt. I go on, they begin to interrupt immediately. I can tell. I'm not a jerk. I understand their bias.

Look at Rachel Maddow's face just when – look at how happy she was that maybe there is some evidence of collusion. As an American citizen, she should be upset that there's evidence of collusion. As an American citizen, they should be happy that the president didn't do anything wrong with the Russians. KURTZ: I think that –

GIULIANI: They don't want to give it up.

KURTZ: – whether you support the president or not, I think that outcome is good –

GIULIANI: These people want political.

KURTZ: You're saying this is a double standard. You're saying you have been interviewed in a far more, shall we say, prosecutorial fashion than people on the other side. You're not saying that you haven't made any mistakes in this process.

GIULIANI: Of course, I've made mistakes. How can you not make mistakes with something as difficult as this? I do think they have to credit the fact that we got a pretty darn good result. The guys that represented Bill Clinton walked him in perjury case.

KURTZ: That led to impeachment.

GIULIANI: Yeah.

KURTZ: And acquittal.

GIULIANI: We don't have a perjury. I'm going to tell you why. First of all, the president was telling the truth. Number two is we really avoided him going before a bunch of very angry, rabid Hillary Clinton supporting Democrats. Hey, I'm not making that up.

KURTZ: OK, but that's fine.

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GIULIANI: One of them on that staff was counsel to the Clinton Foundation. That's ridiculous.

KURTZ: But if you look at the record of Mueller -- you spent a lot of time and the president of the United States spent a lot time attacking Bob Mueller. You had high opinion of him before. In the end, he said he found no collusion. He made no recommendation on obstruction of justice. In the end, you have to acknowledge now that he was fair.

GIULIANI: The result is fair. The way they conducted the process wasn't fair, not at all.

KURTZ: If the process wasn't fair, how did it lead to a result you're pleased with?

GIULIANI: Isn't that even better evidence that he's innocent? They tried very hard to frame an innocent man and they weren't able to do it. Do you know how many times they brought Manafort in from solitary confinement and told him he was lying because he wasn't implicating the president? Maybe 13. Thank god, the man has some principles and there is no evidence to corroborate it. But they tried everything they could.

KURTZ: Right.

GIULIANI: Listen to Jerome Corsi. What they did to him?

KURTZ: Right, I got to get --

GIULIANI: How about morning raids on Manafort and Stone? These are not normal prosecutorial and investigative processes in a white collar crime case. This is what you do at a terrorist case.

KURTZ: I got to get to a break.

GIULIANI: And you get criticized by the Times for doing it.

KURTZ: I got to get to break. But just to clarify, Paul Manafort is going to prison after two different --

GIULIANI: He should go to prison for --

KURTZ: But these are unrelated crimes to any collusion.

GIULIANI: You still don't keep in solitary confinement to try to crack him. That's what you do with a terrorist. KURTZ: More with Rudy Giuliani in just a moment as we get into more of this coverage, the subpoenas from the House, and we will talk about Joe Biden a bit as well. Later, the media furor over the former vice president and the women accusing him of making them uncomfortable.

(COMMERCIAL BREAK)

KURTZ: More now with former New York Mayor Rudy Giuliani. Joe Biden, you have worked with him for many years, taken a lot of axe (ph) from the media this past week, eight different women saying

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he engaged in unwanted touching and kissing. As you know, because you were involved in the Stormy Daniels's case, the president has been accused of much worse.

The New York Times news story says President Trump, ignoring his own troubled history with women and bragging about sexual misconduct, went after Joe Biden. Is it fair game to bring that in in the Biden story?

GIULIANI: I like Joe. I've known him for a long time, worked on the crime bill with him. I know him since 1981.

KURTZ: Crime bill was --

GIULIANI: The crime bill that some of the Democrats want to run away from now.

KURTZ: Yeah.

GIULIANI: Clinton passed it. I always liked him very much. I feel bad. It seems to me that these things -- I haven't heard one yet that goes over the line and -- look, I come from an Italian family and I have some relatives --

KURTZ: Yeah.

GIULIANI: That love to hug.

KURTZ: We didn't hug before.

GIULIANI: No, we didn't hug. I hug men. I mean, I'm a hugger.

KURTZ: Right.

GIULIANI: When I was mayor, I used to hug people all of the time. KURTZ: It sounds like you think he's getting a bum deal here.

GIULIANI: Yeah. And I feel sorry about his involvement in the Ukraine thing. Let me tell you my interest in that. I got information about three or four months ago that a lot of the explanations for how this whole phoney investigation started will be in the Ukraine, that there were a group of people in the Ukraine that were working to help Hillary Clinton and were colluding really --

(LAUGHTER)

GIULIANI: -- with the Clinton campaign. And it stems around the ambassador and the embassy, being used for political purposes. So I began getting some people that were coming forward and telling me about that. And then all of a sudden, they revealed the story about Burisma and Biden's son Biden's son --

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KURTZ: Let me just say this to the audience. This is a big Ukrainian gas company. Biden's son, Hunter, served on the board.

GIULIANI: About four, five years.

KURTZ: Yeah. When he was vice president, he actually bragged about this after being in office. He bragged about pressuring Ukraine's president to firing a top prosecutor who was being criticized on a whole bunch of areas but was conducting investigation of this gas company which Hunter Biden served as a director.

My question to you since you brought this up, why would the former vice president of the United States brag about this publicly if he had something to hide as far as the dealings --

GIULIANI: Because -- who knows? But the reality is you just left out a fact that he did. His son was under investigation by that very prosecutor at the time.

KURTZ: His son or the company --

GIULIANI: No, no, no. His son is a named individual in the investigation. His son was on the board. He was making a million dollars a year from the company, a big shot in the company. He was running the company for a while.

KURTZ: Your contention --

GIULIANI: It's not my contention.

KURTZ: Hold on.

GIULIANI: There are two facts --

KURTZ: I have another -- let me ask the question first. You say the media is not giving this much attention. In 2015, The New York Times has a headline. "Joe Biden, His Son and the Case Against a Ukrainian Oligarch."

(LAUGHTER)

KURTZ: Talked about Hunter being on the board of the company, talked about -- raised questions about the vice president.

GIULIANI: Right.

KURTZ: So my point is it hasn't been completely ignored. It's a murky situation.

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GIULIANI: Ignored. That's the best evidence that they don't give fair coverage. They never followed up on it. So what happened after that? The company went under investigation. The company is considered one of the most crooked companies in Ukraine. The owner of the company is a fugitive, Zlochevsky.

Hunter Biden stays on the board, gets millions of dollars a year, while President Obama names him the point man. So Hunter Biden goes on the board two months after Obama names Vice President Biden the point man for Ukraine.

And then the prosecutor is dismissed. The case is taken away from the prosecutor.

KURTZ: Right.

GIULIANI: Given to court that was put together by Soros people.

KURTZ: We are running out of time.

GIULIANI: And they dropped the case.

KURTZ: You are bringing this up now because Joe Biden is about to run for president.

GIULIANI: I'm bringing it up now because I want Ukraine -- I don't care about Joe Biden. I want that Ukraine investigated. Because I think in the Ukraine, we are going to find a lot of answers for how the Steel dossier was put together, how Manafort --

KURTZ: Mayor --

GIULIANI: -- case was revised (ph).

KURTZ: Last question. The president you work for runs the Justice Department. The Justice Department is free to investigate this if there is a case there.

GIULIANI: The Justice Department should investigate this. But it's up to them to take hold of it. So far, there has been no serious investigation of how these phony allegations started. Did a foreign government help in the development of this? How many Ukrainians were involved? Was the embassy in the Ukraine involved in helping to develop some of this evidence? That's all very, very important to pointing out where this started. This was a frame up. Old fashioned frame up.

KURTZ: On that note, Rudy Giuliani, great to have you here in Washington. Thanks very much. Ahead, after days of being battled by the press, Joe Biden defends himself and that is not stopping the story. But on deck, our panel weighs in on Bob Mueller's prosecutors complaining about the attorney general and a major leak to The New York Times.

(COMMERCIAL BREAK)

KURTZ: Joining us now to analyze the coverage of the Mueller report and the leak to The New York Times about his prosecutors being frustrated and unhappy: Mollie Hemingway, senior editor at The Federalist and a Fox News contributor; Gillian Turner, a Fox News correspondent here in Washington; and Mo Elleithee, a former Democratic official and Fox News contributor who runs Georgetown University's Institute of Politics.

Mollie, just as I asked Rudy Giuliani, journalists say that Mueller has run a pretty tight ship throughout this two-year investigation. Suddenly, clearly, there are leakers who are basically saying, hey, we got a lot of bad stuff on Donald Trump and Barr's letter didn't reflect that.

MOLLIE HEMINGWAY, FOX NEWS CONTRIBUTOR, SENIOR EDITOR AT THE FEDERALIST: Right. Well, first off, I do agree that the lack of leaking was a false story. We knew what was going on with the special counsel including that it was really about obstruction of justice as opposed to Russia because they were talking to reporters --

KURTZ: Sometimes defense lawyers talk to reporters.

HEMINGWAY: Sure, sure, but I think that's just an overblown statement that they weren't leaking. What's interesting here and I thought in the second paragraph of that New York Times story, you have this Mueller affiliate saying they are upset that they didn't get to set the narrative.

The fact that they think setting the narrative is an important part of their role I think is something that should be looked at more critically and is not just sort of dispassionate law enforcement angle. They wanted to -- they wanted to smear the president essentially with what they have done in their report. I think that's a very interesting thing and worthy of coverage. I think these media reports actually do show that story pretty well.

KURTZ: Gillian, as I mentioned, William Barr's circle is leaking too, saying he didn't like being put in the position of having to make a prosecutorial call on part of this. So, I think it's true that prosecutors are frustrated. They think that Barr summary has framed the media debate and the more time goes on, the more that could be set in stone, so they are using the press to fight back.

GILLIAN TURNER, FOX NEWS CORRESPONDENT: If we are going to base the story solely on reporting, then we have to accept the fact that two things can be true at one time, maybe they are, maybe they are not in this case, but within hours of that New York Times story going to print the other day, Fox News own justice team got new reporting of their own from Justice Department officials affiliated with Mueller's team pushing back against the specifics, the particular allegations in that story.

They said it's not true that many people who worked for Mueller or that even some people who worked for Mueller are unhappy with the report and how Barr chose -- what he chose to highlight.

KURTZ: Right.

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TURNER: What he chose to share. That's not true. The team is largely happy. So, there are two conflicting sources of reporting here. This is how journalism works, right? It doesn't mean that anybody -- one report doesn't negate the other. We just have to be able to hold two things that arrived (ph) at once.

KURTZ: The president, Mo, tweeting again about The New York Times and media coverage being unfair. Let's put up on the screen one from the other day in which he says, "The New York Times had no legitimate sources, which would be totally illegal, concerning the Mueller report. In fact, they probably had no sources at all. They are a fake newspaper who have already been forced to apologize for their incorrect and very bad reporting on me."

The Times actually has not apologized to President Trump but did express some regret in how they covered the 2016 election. This is something the president often does. He questions whether unnamed sources even exist.

MO ELLEITHEE, FOX NEWS CONTRIBUTOR: Yeah. I think there's a tweet maybe this morning or yesterday in which he attacks the leaks from Mueller's shop while at the same time attacking the media for making -- manufacturing sources. So, there's a little disconnect there.

KURTZ: OK.

ELLEITHEE: Look, I am tired of having a conversation about a report that no one has seen yet. I am tired of the Justice Department and the president declaring victory when no one has had a chance to read it yet. I am tired of --

KURTZ: Including the White House.

ELLEITHEE: Including the White House. I am tired of people who are asserting that there's more in there than Barr is saying who haven't read it yet. I am tired of this whole conversation. I want to see the report. You know, the president has not been let off the hook in my mind until I've read the report. KURTZ: Well --

ELLEITHEE: We haven't seen it yet. Let us see it.

KURTZ: Mollie, you say that Mueller's prosecution is not being in the business of worrying about framing a media narrative, but isn't Barr and the Justice Department doing the same thing? Was it inevitable once they decided through the summary that that might frame a narrative that might be more helpful for to President Trump? HEMINGWAY: Well, no, unless you think that they were wrong when they said that there were no indictments coming out at the end of the probe.

KURTZ: Obviously, that must be true.

HEMINGWAY: I agree. I want to see everything that's in this report as well. But we do know that it ended without a single American, much less a single American close to the Trump campaign being

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indicted for treasonous collusion with Russia. And this is why those anonymous sources are so important.

For many years, we've had anonymous sources alleging that they had great deal of evidence. They selectively leaked certain types of information. And they created the story that there were all these bombshells that we were going to have the president indicted for collusion with Russia. That's why those anonymous sources are so bad. And that is why the media needs to be much more careful about just receiving these leaks without being more critical of them.

KURTZ: I think that's a fair point. Very quick point.

TURNER: The White House a little bit is trying to have its cake and eat it too in this instance. They are trying to say because Mueller found no evidence of collusion, the whole thing, the whole investigation was legitimate. But if they have found collusion, they would have been saying the entire thing was illegitimate.

KURTZ: All right. I got to get a commercial break in here. But ahead, the president visits the border as the press says he has backed off his threat to shut it down. First, Joe Biden faces reporters for the first time since numerous women accused him of inappropriate touching. We will look at media's handling of that sensitive story, next.

(COMMERCIAL BREAK)

KURTZ: Joe Biden has been doing it for many years, the kissing and the hugging and the touching, all in plain sight. But in the days since Nevada Democrat Lucy Flores and seven other women have accused him of inappropriate touching, the media furor prompted the former V.P. to defend himself.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: In my brain I just kept thinking the vice president of the United States smelling me, the vice president of the United States is touching me, is kissing me, and I just don't, I just don't know what to do. I kind of felt frozen.

UNIDENTIFIED FEMALE: Do you think you owe these women a direct apology who have come forward so far?

BIDEN: Well, look, I -- the fact of the matter is I made it clear if I made anyone feel comfortable, I feel badly about that, it was never my attention ever, ever.

(END VIDEO CLIP)

KURTZ: Mollie, Joe Biden was subjected to mocking over the years, we've all seen the pictures and the video, Uncle Joe, has the press been too easy on the former vice president?

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HEMINGWAY: I don't know, I think there's just like a lack of consistency in how we talk about these things and there's a confusion about how to talk about human touching and we don't have a good way of understanding distinctions between inappropriate or unwanted touching and sexual assault.

And it would be just important I think for people not to buy this one type of human engage mint over another. Some people are friendly and touchy, other people are not so. So much that way, and in fact, very much don't like it. You don't want to privilege robotic stoicism over a more personal touch.

KURTZ: Right. Gillian, the media seem to be grappling in these debates about Biden with this question, where is the line between harassment, and none of these women have said they felt anything was sexual on Biden's part and touching, and the kind of unwanted kissing or touching head rubbing or whatever that invades their space and that offends them.

GILLIAN TURNER, FOX NEWS CORRESPONDENT: I think the consensus based on what these women themselves have said, I would take away from that that whatever he did made them feel uncomfortable.

KURTZ: Sure.

TURNER: The problem is that we look for a line that, you know, men and women can potentially cross and when it comes to violating people's personal space, all the way from violating that space to sexual assault, the line falls in a different sort of place for each individual.

So, it's very hard to come up -- I would like, like Mollie, I would like the media to come up with a consensus by which to evaluate these accusations but I don't know that that's possible to do that.

KURTZ: And do you think, Mo, given that none of the women and I'm sure they'll be a few more, even Biden said that, is alleging groping or sexual assault that the heavy coverage is justified. I mean, this been a huge story this week.

MO ELLEITHEE, EXECUTIVE DIRECTOR, GEORGETOWN UNIVERSITY INSTITUTE OF POLITICS & PUBLIC SERVICE: This whole incident has kind of -- I think it's pushing us to think about what began with Me -- hash tag Me Too movement and broadening the conversation.

This isn't about the same thing; this isn't about harassment or misconduct or assault. This is about I think now a discussion in part of touchiness and everything that was already said, but also, you know, just the gender dynamic in the workplace and the fact that he has culturally, you can have some interactions with people where you maybe are a little bit more open to -- to touching.

I've been to Europe where people who I just met will embrace me --

KURTZ: Yes.

ELLEITHEE: -- and kiss me on both cheeks --

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(CROSSTALK)

KURTZ: Yes, it's their culture.

ELLEITHEE: -- and off putting to me, right?

KURTZ: Yes.

ELLEITHEE: But it's a different thing. But in the office, if I were to walk up to a woman who works for me and just start rubbing her shoulders or kissing her on the back of the head, I would be reported to H.R. Now, I'm not saying --

(CROSSTALK)

KURTZ: Because the corporate culture is different. Right.

ELLEITHEE: -- I am not saying that -- I don't doubt the vice president's intentions at all. I mean, we all know that he's that kind of a guy.

KURTZ: yes.

ELLEITHEE: I'm a big fan of his, but do I think it's opening up now a conversation about that gender dynamic in the workplace and what is appropriate and where do we have to pull back.

KURTZ: Gillian, candidates have to learn how to deal with the media in 2019. Joe Biden hasn't run on his own but it hasn't a long time. So, he waited several days, put out a couple of mild statements that he didn't do it. Then he made a video and he gave a speech here in Washington which he started with a joke about hugging, and the networks broke away when (Inaudible) wasn't talking anymore.

And then a bunch of reporters gathered around and he took questions and he looked kind of hesitant and he was trying to defend himself. All of that, this is not a judgment on the substance but seem really slow to me. The media moved so much more quickly now.

TURNER: Yes, and that's a product of all the discussion, the Me Too discussions that we've been having for the last two years since -- since the 2016 campaign. Every time a woman speaks out about being physically uncomfortable it's like the media descends and wants to pick everything apart. I don't know candidly whether that's a good thing or helpful thing or not.

KURTZ: All right, now President Trump on a couple of occasions has seen fed to mock Joe Biden and the problems he's going through. Here's what he said the other day.

(BEGIN VIDEO CLIP)

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PRESIDENT DONALD TRUMP: I said general, come here, give me kiss, I felt like Joe Biden. Sure.

(APPLAUSE)

TRUMP: But I meant it.

(END VIDEO CLIP)

KURTZ: The president also put up video that kind of makes fun of Biden. We can show that to you while we talk, Mollie. So, the press is sort of saying, well maybe Donald Trump ought to stay away on these subjects since he's had lots of accusations of more serious misconduct with women which he denies.

HEMINGWAY: But it's fine absolutely to bring up Donald Trump's relationship with women, it's important to be accurate when defining those relationships which the media struggle to be accurate in describing those things.

But also I think what's interesting here as you see with Donald Trump, he tends to make light of or make fun of candidates on the left, he seems less constricted and when he's talking about them and not – and that in the media conversation you have a lot of rule and fears about handling things properly and part of Donald Trump's appeal, I think, and this would be interesting as it goes in 2020 race is seeing how comfortable he is just kind of joking about these things and not being afraid to talk about them.

KURTZ: Right. He does communicate a little bit differently and said, he goes into areas where the press is shock --shocked.

Let me get a break here, up next, why some media liberals are defending the former vice president and the way he touches women and others announcing, is it really about politics. And later, Christiane Amanpour says there should be limits on what crowds can say at campaign rallies, really?

(COMMERCIAL BREAK)

KURTZ: As the television pundits have debated Joe Biden's overly intrusive behavior with women, the former V.P. has gotten a big boost from those who know him and like his politics and even conservatives who don't like his politics.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: There were times where he would grab my hand in meetings to make a point, there were times he probably has kissed the back of my head. I never thought anything of that. I didn't find it creepy.

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SAMANTHA VINOGRAD, CNN NATIONAL SECURITY ANALYST: For over a decade, I watch him direct so many resources, so many efforts, so much of his staff's time to actually empowering women and preventing violence against women.

LAURA INGRAHAM, FOX NEWS HOST: And he put his hands, both hands on my shoulders and he said, guys on the streets, Ingraham, you're my favorite of the right-wing crazies, or something like that to that effect. And he looked at me and said, how are you doing and he was funny. It didn't bother me one bit.

(END VIDEO CLIP)

KURTZ: So, Mollie, I'm seeing a real divide here between media liberals who know Biden who like Biden and support policies and politics and others who I would call just sort of Uber liberals, the progressives wing of the Democratic Party who are using this or are they using this because he's not progressive enough.

HEMINGWAY: I think there is a political subtext here, and I think about this in part because I wrote about his touchiness five years ago and I remember --

(CROSSTALK)

KURTZ: You're way ahead.

HEMINGWAY: -- thinking that if he were a liberal, he would have been absolutely -- I mean, if he were a conservative he'd be destroyed for this type of behavior because the media tend to have a higher standard or they tend to be less forgiving of people on the right.

And I think what's happening here is that he's coming in a way of some more preferable or more liberal candidates, people to his left. And so, I think that means to be part of the conversation to understanding why are we talking about this now, it was on full display throughout the Obama administration.

And I think the fact that nobody is asking the Obamas about what they think about this is interesting. The fact that the Obamas have not talked about it is very interesting. But also, not thinking about who is pushing this campaign against Joe Biden right now and for what reason?

KURTZ: Right. By the way, Lucy Flores the former Nevada assemblywoman who started this by coming forward about a five-year-old incident, she said in one of the interviews that she didn't like Biden's position on abortion, that he had been wobbling on it years earlier, so there is ideological subject.

Gillian, you worked in the Obama White House, as well as the Bush White House, you know Joe Biden and there's actually a picture of the first time that you were introduced. Let's put that up on the screen. What was that encounter like?

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TURNER: So, you can't see in the way that we've got the photo crop but the reason we were talking about the photo earlier today is because he did have his hand around my waist in the picture which you could see if we had the whole thing up there.

It was the first time I ever met Vice President Biden. I was a staffer at the White House at the National Security Council. We met, it was -- it was later, I think, in 2009, first meeting ever and he --

(CROSSTALK)

KURTZ: And what did he said to you?

TURNER: And he said, you're beautiful and he put his hand around my waist and we took a photo together. Did it make me uncomfortable? No. But do I remember it 10 years later because it was out of the norm of my other experiences at the White House, yes.

And so I think it's a perfect example of the kind of conversation that people are now starting to have about him which is that he does have markedly different behaviors than a lot of other government officials and it's up to, I think, every woman to make a determination about how they feel about their interactions with him.

KURTZ: Mo, is it fair to question the timing without being insensitive at all to women who are upset by Biden's behavior. Well, there is one woman who wrote piece in the Washington Post, saying, you know, she's very proud of the picture where they are touching foreheads but now, she has different thoughts.

But is it fair to question the timing of those who are coming forward now five or sometimes 10 years after these incidents knowing full well it will impact with Biden about to jump at the race?

ELLEITHEE: Yes, I mean, I don't know. I think we are now at the point where -- I mean, obviously it's going to come out now. Right? The guy is thinking about running for president.

KURTZ: Yes.

ELLEITHEE: So obviously, it's going to come out now. If he were to have faded off into the distance, I'm sure any --

KURTZ: Sure.

ELLEITHEE: -- sure any of those would come, right?

KURTZ: Yes.

ELLEITHEE: having said that, though, one, I believe that, you know, if someone is going to raise an allegation we ought to listen to the allegation. If someone is going to listen, raise that concern we

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ought to listen and respect the concern and I do think we are way past time, way past time to start having these conversations about these dynamics in the workplace.

KURTZ: Are some of Biden's critics or some of these women using this as proxy to say, you know what, he's out of touch with the culture, he's 76, he's really too old to run for president because he does things that maybe were considered more acceptable in earlier generations.

HEMINGWAY: I wonder if that's -- I mean, because I don't think the issue is about women coming forward but how much attention the media are giving to it or how much how one-sided that media attention is. I do wonder if this isn't a proxy for having a conversation about age. It's very difficult to have those conversations. Two of the front runners, Joe Biden and Bernie Sanders would be older going into the presidency than Reagan was when he left.

KURTZ: He left, that's 77, yes.

HEMINGWAY: But you don't want -- I mean, it is that kind of inappropriate to say too much about that, so I think sometimes these conversations are ways to talk about concerns that reporters have rather than addressing it head on.

KURTZ: Yes, and it's also just a juicy story for reporters because it takes us into a realm that probably, it gets a lot of ratings and I think I'm giving it myself the last word.

Mo Elleithee, Gillian Turner, Mollie Hemingway, great to see you all this Sunday.

After the break, the press slamming the president for changing his mind on Obamacare, on closing the border. Is that a fair critique? Stay with us.

(COMMERCIAL BREAK)

KURTZ: President Trump has sort of stunned the press by saying he would try yet again to abolish Obamacare and make the GOP the party of health care. The press blew the whistle saying he has no plan. And days later Trump said the vote wouldn't come until after the 2020 election.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Did Mitch McConnell ask you to delay this?

TRUMP: No. I want to delay it myself. I want to put it after the election because we don't have the House.

(END VIDEO CLIP)

KURTZ: The president also made headlines with the shifting rhetoric on the Mexican border.

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(BEGIN VIDEO CLIP)

TRUMP: They'll close it. We'll keep it close for a long time. I'm not playing games. Mexico has to stop it.

We're going to give them a one-year warning and if the drugs don't stop or largely stop, we are going put tariffs on Mexico and products, in particular, cars, and if that doesn't stop the drugs, we close the border.

(END VIDEO CLIP)

KURTZ: Joining us now David Martosko, White House correspondent for Dailymail.com.

So, on the border, Trump makes the threat, then he says maybe one-year delay, it's not clear. When the -- and then he says he didn't change his mind. So, when the Washington Post says the president is leaving D.C. reeling with policy reversals, does the paper have a point?

DAVID MARTOSKO, WHITE HOUSE CORRESPONDENT, DAILYMAIL.COM: Well, two things going on here, first of all, I think you have to understand that what happened in the interim is Trump announces, the Mexicans are starting to police their southern border. Halleluiah.

These things don't happen overnight. I think it's reasonable to assume that the president knew this change from the Mexicans was coming, so he sets it up, he says we're going to close the border. He could look tough. He knows the Mexicans have already started policing the border, now he can say, no --

(CROSSTALK)

KURTZ: He set himself up to take credit here.

MARTOSKO: Exactly. And not only that, but now he creates a political situation where he can say something draconian and close the border. And he drags a bunch of liberals running for president out to say equally contentious things.

I mean, look what happened after he said that. Kamala Harris says DACA kids and illegal immigrants should be working in Congress. Gavin Newsom talks about creating a sanctuary state, and Beto O'Rourke says that illegal immigrants who are jumping the border is good for the safety of El Paso. Now he's got something to run against.

KURTZ: Let's look at the press performance on Obamacare. Because the president came out he joined this, his administration supporting the suit --

MARTOSKO: Sure.

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KURTZ: -- get rid of ObamaCare without a replacement. The press was right. Mitch McConnell and Republicans privately and publicly said don't do this, don't settle us with this.

MARTOSKO: Yes.

KURTZ: And then he says, well, I never planned to do it before the election because Democrats control the House. Well, the Democrats can't control the House for several months now.

MARTOSKO: Look, I think it's a reasonable thing if he we wanted to interpret this in the kindest way possible, it's reasonable to say, of course Trump never knew that anything was going to pass, that he's saying that look, the Democrats sees healthcare as a powerful issue in 2018, we're going to see it in 2020. Does he have the political acumen always to say it as concisely as that? No.

KURTZ: So, therefore, is it fair. First of all, I think the media have never fully accepted Trump's disruptive style, which is throw in a lot of things, make threats.

MARTOSKO: Right.

KURTZ: Sometimes it works, sometimes it backfires and he has to retweet. And certainly, it would be fair for the press to say, hey, you're saying the GOP is going to own healthcare but where is the plan and when is the vote going to be.

MARTOSKO: Well, the vote is obviously not until after the next election, and presenting a plan if he's smart will come around the time of the next political convention. He wants to have something fresh to run on.

But I think the broader point here, to the point of why you do your show, wouldn't it be interesting and refreshing if every newsroom in Washington had a few people, or maybe half the people whose nature was to think the way the president thinks and present counterarguments for some of these things and say maybe we should present this in addition to that.

KURTZ: I think that's a good idea. Now some of the president's statements recently, I don't know why he said wind turbines cause cancer. There is no evidence to that. But leaving that aside, he got dinged by the press corps pronouncing origin as oranges.

MARTOSKO: Sure.

KURTZ: And also saying his father was born Germany and not just of German heritage. is this nitpicking or fair reporting?

MARTOSKO: Well, I certainly think it's nitpicking to talk about where his father was born. I can't explain why he talked about that. I do think it would be interesting if media would research a little bit why might he have meant by wind turbines cause cancer.

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It turns out there's a whole movement in Australia to target wind turbines by saying there's something called wind turbine syndrome and that it includes cancer. People talked about do I think it's true? No. But he might have heard about that.

With the oranges thing this is kind of funny. If you think about it, I just think it's hilarious. In January, he was talking about you can call a wall peaches, he called Tim Cook, Tim Apple. Now he's doing oranges. If he says make America grape again, we have the Trump fruit salad.

KURTZ: A very fruity explanation. David Martosko, thanks very much.

Still to come, CNN's Christiane Amanpour rips a Trump rally chant and no, the president isn't coming to dinner.

(COMMERCIAL BREAK)

KURTZ: Christiane Amanpour, the veteran CNN journalist had a very unusual exchange with Jim Comey, one that I find pretty troubling. Amanpour didn't like that Trump supporters at 2016 campaign rallies kept chanting lock her up, meaning Hillary, of course, and she doesn't think it should have been allowed.

(BEGIN VIDEO CLIP)

CHRISTIANE AMANPOUR, CNN HOST: Lock her up was a feature of the 2016 Trump campaign, do you, in retrospect, wish that people like yourself, the head of the FBI, I mean, the people in charge of law and order have shut down that language that it was dangerous potentially, that it could have created violence, that it's kind of hate speech?

(END VIDEO CLIP)

KURTZ: However distasteful she might have found those chants, are they free speech? Isn't Amanpour enduring the First Amendment and asking the FBI to intervene? Here is Comey's response.

(BEGIN VIDEO CLIP)

JAMES COMEY, FORMER FBI DIRECTOR: That's not a role for government to play, the beauty of this country is people can say what they want, even if it's misleading and it's demagoguery.

(END VIDEO CLIP)

KURTZ: Right. The former FBI chief at least sees that as out of balance. And yes, look, he said he might show up, but no, for the third straight year Donald Trump is skipping the White House correspondent's dinner.

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(BEGIN VIDEO CLIP)

TRUMP: I'm going to hold a rally. Yes, because the dinner is so boring and so negative, that we're going to hold a very positive rally.

(END VIDEO CLIP)

KURTZ: Actually, much less negativity this year because they'll be no comedian. Hamilton biographer Ron Chernow will be the entertainment. And no President of the United States.

That's it for this edition of "MediaBuzz." I'm Howard Kurtz. Check out my new podcast, "Media Buzz Meter." We riff on the says five hottest stories and you can subscribe at Apple iTunes, Google Play or foxnewspodcast.com. Hope you also visit our Facebook page. We post my daily columns and original videos we make just for online. Continue the conversation on Twitter at Howard Kurtz. I bet we're going to have a lot about the interview with Rudy Giuliani, Mueller, Biden.

And we'll be back here next Sunday, 11:00 Eastern, with the latest buzz.

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## **Exclusive: Unredacted Ukraine Documents Reveal Extent of Pentagon's Legal Concerns**

**by Kate Brannen**

January 2, 2020

“Clear direction from POTUS to continue to hold.”

This is what Michael Duffey, associate director of national security programs at the Office of Management and Budget (OMB), told Elaine McCusker, the acting Pentagon comptroller, in an Aug. 30 email, which has only been made available in redacted form until now. It is one of many documents the Trump administration is trying to keep from the public, despite congressional oversight efforts and court orders in Freedom of Information Act (FOIA) litigation.

Earlier in the day on Aug. 30, President Donald Trump met with Defense Secretary Mark Esper and Secretary of State Mike Pompeo to discuss the president's hold on \$391 million in military assistance for Ukraine. Inside the Trump administration, panic was reaching fever pitch about the president's funding hold, which had stretched on for two months. Days earlier, POLITICO had broken the story and questions were starting to pile up. U.S. defense contractors were worried about delayed contracts and officials in Kyiv and lawmakers on Capitol Hill wanted to know what on earth was going on. While Trump's national security team thought withholding the money went against U.S. national security interests, Trump still wouldn't budge.

Thanks to the testimony of several Trump administration officials, we now know what Trump was waiting on: a commitment from Ukraine to investigate Joe Biden.

But getting at that truth hasn't been easy and the Trump administration continues to try to obscure it. It is blocking key officials from testifying and is keeping documentary evidence from lawmakers investigating the Ukraine story. For example, this note from Duffey to McCusker was never turned over to House investigators and the Trump administration is continuing to try to keep it secret.

Last month, a court ordered the government to release almost 300 pages of emails to the Center for Public Integrity in response to a FOIA lawsuit. It released a first batch on Dec. 12, and then a second installment on Dec. 20, including Duffey's email, but that document, along with several others, were partially or completely blacked out.

Since then, *Just Security* has viewed unredacted copies of these emails, which begin in June and end in early October. Together, they tell the behind-the-scenes story of the defense and budget officials who had to carry out the president's unexplained hold on military aid to Ukraine.

The documents reveal growing concern from Pentagon officials that the hold would violate the Impoundment Control Act, which requires the executive branch to spend money as appropriated by Congress, and that the necessary steps to avoid this result weren't being taken. Those steps would include notifying Congress that the funding was being held or shifted elsewhere, a step that was never taken. The emails also show that no rationale was ever given for why the hold was put in place or why it was eventually lifted.

What is clear is that it all came down to the president and what he wanted; no one else appears to have supported his position. Although the pretext for the hold was that some sort of policy review was taking place, the emails make no mention of that actually happening. Instead, officials were anxiously waiting for the president to be convinced that the hold was a bad idea. And while the situation continued throughout the summer, senior defense officials were searching for legal guidance, worried they would be blamed should the hold be lifted too late to actually spend all of the money, which would violate the law.

The emails also reveal key decision points, moments when senior officials hoped the hold might be lifted. This includes Vice President Mike Pence's September meeting with Ukrainian President Volodymyr Zelenskyy, which a senior defense official expected would resolve the funding issue, raising the question: Why? What was supposed to come out of that meeting that would pave the way for Trump to lift the hold? What was Pence expected to communicate?

But, the hold wasn't immediately lifted after Pence's meeting with Zelenskyy. Instead, the president finally released the money on Sept. 11, just as the whistleblower complaint was about to break into the open.

As for how the story begins, it was in mid-June when Defense Department officials first heard the president had questions about the Ukraine money.

**June: “Do you have insight on this funding?”**

According to new reporting from the *New York Times*, on June 19, Robert Blair, senior adviser to acting White House Chief of Staff Mick Mulvaney called Russell Vought, the acting head of OMB and said, “We need to hold it up” in reference to the Ukraine military aid.

That same day, Michael Duffey, the associate director of National Security Programs at OMB, emailed Elaine McCusker, a career civil servant who serves as acting Pentagon comptroller, about a *Washington Examiner* story on the \$250 million the Defense Department had just announced it was sending to Ukraine.

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

Mark Sandy, OMB’s deputy associate director for national security programs, was copied on the email and told the House Intelligence Committee that he remembered receiving it and being made aware that the president had questions about the Ukraine funding on June 19.

As Laura Cooper, who oversees Ukraine policy at DoD, testified to the House Intelligence Committee, the president wanted to know if U.S. companies would be providing Ukraine any of the equipment, what other countries were doing to contribute, and where the U.S. funding came from. Defense Department officials collected the answers and sent them back up the food chain and then over to the White House.

They explained that the vast majority of companies providing the equipment were American. They told the White House that the United Kingdom, Canada, Lithuania and Poland all contribute military training and equipment to Ukraine, and that the European Union also provides an enormous amount of economic support. As for the third question, it was the trickiest to answer because of its “strange phrasing,” Cooper said. Her office answered: The money comes from Congress and it has strong bipartisan support.

The questions didn't stop there. Blair wanted to know the status of the funding, meaning: Was the money out the door already?

On June 25, McCusker answered:

“Only \$7M of the \$250M has been obligated to date.”

An attachment showed the equipment the money was going to buy, including counter-artillery radars, sniper rifles, grenade launchers, secure communications and cyber support, night vision devices, humvees and medical equipment. It also listed the U.S. companies expected to supply it.

According to the *Times*, Blair emailed Mulvaney on June 27, telling him the Ukraine money could be held but to “expect Congress to become unhinged.”

**July: “Given the sensitive nature of the request ...”**

Hours after Trump concluded his infamous July 25 call with Zelenskyy, during which he asked the Ukrainian president to investigate Biden, Duffey sent an email to top senior defense officials, which was released in full to the Center for Public Integrity. The letter advised the Pentagon to suspend any future military aid for Ukraine.

“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.”

McCusker followed up in an email to OMB asking if this had gone through the Defense Department's general counsel, indicating an early concern about the legality of these actions. When it released this email to the Center for Public Integrity, the Justice Department redacted this simple question from McCusker.

Message (Digitally Signed)

**From:** McCusker, Elaine A HON OSD OUSD C (US) [/O=EAS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Elaine.A.McCusker]  
**Sent:** 7/25/2019 3:05:04 PM  
**To:** Sandy, Mark S EOP/OMB (b) (6)  
**Subject:** FW: Ukraine Foreign Assistance  
**Attachments:** smime.p7s

Mark

(b) (5)

FM

It was on July 25 that Sandy implemented the first hold on the Ukraine funding by inserting a footnote in a budget document. This first hold extended through Aug. 5. The Pentagon made clear that this first pause would not jeopardize its ability to spend the money by the end of the fiscal year.

The next day, July 26, John Rood, head of policy at the Defense Department, sent his boss, Defense Secretary Mark Esper, a readout from the "Ukraine Deputies Small Group" meeting. This is the meeting convened by the National Security Council where we know, thanks to Cooper's congressional testimony, that the national security community voiced its "unanimous support" for resuming the funding and Cooper raised the Defense Department's concern about the urgency of the matter due to the legal requirement to spend all of the money by the end of the fiscal year.

The readout includes this line, which makes it clear the hold on Defense and State Department Ukraine funding came at the president's direction:

OMB noted that the President's direction via the Chief of Staff in early July was to suspend security assistance to Ukraine including by blocking the \$115 [Foreign Military Financing] congressional notification and by halting execution of the \$250M FY19 USAI programs.

An assistant to Esper let officials know the secretary had read the summary of the meeting and “has no further questions.”

**August: “What is the status of the impoundment paperwork?”**

As August began, the Defense Department had told OMB and the White House its concerns about the legality of the hold and how, as the clock ticked toward the end of the fiscal year, it would become increasingly difficult for the Pentagon to spend the Ukraine funding in time. If it wasn’t all spent by Sept. 30, in violation of the law, the money would return to the U.S. Treasury, in what is known as an “impoundment.” While pressure was mounting as the month began, that red line had not yet been crossed, but it would be soon.

On Aug. 6, Duffey sent McCusker an email telling her he planned to extend the hold on the Ukraine funding by reinserting the same footnote into the budget document. The footnote still noted that the pause would not prevent the Defense Department from spending the money before the fiscal year ended, if the hold was lifted.

McCusker wrote back asking to whom Duffey spoke to confirm that the additional pause would not affect the ultimate execution of the program.

“Good catch,” Duffey wrote back and then asked with whom he should check in.

On Aug. 9, McCusker wrote to senior OMB officials, including Sandy and Duffey:

“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.”

The Pentagon’s warning: We’re running out of time.

The Justice Department chose to black this out when it released the email last month:

>>  
 >> Original Message  
 >> From: McCusker, Elaine A HON OSD OUSD C (USA) (b) (6) >  
 >> Sent: Friday, August 9, 2019 5:32 PM  
 >> To: Duffey, Michael P. EOP/OMB (b) (6); Sandy, Mark S. EOP/OMB  
 (b) (6) >  
 >> CC: Dylworth, Monique L. SES OSD OUSD C (USA) (b) (6) >; Ney, Paul C Jr HON OSD  
 OGC (USA) (b) (6) >  
 >> Subject: USAI  
 >>  
 >> Mike, Mark  
 >> Attached info on the USAI execution. Number 5 has the general info on the steps - (b) (5)  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 >>  
 >> EM  
 >>

Duffey followed up with a number of questions, mostly about whether the money could be shifted to other programs if the decision was made not to spend it on Ukraine. McCusker told him that reprogramming was possible but that it was very unlikely to get approved on Capitol Hill because Congress had not only approved the Pentagon's request for \$200 million for Ukraine military assistance, but had added \$50 million, indicating that bipartisan support for the program was overwhelming.

On Aug. 12, understanding that the hold on Ukraine funding was going to be extended again, McCusker sent Duffey proposed language to be included in the next footnote to reflect the growing risk to the program. It read:

“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.*” (emphasis added)

But the next time the hold was extended, the footnote did not include any text that indicated the growing risk to the funding — the language that the Defense Department thought should be included. It was also redacted in the documents publicly released last month.

The emails show there was supposed to be an Aug. 16 meeting between Trump, Secretary of State Mike Pompeo and Esper at Trump’s New Jersey golf resort where they would discuss Ukraine. Talking points were prepared and shared among officials.

Media reports show Trump met with his national security team that day in Bedminster to discuss Afghanistan. For those talks, Trump and Pompeo were joined by Vice President Mike Pence, National Security Adviser John Bolton, Joint Chiefs Chairman Gen. Joseph Dunford and CIA Director Gina Haspel.

While there was an expectation that it would be on the day's agenda, an Aug. 17 email from Duffey to McCusker says,

“Sounds like Ukraine was not discussed.”

As the month wore on, the emails show officials bending over backwards to make every conceivable accommodation to keep the process moving without actually being able to obligate the funding. The idea was that as soon as the funds were given the green light, there would be zero delay, and presumably, impoundments could be avoided.

But tension began to build between the Defense Department and OMB toward the end of August as the funding hold complicated all of the contractual processes that needed to take place in order to buy the equipment for Ukraine. OMB was pushing the Defense Department to micromanage down to the lowest level — the field contracting offices — in an apparent effort to buy time and keep the process on track even though the hold was upending everything. The Pentagon was growing frustrated.

On Aug. 20, OMB issued another footnote, extending the hold through Aug. 26. It did not include any language flagging the growing risk.

In an Aug. 21 email to her DOD colleagues, McCusker notes that members of the House Appropriations Committee traveled to Ukraine earlier that month and sent the Pentagon a request for information regarding the funding.

On Aug. 26, Duffey let McCusker know that the funding hold was being extended again.

McCusker responded, “What is the status of the impoundment paperwork?”

To which Duffey, replied, “I am not tracking that. Is that something you are expecting from OMB?”

McCusker: “Yes, it is now necessary — legal teams were discussing last week.”

The Justice Department redacted McCusker's side of this exchange.

Message (Digitally Signed)

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**From:** McCusker, Elaine A HON OSD OUSD C (USA) [/O=EAS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b) (6)]  
**Sent:** 8/26/2019 10:29:15 AM  
**To:** Duffey, Michael P EOP/OMB (b) (6)  
**Subject:** RE: USAI  
**Attachments:** smime.p7s

(b) (5)

EM

**From:** Duffey, Michael P. EOP/OMB (b) (6) >  
**Sent:** Monday, August 26, 2019 5:47 AM  
**To:** McCusker, Elaine A HON OSD OUSD C (USA) (b) (6)  
**Subject:** Re: USAI

I am not tracking that. Is that something you are expecting from OMB?

Sent from my iPhone

On Aug 26, 2019, at 5:38 AM, McCusker, Elaine A HON OSD OUSD C (USA) (b) (6) wrote

(b) (5)

EM

In an email to Duffey later that morning, McCusker's frustration is palpable. For starters, DOD still hasn't gotten the footnote extending the hold, so technically the Pentagon should start obligating the money. Plus, Mark Paoletta, OMB's general counsel, "appears to continue to consistently misunderstand the process and the timelines we have provided for funds execution," McCusker said. (Again, this detail was redacted by the Trump administration in its court-compelled FOIA release.)

McCusker asks Duffey: "Are you working with him and can you help? Starting on 19 AUG, the footnotes have put our ability to execute at risk."

She also tells Duffey that the Senate Armed Services Committee (SASC) is now asking questions, in addition to House Appropriators. The question from SASC is:

“Has OMB directed DOD/DSCA to halt execution of all or any part of FY19 funds for the Ukraine Security Assistance Initiative? If so, when, and what was the reason given?”

On Aug. 27, Eric Chewning, Esper’s chief of staff, shares with McCusker an Aug. 26 email he received from L3 Harris Technologies, one of the defense contractors waiting on the Ukraine money. The company has learned of the “hold” and wants to know what’s going on.

McCusker responds to Chewning saying,

“Recognizing the importance of decision space, but this situation is really unworkable **made particularly difficult because OMB lawyers continue to consistently mischaracterize the process** — and the information we have provided. They keep repeating that this pause will not impact DOD’s ability to execute on time.” (emphasis added)

Her response was redacted by the Justice Department:

## Message (Digitally Signed)

**From:** McCusker, Elaine A HON OSD OUSD C (USA) [/O=SD/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=(b) (6)]  
**Sent:** 8/27/2019 12:02:31 AM  
**To:** Chewning, Eric SES SD [/O=SD/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/(b) (6)]  
**CC:** Norquist, David HON SD [/O=SD/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/(b) (6)]; Rood, John C HON OSD OUSD POLICY (USA) [/O=SD/OU=First Administrative Group/cn=Recipients/cn=(b) (6)]  
**Subject:** RE: [Non-DoD Source] Ukraine (USAI funding)  
**Attachments:** smime.p7s

(b) (5)

Wr.  
EM

**From:** Chewning, Eric SES SD (b) (6) >  
**Sent:** Monday, August 26, 2019 7:50 PM  
**To:** McCusker, Elaine A HON OSD OUSD C (USA) (b) (6) >  
**CC:** Norquist, David HON SD (b) (6); Rood, John C HON OSD OUSD POLICY (USA) (b) (6) >  
**Subject:** FW: [Non-DoD Source] Ukraine (USAI funding)

FVI

As frustration mounted, the Pentagon considered ratcheting up its warnings and prepared a draft letter from Deputy Defense Secretary David Norquist to Vought, the acting director of OMB. McCusker shared the letter with Duffey on Aug. 27 just to let him know it was in the works. The entirety of the one-page letter was redacted in the emails released to CPI. Here are the key sections:

“As you know, in a series of footnotes to its apportionment documents, the Office of Management and Budget has directed the Department to pause its obligation of USAI funding temporarily, pending completion of an ‘interagency process to determine the best use of such funds.’ These footnotes make the affected funding legally unavailable for obligation during the period of the directed pause. **As a result, we have repeatedly advised OMB officials that pauses beyond Aug. 19, 2019 jeopardize the Department’s ability to obligate USAI funding prudently and fully, consistent with the Impoundment Control Act.**

The latest OMB-directed pause ended on August 26, 2019, and has not been extended. Accordingly, the Department is resuming its obligation of USAI funding. We believe that OMB’s imposition of any further delays in obligating USAI funding will trigger the ICA’s requirement to transmit to Congress a special message proposing rescission or deferral of funding for the USAI.”

A new footnote was signed by Duffey later that day, extending the hold yet again.

In the meantime, after weeks of trying to keep the president’s hold on the Ukraine money within a tight circle of administration officials, word of it was getting out. It had now reached Capitol Hill, U.S. defense contractors and officials in Ukraine.

Finally, on Aug. 28, the situation burst into the open, when POLITICO broke the story.

Talking points were hashed out and Paoletta, the OMB general counsel, forwarded them around. The final talking point read:

“No action has been taken by OMB that would preclude the obligation of these funds before the end of the fiscal year.”

When McCusker read this, she wrote to Duffey,

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

Her reaction to the talking points was redacted in the FOIA release last month:

## Message (Digitally Signed)

**From:** McCusker, Elaine A HON OSD OUSD C (USA) [/O=EAS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b) (6)]  
**Sent:** 8/29/2019 10:49:47 PM  
**To:** Duffey, Michael P EOP/OMB (b) (6)  
**Subject:** RE: Agreed TPs  
**Attachments:** smime.p7s

Mike

(b) (5)

Just got out of another long session on (b) (6) - things evolved again. Will try to reach you in a bit.

EM

The talking points were also discussed internally at the Defense Department. McCusker told a group of senior defense officials:

OMB continues to ignore our repeated explanation regarding how the process works. We can not release funds for obligation until they can obligate, so the process has stopped for those cases whose lines are ready to execute.

The draft [deputy secretary of defense] memo to the OMB director says: 'Although we will proceed to take all necessary preparatory steps, please be advised that we can no longer confirm that USAI funds will be fully and prudently obligated before they expire on September 30, 2019.'

This is due to OMB actions. I am sure I am missing some nuance here?

On Aug. 29, Chewning let McCusker know:

"Sec State and Sec Def will discuss with POTUS tomorrow. We should wait on communicating anything more privately."

On Aug. 30, after the meeting with the president took place, Duffey told McCusker, "Clear direction from POTUS to hold." He let her know that he'd soon be sending new paperwork extending the hold.

**September: "You can't be serious. I am speechless."**

Meanwhile, Chewing told senior defense officials that Esper had told him that no decision came out of his meeting with Trump. The Defense Department had prepared another strongly worded letter to OMB, to be signed by David Norquist, the deputy defense secretary, that would again remind OMB that DOD could no longer guarantee that it could spend all of the Ukraine money before it expired on Sept. 30.

“Hi All,

I spoke to the boss. No decision on Ukraine. VP meeting with Zelensky in Poland is next step. We can discuss further on Tuesday. Until then, hold on the USAI memo to OMB.”

With news that another extension was coming, McCusker emailed Chewing:

“Do you believe DOD is adequately protected from what may happen as a result of the Ukraine obligation pause? I realize we need to continue to give the WH has [sic] much decision space as possible, but am concerned we have not officially documented the fact that we can not promise full execution at this point in the [fiscal year].

Chewing wrote back:

The Ukrainian PM speaks with VPOTUS on Tuesday. We expect the issue to get resolved then. If not, I think we need to send the letter.

Pence met with Zelenskyy in Poland on Sept. 1. While Trump reportedly instructed Pence to communicate that U.S. military aid was still being withheld and to push for more aggressive action on corruption, Pence’s staff has claimed the vice president did not understand corruption to mean “investigate Joe Biden” as other officials in the administration understood at the time. Pence’s visit came and went and another extension of the hold was implemented on Sept. 5.

On Sept. 7, McCusker asked Duffey again, “When will impoundment paperwork be processed?”

On Monday morning, Sept. 9, McCusker sent Duffey another email.

“The amounts identified as not being able to ‘fully’ obligate by the end of FY total ~\$120M based on the current hold. If the hold continues this amount will grow.”

Duffey, adding OMB and Pentagon lawyers to the recipients list, and in a formal and lengthy letter that was quite different from the way he’d addressed McCusker all summer, chastised her and the Defense Department for dropping the ball, saying that if and when the hold is lifted, and DOD finds itself unable to obligate the funding, it would be DOD’s fault.

“As you know, the President wanted a policy process run to determine the best use of these funds, and he specifically mentioned this to the SecDef the previous week. OMB developed a footnote authorizing DoD to proceed with all processes necessary to obligate funds. If you have not taken these steps, that is contrary to OMB’s direction and was your decision not to proceed. If you are unable to obligate the funds, it will have been DoD’s decision that cause any impoundment of funds.”

Essentially: You guys screwed up. Not us.

McCusker responded:

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

This exchange, as well as the larger trove of unredacted emails, raises new questions about the Dec. 11 letter from OMB General Counsel Paoletta to the General Accountability Office (GAO), a congressional investigative office. The unredacted emails show the Pentagon’s repeated and clear warnings to OMB that by mid-August it could no longer guarantee that the funds could be fully executed within the fiscal year. But, Paoletta’s letter stated, “at no point during the pause in obligations did DOD [Office of General Counsel] indicate to OMB that, as a matter of law, the apportionments would prevent DOD from being able to obligate the funds before the end of the fiscal year.”

What’s more, McCusker shared with Duffey the draft letter from the deputy defense secretary to OMB’s acting director informing OMB of the Pentagon’s concern that the law required notification to Congress through “a special message proposing rescission or

deferral of funding.” In contrast, Paoletta’s letter to GAO claimed the suspension was “not a deferral of funds,” but instead simply “a pause in spending to assess facts and ensure programmatic effectiveness.”

Finally, on Sept. 11, Duffey emailed McCusker to tell her: The hold is lifted. When she asked him why, Duffey responded, “Not exactly clear but president made the decision to go. Will fill you in when I get details.”

With the hold lifted, McCusker’s team worked fast to get the money out the door, but, in the end, \$35.2 million of the Ukraine funding lapsed and required new congressional legislation to make it available again.

“Glad to have this behind us,” Duffey told McCusker.

**About the Author(s)**

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# There Is No Constitutional Impediment to an Impeachment Inquiry that Concerns National Security

by Lawrence  
Friedman and Victor  
Hansen

October 1, 2019

By nearly any measure, President Donald Trump's conversation in July with his Ukrainian counterpart was extraordinary. Further investigation may reveal more evidence of presidential wrongdoing, and articles of impeachment are now a real possibility. Of course, as numerous commentators have noted, impeachment is ultimately a political question—but one that should be informed by legal considerations. The former Deputy Assistant Attorney General in the Office of Legal Counsel under President George W. Bush, John Yoo, has suggested that potential harm to national security interests through an impeachment investigation should deter Congress from even conducting such an investigation. In this he is wrong.

Yoo argues in the *New York Times* that, because the Constitution delegates to the president the responsibility for conducting foreign affairs and for managing our national security interests, Congress should not, through an impeachment investigation, interfere with his ability to engage in confidential communications with world leaders. Indeed, Yoo goes so far as to insist that, even if it is revealed that President Trump offered millions of dollars in aid to Ukraine in exchange for damaging information about Democratic presidential candidate Joe Biden, Congress should decline to pursue impeachment.

Yoo's view of the President's virtually unlimited constitutional authority in national security matters is decidedly one-sided, incomplete, and not reflected in either the language of the Constitution or more than two centuries of history. The better understanding of the Constitution is that that the House of Representatives, on the publicly available facts, has some obligation to investigate the president.

As an initial matter, Yoo's premise is faulty: the Constitution does not give the President exclusive control over foreign affairs and national security. Article II makes the President the commander-in-chief of the armed forces, but under Article I, Congress has the power

to authorize conflicts, to raise and support our forces, to authorize spending on national security and, indeed, a host of other national security and foreign affairs-related matters. The President has the power to negotiate treaties, but those agreements must be ratified by two-thirds of the Senate. The President has the power to appoint ambassadors, but those appointments, too, must be approved by the Senate.

History and practice further support a sharing of powers between the executive and Congress on foreign affairs and national security matters. In the *Steel Seizure Case*, for example, the U.S. Supreme Court famously struck down President Harry Truman's attempt to nationalize the steel industry to prevent a strike on the steel mills during the Korean War. A majority of the court concluded that, even in times of war, the President's power may be subject to congressional limits—and, more importantly, that presidential claims of authority are strongest when supported by Congress. More recently, of course, Congress has investigated the President's conduct (or that of his top advisors) in a wide range of national security and diplomacy matters, ranging from the Iran-Contra scandal during the Reagan years to the events at Benghazi during the Obama Administration, to name just a few.

It makes sense that the framers, ever concerned with the potential for tyranny posed by unchecked power, would design a governmental system requiring the president to work with Congress to pursue foreign policy and national security goals. The American people select a president every four years. The members of the House, on the other hand, face election every two years and, given the size of their districts, are closer to their constituents than any other federal elected official. They are the means through which the people can express their frustration or anger with a president's foreign policy or national security initiatives. The will of the people would mean little if the House could not act on those impulses, to check the president in the years between elections. To fulfill this end, the House must be able to investigate a president's alleged misconduct, even when such investigation touches matters requiring sensitivity to foreign policy or national security concerns, and even when those investigations ultimately may lead to articles of impeachment.

This is especially true in light of President's Trump's conduct vis-à-vis Ukraine. It's difficult to believe the framers would have thought Congress should be restrained from taking action in the face of evidence that the president's conduct of foreign affairs was motivated primarily by personal, rather than national, interests. Nonetheless, Yoo

suggests that Congress should decline to pursue an impeachment investigation, claiming “the founders believed that impeachment should come only as a last resort.” Rather, Yoo believes the House should wait and let the people decide in 2020 whether the president’s conduct warrants his re-election.

This argument fails on its own terms. Even if impeachment should be seen as a last resort, a president who arguably has taken steps to consort with a foreign power to influence his re-election and to place his own interests above the very citizens he is sworn to protect, poses a serious and ongoing risk to national security. If the allegations regarding President Trump’s conduct prove to be true, his actions would violate the public trust in the most basic sense—one so important, and so immediate, that the members of the House reasonably might believe they ought not wait until the next election for an uncertain remedy. This is precisely why the framers assigned the House the impeachment power.

Members of the House may well harbor legitimate concerns about an investigation of President Trump’s interactions with Ukraine’s leader. And the House should seriously consider the potential impact on diplomacy that an impeachment investigation might have. But that impact is just one of many factors that the members of the House should keep in mind, as we have discussed elsewhere. Just because an investigation raises national security issues does not mean that Congress lacks the power to proceed.

*IMAGE: WASHINGTON, DC - SEPTEMBER 26: House Speaker Nancy Pelosi (D-CA) speaks during a weekly news conference on Capitol Hill on September 26, 2019 in Washington, DC. Speaker Pelosi discussed an impeachment inquiry into President Donald Trump. (Photo by Zach Gibson/Getty Images)*

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Victor Hansen teaches national security law at New England Law | Boston and is co-author with Lawrence Friedman of *The Case for Congress: Separation of Powers and the War on Terror*.

## Must Impeachable Offenses Be Violations of the Criminal Code?

By Keith E. Whittington Tuesday, November 19, 2019, 12:19 PM

Supporters of President Trump have regularly argued that there can be no impeachment without a violation of the criminal code. So long as the Mueller investigation held the possibility that the president might be linked to actual criminal activity, the question of whether impeachable offenses had to be indictable crimes was not a particularly salient one for either the administration's critics or its defenders. Given that the House has now focused its attention specifically on the administration's actions in regard to Ukraine, the question of whether the House could constitutionally pursue an impeachment in the absence of a violation of the criminal code has become more pressing.

Of course, Trump himself is inclined to insist that there can be no impeachment when he has done "NOTHING wrong" and, indeed, has been "perfect." But even the president's admirers can recognize that not everything has been perfect, and so a more realistic firewall against impeachment needs to be constructed.

Despite what Trump's supporters say, however, the president can commit an impeachable high crime without violating the federal criminal law. To conclude otherwise would be to ignore the original meaning, purpose and history of the impeachment power; to subvert the constitutional design of a system of checks and balances; and to leave the nation unnecessarily vulnerable to abusive government officials.

Some House Democrats have framed the current impeachment inquiry in a way that implies that Trump needs to be caught red-handed having committed an ordinary crime. House Intelligence chair Adam Schiff has begun to avoid the less familiar language of "quid pro quo" and test out the more familiar language of "extortion" and "bribery." Republicans would no doubt welcome moving the fight to that terrain, where they could attempt to demonstrate that there was not sufficient evidence to demonstrate that the president had committed any acts that would get him convicted in an ordinary court of law.

Presumably House Democrats will eventually settle on an argument that the president has abused his office even if he has not committed an ordinary crime in the process. The president's defenders have been busily arguing that this would not be enough to support an impeachment. Alan Dershowitz has been contending since the beginning of Trump's presidency that the constitutional impeachment standard of "high crimes and misdemeanors" means ordinary criminal offenses. Abuse of office "is not any kind of crime," Dershowitz argues, and the House "can't make up crimes." Former Acting Attorney General Matthew Whitaker has asserted that "abuse of power is not a crime." The conservative New York lawyer Francis Menton has insisted that "to meet the Constitutional text, you have to have a crime." Former Independent Counsel Kenneth Starr has emphasized that the president had exercised "poor judgment" but "that's not a crime." Certainly Trump voters have embraced the mantra of "where's the crime?"

Examining the relevant history, however, makes clear that this understanding of impeachment is unnecessarily constrained. The constitutional framers were familiar with the impeachment device from English history, and after independence, it was quickly incorporated into American state constitutions. In English parliamentary practice, impeachment was a tool for checking the king and his ministers, and the term "high crimes and misdemeanors" developed within that practice to refer to misconduct by public officers. William Blackstone noted that "oppression and tyrannical partiality ... in the administration and under the colour of their office" could often escape ordinary justice and was therefore accountable "by impeachment in parliament." Famously, more than a century before the American Revolution, the House of Commons had impeached the Earl of Strafford for attempting "to subvert the Fundamental Laws and Government of the Realms ... and instead thereof, to introduce Arbitrary and Tyrannical Government." The British imperial officer Warren Hastings was embroiled in an impeachment scandal at the time of the Philadelphia Convention, and the House of Commons eventually charging him with "arbitrary, illegal, unjust, and tyrannical Acts" that rendered him "guilty of High Crimes and Misdemeanors."

The early state constitutions included their own impeachment provisions based on the English practice. The Delaware constitution of 1776 empowered the assembly to impeach those "offending against the State, either by maladministration, corruption, or other means, by which the safety of the Commonwealth may be endangered." The New York constitution vested in the "representatives of the people in assembly" the "power of impeaching all officers of the State, for mal and corrupt conduct in their respective offices." The Massachusetts constitution of 1780 established an impeachment process for officers charged with "misconduct and maladministration in their offices." Likewise, the officers of Virginia were impeachable for "offending against the State, either by maladministration, corruption, or other means, by which the safety of the State may be endangered."

As the framers in Philadelphia contemplated creating a powerful and independent chief executive subject only to quadrennial elections, they agreed overwhelmingly that some ability to truncate the term of office of a misbehaving president would be necessary. James Madison thought it was "indispensable that some provision should be made for defending the Community against the incapacity, negligence or perfidy of the chief Magistrate." In the months after his inauguration, the president might "lose his capacity," or "pervert his administration

into a scheme of peculation or oppression,” or “betray his trust to foreign powers.” Madison and others were also concerned that the president not become as subservient to the legislature as the early state governors often were, and so did not want impeachment and removal to be too easy. The convention thus rejected George Mason’s suggestion of using the common state language of “maladministration” and instead favored the language of “high crimes and misdemeanors.” “High crimes” seemed to capture the range of potential dangers that concerned Madison and others, without leaving the president vulnerable to impeachment over routine political and policy disagreements.

Subsequent commentators understood what the constitutional framers had done, and why they had done it. In *Federalist #65*, Alexander Hamilton noted that even an elected government would need an impeachment power to address “the abuse or violation of some public trust.” Justice James Wilson pointed out in his law lectures that the impeachment power in America was “confined to political characters, to political crimes and misdemeanors, and to political punishments,” unlike the practice in England in which Parliament sometimes judged accusations of ordinary crimes committed by “offenders who were thought to be out of the reach of the ordinary power of the law.” In his overview of the Constitution, Justice Joseph Story concluded that “crimes of a strictly legal character” did fall within the impeachment power but that it would be “ordinarily applied” as a remedy to offenses “of a political character” that grew out of “personal misconduct, or gross neglect, or usurpation, or habitual disregard of the public interests, in the discharge of the duties of political office.” William Rawle concluded that the impeachment power was carried over into the United States because, though “the firmness and integrity of the ordinary tribunals” would be adequate to hold to account any American—no matter how exalted—only a court of impeachment could remove a current officeholder and thereby prevent the “injury sustained by the nation” from being “renewed or increased, if the executive authority were perverse, tyrannical, or corrupt.” The “offenses which may be committed equally by a private person as a public officer” were not generally the proper subject of an impeachment but could instead be “left to the ordinary course of judicial proceeding.” The impeachment power was needed to check “men whose treachery to their country might be productive of the most serious disasters.”

Across its history, the U.S. House of Representatives has approved only a small number of impeachments, and yet it has not confined itself to cases involving violations of the criminal code. The House’s own practice manual concludes from the precedents that impeachable offenses consist of “misconduct incompatible with the official position of the office holder.” Its assessment of presidential impeachments concludes that they have generally involved charges of “abusing or exceeding the law powers of the office.” Many other impeachments involved nonfelonious behavior that was nonetheless judged to be “grossly incompatible with the office,” ranging from officers “appearing on the bench during the trial in a state of intoxication” or “permitting his partisan views to influence his conduct in certain trials” to committing “sexual misconduct with court employees” or preventing, obstructing or impeding the administration of justice. “Less than one-third of all these articles the House has adopted have explicitly charged the violation of a criminal statute or used the word ‘criminal’ or ‘crime’ to describe the conduct alleged.”

Trump may not have committed acts that justify his immediate removal from office, but the constitutional standard is not whether he has committed an ordinary criminal offense. To support an impeachment, there does not need to be a crime, only a high crime and misdemeanor. A president who egregiously misuses the powers of his office or engages in conduct grossly incompatible with the dignity of his office has forfeited the right to continue to occupy his office and is subject to the constitutional judgment of the Senate acting as a court of impeachment. The House and the Senate might conclude that accusations of misconduct are ungrounded or that remedy of removal is unwarranted, but the misconduct that they might assess need not involve violations of the criminal law.

The Constitution provides a variety of tools to protect the country from a president who abuses his power. The people can remove him by election. The courts can check him by judicial decision. The legislature can counter him with the power of the purse, the power to confirm officers and the power to pass legislation. In extreme circumstances, the House and the Senate can also combine forces to prematurely end the president’s term of office through impeachment and removal. Limiting the impeachment power to cases involving criminal acts would leave the country more vulnerable to abusive government officials and encourage more abuse of government power. The men who designed the Constitution knew better than to do that. Americans should not weaken that instrument by misconstruing it.

Topics: Impeachment, The Ukraine Connection

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## The Executive's Privilege: Rethinking the President's Power to Withhold Information

[lawfareblog.com/executives-privilege-rethinking-presidents-power-withhold-information](https://lawfareblog.com/executives-privilege-rethinking-presidents-power-withhold-information)

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What is “executive privilege”? In the specific context of information disputes between the executive branch and Congress, the Supreme Court has never addressed—let alone answered—that question. Nevertheless, as the Trump administration repeatedly relies on that constitutional doctrine to reject demands for information and testimony, the question has been at the forefront of a spate of journalism and legal commentary. Almost every blog, newspaper and magazine has, at some point in the past year, published an “explainer” on executive privilege and its related doctrines or provided some descriptive account of the history of the doctrine. I have contributed several such pieces to *Lawfare*, and others have done the same.

Each of these pieces takes a different angle or addresses a different controversy. But each largely makes four basic points: (a) The concept of executive privilege is hotly disputed; (b) there are very few relevant court cases and none that provide definitive answers; (c) there are a number of historical incidents, from the administration of George Washington to that

of Barack Obama, that are of debatable—and contested—significance; and (d) the legal resolution of these highly disputed questions is likely of little *practical* significance. The last point is the result of three things: Civil lawsuits largely take too long; the executive branch controls criminal enforcement mechanisms; and Congress itself lacks any real enforcement mechanism—short of reviving its long-dormant authority to arrest people, which itself would pose a number of legal and practical problems.

Indeed, the contours of the long-standing dispute over executive privilege and related doctrines such as testimonial immunity have become so familiar that the only remaining question to be explored is often whether each subsequent invocation of the doctrine fits within recent past practice, represents an expansion or is outrageous in its departure from practice.

In a draft paper I have just posted online for comment, I have attempted to take a different tack. As explained below, my paper, “The Executive’s Privilege,” proposes an understanding of executive privilege that aligns more closely with historical precedent and better reflects first principles of constitutional interpretation. The central argument of my paper is that executive privilege should not be understood—as it is now—either as an implied, affirmative authority belonging to the president to withhold or control information or as an evidentiary privilege related to the various “executive” privileges recognized in judicial proceedings. Instead, it should be understood as an extremely narrow limit on Congress’s implied oversight authority—that is, the executive’s privilege against, or immunity from, compelled congressional process in the context of oversight.

Recognizing executive privilege as an immunity belonging to the president may seem like the wrong approach at present, given the broad assertions of immunity claimed by Trump and his advisers. But, as my paper describes, it would actually eliminate almost all of the grounds on which Trump and his advisers—as well as past administrations—have relied to refuse information requests. Trump, by my count, has asserted executive privilege as traditionally understood only one time, over 11 specific documents related to the inclusion of the citizenship question on the U.S. census. *Every other* refusal to provide information has been grounded in one of the prophylactic doctrines developed by the executive branch that themselves have no constitutional or historical foundation but, instead, have been developed by the executive branch over the past 40 years solely to *protect* the president’s authority to assert executive privilege.

Importantly, my paper also provides the theoretical basis to understand why executive privilege does not apply to impeachment. As the House is preparing to hold a vote to affirm its impeachment inquiry, establish impeachment procedures and undermine the White House’s objections to the impeachment process to date, neither executive privilege nor any of the related prophylactic doctrines I describe, such as testimonial immunity, have any continuing force.

Even under the prevailing doctrine within the executive branch, there are a number of reasons that an assertion of privilege would be difficult in the context of an impeachment inquiry (which may be why the administration has so forcefully denied that the House's current inquiries actually constitute impeachment proceedings). But understanding executive privilege as a limitation on Congress's *oversight* authority rather than as an affirmative presidential authority demonstrates why executive privilege does not apply to impeachment. Recently, Judge Neomi Rao dissented in support of Trump's refusal to turn over his tax returns—but much of the history Rao cites in support of her argument also makes it absurd to claim the House's implied authority to further its *impeachment* power should be interpreted as co-extensive with its implied authority to further its *oversight* functions. The executive's privilege is a limit on the latter authority. But there is no historical or theoretical support for considering that limitation to apply to impeachment as well. And, for the same reason, this would also eliminate related prophylactic doctrines, such as immunity, from the context of impeachment. Indeed, understanding the executive's privilege as I propose it would largely eradicate these prophylactic doctrines from the oversight context entirely.

### Background

Executive privilege remains such a controversial but nevertheless unresolved constitutional doctrine in part because, in the past, much of the practice of congressional oversight has been driven by norms and politics. Although constitutional theories regarding executive privilege have long existed, negotiation, normative expectations and political pressures have traditionally been the means by which disputes between Congress and the executive have ultimately been resolved. If you think of a "legal" doctrine as a rule according to which people adhere their behavior and pursuant to which parties can resolve disputes, executive privilege has not been a legal doctrine at all.

In 1974, Archibald Cox, the special prosecutor in the Watergate scandal and the victim of the 1973 Saturday Night Massacre, wrote that "[i]f the Executive Branch were left to itself, the practice [of executive privilege] would surely grow" because "[s]ecrecy, if sanctified by a plausible claim of constitutional privilege, is the easiest solution to a variety of problems." His words are, of course, prescient. The Supreme Court has never addressed a dispute over executive privilege between the executive branch and Congress. And only one appellate court—during the unique circumstances of the Watergate scandal—has ever resolved the merits of such a dispute.

In the context of congressional oversight, the executive branch has thus largely been, as Cox wrote, "left to itself." And the practice of executive privilege not only has grown, as Cox predicted, but also has transformed into comprehensive, multifaceted affirmative presidential authority to control the dissemination of a broad swath of information and to

issue directives to both executive branch officials and private individuals. Moreover, it also includes the authority to adopt unqualified prophylactic measures to protect that underlying, qualified privilege.

The era of compromise and accommodation between branches—and the lack of judicial intervention—may be coming to an end. The two branches have increasingly engaged in constitutional “hardball,” asserting more aggressive positions and engendering a more aggressive response from the other branch in return. During the Reagan administration, for example, only one committee in the House had the standing authority to issue a subpoena, and the executive branch operated for the most part under the premise that once a subpoena was issued, the administration had to either turn over the subpoenaed information or assert executive privilege before the subpoena's return date. Now, all House committees have subpoena authority, which can largely be exercised by the chairperson alone, and the executive branch considers the return date of a subpoena essentially meaningless. Recent practice during the George W. Bush and Obama administrations was to assert executive privilege over specific documents only when the committee scheduled a contempt vote. But that norm has too begun to shift. The Trump administration has furthered existing prophylactic doctrines and created new ones that allow it to refuse to turn over information or provide testimony without a formal assertion of privilege, even in the face of a contempt vote. As a result, a number of cases are currently pending that may force the courts to resolve, or at least address, the constitutional contours of executive privilege that have, to date, remained unexplored by the judiciary.

In his seminal work calling executive privilege a “constitutional myth,” Raoul Berger wrote that when “seeking to ascertain the boundaries between the conflicting claims of Congress and the President, questions of practical convenience need to be separated from the issue of constitutional power.” I have been puzzling over executive privilege for a number of years. As a career attorney in the Office of Legal Counsel (OLC), I worked closely with officials in the Department of Justice and the White House on congressional oversight requests and appropriate responses, including numerous questions of privilege. My tenure included the aggressive oversight of the Obama administration by the Republican-controlled House, as well as the transition to the Trump administration and the development of oversight policies at the start of that administration. Informing each of these conversations and decisions was the extensive doctrine of executive privilege that the executive branch—primarily through formal opinions and informal advice from OLC—has developed over the past four decades. Because there is so little judicial precedent, almost all of the support for that theory is historical practice, which, in many instances, developed to further “practical” or political “convenience,” in Berger's words. But as he wrote, that practice should not be conflated with constitutional power without further inquiry.

I left OLC with a sense that the executive branch's doctrine of executive privilege was missing something. It was too malleable, too responsive to political pressure, too extreme in some ways and too restrictive in others. And the doctrine had been distorted over time by the conflation of the president's authority in the context of congressional oversight with the executive branch's privileges in the context of judicial proceedings, Freedom of Information Act litigation and grand jury subpoenas. I had an idea about a more accurate theoretical understanding of executive privilege that would provide clearer boundaries, eliminate the prophylactic doctrines that dominate the practice of oversight, better reflect history, and more consistently adhere to first principles of constitutional interpretation. And watching the implementation and further development of the executive branch theory over the past two years has only reinforced my original inclinations, even if it has made discussing executive privilege in a neutral, considered way much more difficult. I have called my theoretical construct "the executive's privilege."

### The Executive's Privilege

As Chief Justice John Marshall said, "The peculiar circumstances of the moment may render a measure more or less wise, but cannot render it more or less constitutional." That advice is particularly apt to claims of privilege, both because of the partisan nature of such claims under the existing two-party structure and because each claim involves specific circumstances and facts that may make it unique. What is missing from the discussion of executive privilege—and what leads to the ability of each branch to assert constitutional rights that are directly contrary—is the lack of any neutral constitutional theory under which a claim of executive privilege is, in Marshall's words, "more or less constitutional." That is largely the result of the fact that no neutral body with the power to set precedent—that is, the Supreme Court—has ever addressed executive privilege in the context of congressional oversight. The closest thing is the opinion by the U.S. Court of Appeals for the D.C. Circuit in the *Senate Select* case during Watergate, but, when that case made it to the D.C. Circuit, the House *already had* the information that was at issue—the White House tapes—as part of its impeachment inquiry. In other words, that opinion did not address a situation in which the executive branch asserted a constitutional right to withhold information from Congress entirely, just a situation in which the executive branch asserted the authority to withhold the information from a particular committee. And it arose out of facts that are hard to analogize to typical oversight disputes.

In 1974, Cox also wrote that the "[a]bility to control what information to disclose and when to disclose it is a potent political weapon." When utilized by the executive branch, that potent political weapon is currently known as executive privilege. Mark Rozell, the preeminent authority on executive privilege defined the privilege in 1999 as "the right of the president and high-level executive branch officers to withhold information from Congress, the courts and ultimately the public." He recognized it as a "well-established constitutional power—one with a longstanding history in American government, going back to the George

Washington administration.” And Andy Wright has defined it more recently as “an assertion of presidential authority to preserve Executive Branch confidentiality interests by withholding information from a judicial or congressional proceeding.” Other scholars similarly define “executive privilege” as an implied, affirmative presidential authority to withhold information both from Congress and from the judicial branch.

These scholarly definitions track those used by the executive branch, which considers the doctrine of executive privilege to reflect “the President’s constitutional authority to control the disclosure of privileged information and to supervise the Executive Branch’s communication with congressional entities.” The premise that executive privilege is an affirmative, presidential constitutional authority to withhold information from Congress, the judicial branch and the public is thus the starting point for both the current academic treatment of executive privilege as well as the practice of executive privilege in the executive branch.

A second premise underlies the discourse and practice of executive privilege as well. Executive privilege is considered, at least in part, an evidentiary privilege related to the type of information sought. Rozell indicated in 1999, for example, that “[e]xecutive privilege is an accepted doctrine when appropriately applied to two circumstances: (1) certain national security needs and (2) protecting the privacy of White House deliberations when it is in the public interest to do so.” Todd David Peterson, formerly of OLC, has noted that “documents subject to such a presidential claim of privilege relate to several different categories of executive branch information.” And the executive branch similarly defines executive privilege to include a number of “components,” each of which reflects a particular category of information, such as presidential communications or national security information.

My paper posits that both of these underlying premises are incorrect, or at least imprecise. They should be revisited if, or when, a court addresses an oversight dispute on the merits. Their error results from the conflation of the historical concept of executive privilege—a doctrine exercised on a case-by-case basis in light of particular factual circumstances—with executive evidentiary privileges applicable in judicial proceedings and designed to protect and balance general, undifferentiated interests of the government.

Executive privilege in the specific context of congressional oversight is a doctrine about the respective authority of the two branches. And it is best understood as a presidential immunity from compelled congressional process—the executive’s privilege. Only that understanding is most faithful to first principles of constitutional interpretation, historical practice and the appropriate balance between the branches. The executive’s privilege is not an affirmative constitutional authority belonging to the president to control the disclosure or dissemination of information, applying equally to congressional oversight requests, congressional process related to impeachment, judicial proceedings and public disclosures. Nor is it a doctrine protecting from disclosure all information that fits certain categories of information, such as presidential communications, as the executive branch argues today.

The executive's privilege is a presidential immunity that is limited to congressional demands for information pursuant to its implied oversight authority. In other words, in narrow circumstances, Congress lacks the implied authority to compel the president to provide information in the context of oversight. The executive's privilege, thus understood, provides no authority to the president to direct the dissemination of information more broadly. Nor does it allow for the withholding of information to "protect" the president's right to assert privilege over any and all information that implicates general, undifferentiated confidentiality interests of the government, such as deliberative communications. And, as discussed further below, the executive's privilege does not apply to impeachment inquiries; it is limited to the context of congressional oversight.

The executive branch has combined the broad scope of qualified evidentiary privileges that protect general interests and may apply in judicial proceedings with a constitutional theory grounded in unitary executive theory to erect a comprehensive doctrine of executive privilege that prevents any executive branch official from disclosing any information falling within those sweeping categories without consent from the president and protects them from any penalty for that refusal. In so doing, the executive branch has created a new prophylactic executive privilege that rarely, if ever, requires the president to assert privilege yet still renders Congress virtually impotent in oversight disputes when the executive branch plays hardball.

The executive's privilege as historically understood, however, would eliminate those prophylactic doctrines. It requires an explicit, and public, presidential determination that the disclosure of particular information at that time would cause identifiable harm to a specific interest of the United States, not a personal interest of the president, a particular political party or individual executive branch officials. The limits of such an assertion—and what constitutes national *public* interests—are informed by over two hundred years of historical practice. As then-Assistant Attorney General William Rehnquist described it to Congress in 1971, "Executive privilege does not authorize the withholding of information from Congress where disclosure may prove merely embarrassing to some part of the executive branch. The privilege is limited to those situations in which there is a *demonstrable justification* that executive withholding will further the public interest" (emphasis added). And he emphasized that the assertion of the privilege "necessarily requires the exercise of his judgment as to whether or not the disclosure of particular matters sought would be harmful to the national interest."

Exploring the historical practice of executive privilege, Cox reasoned that history "contains little evidence that the nation has suffered from the want of legal power to compel the President to satisfy the demands of Congress to information in the Executive Branch." But the nation will suffer if that "want of legal power" is not narrowly constrained, as it has been historically. Even if, in theory, the current executive branch doctrine traces its roots to the

same history catalogued by Cox, it has, left to its own devices and confronted with the new reality of digital information, blossomed into something new in practice—a prophylactic doctrine unmoored from history and first principles of constitutional interpretation and driven largely by political expediency.

The remedy is to begin with the executive’s privilege. From that starting point, grounded in both history and recognized constitutional principles, the balance between the branches can ultimately be restored.

### **Application to Impeachment**

Understanding executive privilege as a limit on Congress’s implied oversight authority, rather than an affirmative, implied constitutional authority belonging to the president, would have two major effects on the current disputes between the House and the Trump administration.

First, neither executive privilege nor related doctrines such as testimonial immunity would apply to an impeachment inquiry. Second, prophylactic doctrines—such as protective assertions of privilege, the requirement that agency counsel be present at depositions, and letters to former employees instructing them not to disclose any information that is *potentially* within the scope of executive privilege—would also no longer be available.

Of course, the administration has contested the validity of the ongoing impeachment inquiry, most prominently in the letter from White House Counsel Pat Cipollone. Scholars and former executive branch officials have criticized the letter on a number of grounds, but one of the most astounding claims in the letter—as far as interbranch relations go—is that the White House is the entity that gets to determine when an impeachment inquiry is valid. And because the White House has determined that the current inquiry is *not* valid, Trump and other executive branch officials may direct current and former officials not to comply with congressional demands for information—a direction several witnesses have refused to follow.

A more nuanced argument appears in the declaratory judgment action recently filed by Charles Kupperman, the former deputy and acting national security adviser, which asks the court to resolve the question of his testimonial immunity: The White House argues he is immune, while the House demands his testimony. Kupperman contends that he is caught between the competing legal directives from two equal branches and, in essence, asks the court to tell him what to do. His complaint notes that the subpoena requiring him to appear was issued pursuant to House Rule XI, clause 2(m)(1), which authorizes the committee to issue a subpoena “[f]or the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to it under clause 2 of rule XII).” The “functions and duties” identified in the cross-referenced rules, however, do not include

impeachment. According to Kupperman, then, the actual subpoena issued to him could not have been issued pursuant to the committee's impeachment authority because the rule under which it was issued does not reference that authority.

It is not surprising that, to date, the administration has mounted its defense wholly on the grounds that there is no impeachment inquiry or that the subpoenas are not issued pursuant to Congress's impeachment power. In an impeachment inquiry, the executive branch is on very shaky ground attempting to withhold information. As a number of experts have recently pointed out, including [Jean Galbraith and Michel Paradis](#), the historical evidence suggests that impeachment alters the calculus in terms of executive privilege. [George Washington and his cabinet](#) opined that the president could withhold information in response to a congressional oversight demand but that he would not be able to do so in response to a congressional demand pursuant to its impeachment authority. As [described](#) in 1796 by Rep. William Lyman, the "power of impeachment ... certainly implic[s] the right to inspect every paper and transaction in any department, otherwise the power of impeachment could never be exercised with any effect."

Statements by a number of other presidents, including Andrew Jackson, James K. Polk, Grover Cleveland and Theodore Roosevelt, provide additional support for the proposition that the executive's privilege against congressional demands for information would not apply to an impeachment inquiry. And one of the principal architects of the Constitution, James Wilson, [described](#) the British Parliament, on which the House's impeachment authority was expressly based, as having the "character of grand inquisitors of the realm" and recognized that "[t]he proudest ministers of the proudest monarchs have trembled at the[] censure" of the House of Commons and "have appeared at the bar of the house, to give an account of their conduct, and ask pardon for their faults."

Accordingly, unlike executive privilege more generally, the executive branch cannot rely on a string of historical incidents to support a claim that the president has the authority to withhold information from Congress in the context of an impeachment inquiry. Indeed, there do not appear to be any applicable historical examples or any presidents who have disagreed with Polk's [view](#) that, in the exercise of the impeachment power, the House could "penetrate into the most secret recesses of the Executive Departments[,] ... command the attendance of any and every agent of the Government, and compel them to produce all papers, public or private, official or unofficial." That is not to say, of course, that some *evidentiary* privileges—such as attorney-client privilege—could not be validly raised in response to demands from the House or in a Senate impeachment trial. But the judge of those privileges would be the House and the Senate, pursuant to their respective constitutional authorities related to impeachment.

As my [paper](#) demonstrates, distinguishing the constitutional executive's privilege in the context of oversight from the assertion of such evidentiary privileges is vital to restoring the executive's privilege to its previous, limited role. Such evidentiary privileges may very well

have a role to play in guarding against excess in congressional oversight requests and information demands. But they are not, as the executive branch has redefined them, each various components of a more general affirmative constitutional authority belonging to the president. They protect general, undifferentiated confidentiality interests and have developed attendant balancing tests and waiver rules corresponding to the weight and purposes of those confidentiality interests. The executive's privilege is not an evidentiary privilege but an immunity applicable only to oversight and designed to protect only specific, identified national interests when absolutely necessary as determined by the president.

Even if executive privilege did apply to an impeachment inquiry, it would not solve all the administration's problems: The executive branch acknowledges that the privilege is qualified. Every formal assertion of executive privilege is accompanied by an opinion from the Department of Justice, and the latter half of the opinion always balances the executive branch's interests in maintaining the confidentiality of the information against Congress's needs. The opinions adopt the standard from the D.C. Circuit's opinion in Senate Select: that, to overcome the privilege, Congress must show the information is "demonstrably critical" to the fulfillment of its legislative responsibilities. And the opinions often recite the statement from Senate Select that Congress has no real need for a "precise reconstruction of past events" in fulfilling its legislative function. Because Congress has no need for those precise facts, the executive branch unfailingly concludes that Congress's interests do not outweigh the executive branch's confidentiality interests.

In an impeachment inquiry, however, Congress has precisely that need for an accurate and definitive reconstruction of past events to determine if a "high crime or misdemeanor" has occurred. Thus, even if executive privilege *could* potentially be applicable to impeachment, it is hard to see how Congress's need for all the information relevant to that inquiry would not outweigh the need for confidentiality.

Indeed, the Supreme Court's decision in U.S. v. Nixon makes it clear that Congress's need would prevail. The House's role in an impeachment inquiry has been analogized to a grand jury, and, in Nixon, it was the grand jury's need for all the relevant information about the alleged wrongdoing that the Supreme Court found outweighed the president's need for confidentiality in his communications with his closest advisers. The same reasoning would apply to any claim of privilege during an impeachment inquiry. The executive branch would likely claim that formal *criminal* proceedings, such as a grand jury investigation, are distinct from an impeachment inquiry. But that formal distinction would appear to have little relevance to the question of Congress's need. Both the grand jury and the House would be engaged in the same task—weighing all relevant evidence to determine whether probable cause existed to believe the individual under investigation engaged in wrongdoing in the past—even if the offenses are different—criminal wrongdoing versus an impeachable offense, respectively.

There is thus a substantial historical and doctrinal argument that executive privilege does not apply to an impeachment inquiry. My paper provides theoretical support for that position as a matter of constitutional interpretation. If the executive's privilege is no more than a limitation on Congress's implied oversight authority, it has no application to the separate impeachment authority or the implied authorities of Congress in support of that impeachment authority.

Judge Rao's recent dissent in the Mazars case, which argues that the House has no power to investigate misconduct by executive branch officials unless it is pursuing impeachment, misunderstands the importance of the historical materials on which it relies. The repeated statements by presidents and other officials to which she refers—which distinguish between oversight pursuant to legislative authority and demands for information as part of an impeachment inquiry—stand for the proposition that Congress's authority to demand information as part of an impeachment inquiry is not limited at all by executive branch confidentiality interests. As a number of scholars have demonstrated conclusively—most notably Raoul Berger in 1974 and Josh Chafetz more recently—Congress has always had authority to inquire into wrongdoing by executive branch officials as part of its general legislative and oversight responsibilities. That authority is limited, in my view, by the narrow executive's privilege as historically understood. But there is no such limitation on the implied authority to investigate pursuant to an impeachment inquiry. Executive privilege simply does not apply in impeachment.

Importantly, if executive privilege does not apply in an impeachment proceeding, then neither do any of the prophylactic doctrines that have developed to protect it, including the immunity of presidential advisers such as Kupperman. Much has been written about the doctrine of testimonial immunity, and the executive branch does consider it a separate and distinct doctrine from executive privilege. It may be a separate doctrine, but even its “founder,” William Rehnquist, understood it to be a prophylactic doctrine arising out of and reliant on the doctrine of executive privilege.

Much has been made of Rehnquist's congressional testimony in 1971 on the Pentagon Papers in which the U.S. District Court for the District of Columbia suggested he had “apparently recanted” his original, tentative conclusion that senior presidential advisers were absolutely immune from compelled congressional testimony. That testimony—and the statement at issue read in context—addressed executive privilege for *documents*, claiming that the executive branch official “who himself had custody of the documents” over which the president was asserting privilege would “have to respond” to a subpoena. That testimony did not, however, address the compelled *testimony* of senior advisers. Testimony by Rehnquist on August 4 of that same year, often overlooked, confirms that he did not have a change of heart or recant his original conclusions. And it also makes it clear that the doctrine of immunity arose squarely out of executive privilege.

In that testimony addressing executive privilege before the Senate Subcommittee on the Separation of Powers of the Committee of the Judiciary, Rehnquist recognized “that in judicial proceedings a witness who claims privilege must normally appear in court and claim it in person” but then noted the “exception[] to that rule” when “it appeared that all the testimony to be elicited from a witness would be privileged.” After discussing a case supporting that exception, he concluded that advisers “whose sole responsibility is that of advising the President ... should not be required to appear at all” in response to a congressional subpoena because “all of their official responsibilities would be subject to a claim of privilege.”

Immunity thus originates in the position that almost all of a senior presidential adviser’s testimony would be privileged and that therefore that adviser need not appear at all. Accordingly, immunity is dependent on the premise that privilege applies. In fact, Janet Reno’s 1999 opinion on the immunity of President Clinton’s counsel referred to immunity as a “separate legal basis that would support a claim of executive privilege for the entirety of the Counsel’s testimony.” And even OLC’s most recent, more expansive opinions on immunity continue to justify it, in part, by noting that compelled testimony creates a risk of “inadvertent or coerced” disclosure of information protected by executive privilege. Likewise, OLC argues that compelled testimony would produce the same chill on deliberations that privilege protects. To be sure, the opinions take pains to note that executive privilege and immunity are distinct. And one recent opinion goes so far as to disclaim entirely Reno’s characterization of immunity as another facet of executive privilege. But if you look at the origins of the immunity doctrine closely, it is clear it originated out of the same considerations and doctrines that informed executive privilege and that continue to underlie much of the executive branch’s position today.

The same is true of more recent constitutional doctrines asserted by the executive branch, such as the authority to countermand a deposition subpoena if executive branch officials are not allowed to be present; the idea that a witness, including a private individual, can decline to answer to protect the ability of the president to ultimately assert privilege; the practice of executive branch officials refusing to comply with subpoenas or answer questions because the information is *potentially* privileged despite the lack of any actual assertion of privilege; or the president’s ability to make a “protective” assertion of executive privilege over a broad swath of information and thereby immunize an executive branch official from contempt without the need to balance Congress’s interests. Each of these positions relies, ultimately, on the premise that executive privilege—that is, the affirmative authority of the president to control the dissemination and disclosure of information—is applicable and needs to be protected. However, if the privilege is not an affirmative authority but, instead, is a limited immunity that is not applicable to impeachment, none of these prophylactic doctrines apply.

More generally, if the executive's privilege is understood as a narrow limit on Congress's oversight authority, rather than an affirmative presidential authority, most of these prophylactic doctrines would disappear from oversight as well, or at least be substantially inhibited. The president—and only the president—would have to decide, and justify with particularity, whether to withhold documents and which documents to withhold in response to congressional subpoenas. In other words, the various defenses designed to “protect” the president's authority to assert privilege, which is the primary rationale that animates the executive branch's response to oversight demands today, would no longer be valid. The president has no constitutional “authority” to control the dissemination of privileged information; the president has a very narrow, fact-specific privilege that he may assert. His assertion is a valid defense, but it is the only defense.

In sum, the question of “what is executive privilege?” is an enormously difficult one, particularly in the current partisan environment. But it is a vitally important question to try to answer as the conflicts escalate between the executive branch and Congress. I have proposed one definition, but I by no means think it is the only possible one.

Regardless of the answer, however, it should be clear that the privilege does not apply to impeachment. And what has gone unrecognized to date, I think, is that if executive privilege does not apply to impeachment, then these other related prophylactic doctrines disappear along with it, whatever one thinks of their applicability to oversight more generally. The executive's privilege, in my view, is limited to oversight. An impeachment inquiry—soon to be affirmed by the full House—is now under way. As a result, executive privilege—and all its attendant prophylactic doctrines—should be set aside. The president and executive branch officials must, in Wilson's words, “appear[] at the bar of the house, to give an account of their conduct.”

## \$35 million in Pentagon aid hasn't reached Ukraine, despite White House assurances

[latimes.com/politics/story/2019-11-19/documents-show-nearly-40-million-in-ukraine-aid-delayed-despite-](https://www.latimes.com/politics/story/2019-11-19/documents-show-nearly-40-million-in-ukraine-aid-delayed-despite-)

November 19,  
2019



Troops in the Ukrainian village of Perevalnoye.

(Alexey Furman / EPA-Shutterstock)

WASHINGTON —

More than \$35 million of the roughly \$400 million in aid to Ukraine that President Trump delayed, sparking the impeachment inquiry, has not been released to the country, according to a Pentagon spending document obtained by the Los Angeles Times.

Instead, the defense funding for Ukraine remains in U.S. accounts, according to the document. It's not clear why the money hasn't been released, and members of Congress are demanding answers.

The controversy began when Trump withheld the assistance package while urging new Ukrainian President Volodymyr Zelensky to conduct investigations of Trump's political opponents. The White House lifted its hold on the money on Sept. 11 after a whistleblower report emerged alleging a quid pro quo.

Congress had approved the one-year funds — \$250 million in military aid from the Pentagon and an additional \$141 million in assistance from the State Department — with bipartisan support last fall. Because of a congressionally mandated 15-day waiting period, the administration's delay left lawmakers less than a week to secure the money before the legal authority to spend it expired at the end of the fiscal year on Sept. 30.

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Knowing that the hundreds of millions couldn't all be allocated in such a short time, Congress gave the Pentagon an additional year to spend its share.

Pentagon officials said then that the spending would be disbursed within weeks. But \$35.2 million — earmarked for grenade launchers, secure communications and naval combat craft — has not left the U.S. Treasury, according to lawmakers and the Pentagon document tracking spending.

Pentagon spokeswoman Lt. Col. Carla Gleason confirmed that \$36 million had yet to be provided to Ukraine but declined to say why, instead reiterating that the aid would be obligated "over the next several weeks."

The continued holdup of a portion of the assistance could undermine a key Republican argument throughout the impeachment inquiry. The president's defenders have downplayed the effects of the delay in aid by noting that the funds were ultimately released without Ukraine committing to the investigations Trump wanted. A [strategy memo circulated Monday night](#) by Republican committee staff urged them to make that case in [public hearings Tuesday](#).

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Rep. Elise Stefanik (R-N.Y.) said Tuesday during a hearing that two key facts had not changed throughout the inquiry: "Ukraine in fact received the aid and there was no investigation into the Bidens."

White House Press Secretary Stephanie Grisham made the same point in dismissing the inquiry in a Fox News interview Nov. 1. "The president did absolutely nothing wrong," she said. "We released the transcript weeks ago for everybody to see. There was no quid pro quo. The Ukrainian government said they felt absolutely no pressure. Aid was eventually released to the Ukraine."

Democratic lawmakers are demanding answers from the Pentagon as to why the aid for Ukraine has not yet been spent, nearly two months after the fiscal year ended Sept. 30.

California Rep. John Garamendi (D-Walnut Grove), chairman of the House Armed Services Committee's readiness subcommittee, said the Pentagon had not been responsive about the reason.

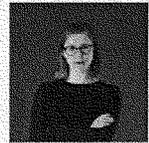
"We've raised the question and we have not received an answer," Garamendi said. "We're going to have to find out why."

Senate Democrats on defense committees wrote to Defense Secretary Mark Esper on Monday, emphasizing the importance of the aid reaching Ukraine in the aftermath of the controversy over the assistance.

"Speeding the delivery of this critical aid, which Congress specifically appropriated to improve the security of Ukraine, is important to affirm our commitment to Ukraine in the wake of the chaotic, undisciplined, and deeply concerning approach the administration has taken toward our important partner," the letter said.

### Molly O'Toole

Molly O'Toole is an immigration and security reporter based in the Los Angeles Times' Washington, D.C., bureau. Previously, she was a senior reporter at Foreign Policy covering the 2016 election and Trump administration, and a politics reporter at the Atlantic's Defense One. She has covered migration and security from Mexico, Central America, West Africa, the Middle East, the Gulf, and South Asia. She is a graduate of Cornell University and NYU, but will always be a Californian.



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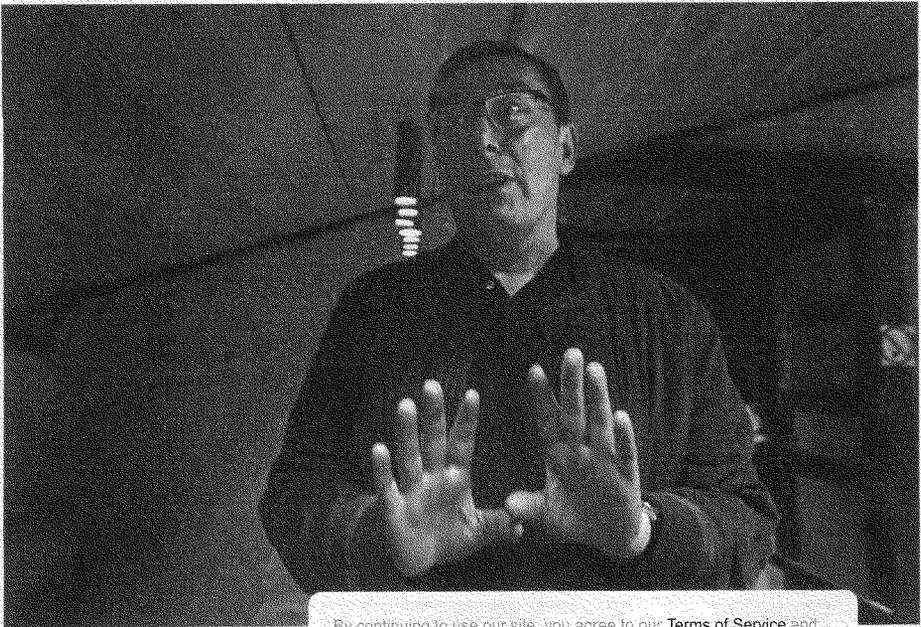


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WORLD & NATION

# Former Ukraine prosecutor says he saw no evidence of wrongdoing by Biden



Yuri Lutsenko, the former prosecutor general for Ukraine, is seen in a video recording for The Times.

By TRACY WILKINSON, SERGEI L. LOIKO

SEP. 29, 2019  
11:21 AM

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1/3/2020

Ex-Ukraine prosecutor says he saw no evidence of wrongdoing by Biden - Los Angeles Times

KYIV, Ukraine — Ukraine’s former top law enforcement official says he repeatedly rebuffed demands by President Trump’s personal lawyer to investigate Joe Biden and his son, insisting he had seen no evidence of wrongdoing that he could pursue.

In an interview, Yuri Lutsenko said while he was Ukraine’s prosecutor general he told Rudolph W. Giuliani that he would be happy to cooperate if the FBI or other U.S. authorities began their own investigation of the former vice president and his son Hunter but insisted they had not broken any Ukrainian laws to his knowledge.



POLITICS

Full coverage: President Trump becomes the third U.S. president to be impeached

Dec. 17, 2019

Lutsenko, who was fired as prosecutor general last month, said he had urged Giuliani to launch a U.S. inquiry and go to court if he had any evidence but not to use Ukraine to conduct a political vendetta that could affect the U.S. election.

“I said, ‘Let’s put this through prosecutors, not through presidents,’ ” Lutsenko told The Times.

“I told him I could not start an in... By continuing to use our site, you agree to our Terms of Service and Privacy Policy. You can learn more about how we use cookies by reviewing our Privacy Policy. Close!

The revelations are at the heart of... also accused Trump improperly delayed congressionally mandated military aid to Ukraine while urging leaders there to help find

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Ex-Ukraine prosecutor says he saw no evidence of wrongdoing by Biden - Los Angeles Times

dirt on his political opponents to boost his 2020 reelection bid.

Lutsenko said he met Giuliani twice in person and had numerous conversations with him on the phone. He described the former New York mayor as obsessed with possible misconduct by Biden or his son Hunter.

Both Bidens have denied any wrongdoing, and no evidence has emerged to suggest they broke U.S. laws.



POLITICS

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Lutsenko said he told Giuliani that Hunter Biden's position on the board of Ukraine's largest natural gas company, Burisma Holdings, while his father was involved in steering Obama administration policy toward Ukraine "could be signs of a conflict of interest" but was not illegal.

Lutsenko's account is controversial since he is believed to have been one of the original promoters behind the unsubstantiated allegations against Biden. He also complained about Marie Yovanovitch, the U.S. ambassador to Kyiv who was recalled in May, weeks before her tenure was up.

Yovanovitch had pushed Ukraine's government to more aggressively crack down on corruption. But the White House considered her insufficiently loyal to Trump, apparently because she resisted pressuring Ukraine on his priorities, and she became a target of conservative critics, including Giuliani.

House investigators have scheduled a deposition with Yovanovitch and four other senior State Department officials as part of t

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Among the group is Kurt Volker

the

[whistleblower account](#) alleged he had helped set up some of Giuliani's meetings with Ukrainian officials.

Lutsenko said he was eager to cooperate with Giuliani and Trump but did not have sufficient evidence to act on his own.

POLITICS

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The former prosecutor said Giuliani dropped the Biden requests at some point last year but apparently saw a new opportunity with the election in April of [Volodymyr Zelensky](#), a former actor and political neophyte who defeated incumbent President Petro Poroshenko



**Los Angeles Times**

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Lutsenko said Giuliani again began contacting him to sound him out about the new president and gauge whether Zelensky might be more cooperative in going after Democrats. But Lutsenko did not keep his job and was fired in August.

On July 25, Trump spoke to Zelensky by telephone from the White House. According to a [declassified memorandum](#) released by the White House last week that reconstructed the conversation, Trump asked Zelensky for a “favor” and urged him to “look into” Biden and his son.

He linked his comments directly to Zelensky’s request to buy U.S. antitank weapons to help counter Russia-backed separatists in eastern Ukraine, and the new president’s hopes of securing a White House meeting.

During the 30-minute call, Trump asked Zelensky at least five times to work with Atty. Gen. William Barr in addition to Giuliani.

“I will have Mr. Giuliani give you a call and I am also going to have Atty. Gen. Barr call and we will get to the bottom of it,” Trump t

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The Justice Department said las and that he had no contact with Ukrainian authorities.

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1/3/2020

Ex-Ukraine prosecutor says he saw no evidence of wrongdoing by Biden - Los Angeles Times

was in March, he said.

“I went to his office and was there for several hours over three days,” Lutsenko said. “He was certainly prepared.”

Giuliani quickly raised the issue of the Ukrainian gas company that had hired Hunter Biden. Burisma is run by a Ukrainian oligarch who had been under investigation for tax evasion and lives abroad. But once back taxes were paid, Lutsenko said, the case was shelved.

“He was wondering why the case was closed,” he said. “I had to tell him how law enforcement functions here.”

He said his hands were tied and he could not reopen the case just because Trump wanted it.

POLITICS

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Sep. 29, 2019

Trump has suggested that one of Biden’s misdeeds was to demand the firing of Lutsenko’s predecessor, Viktor Shokin, to prevent him from investigating Hunter Biden.

But U.S. and European officials had demanded Shokin’s ouster as part of a crackdown on widespread corruption in the former Soviet republic.

“The thinking was Ukraine could do a lot more” to fight corruption, David Cameron, the British prime minister at the time, said Sunday on CNN.

Giuliani was scheduled to travel questions about his activities.

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Ex-Ukraine prosecutor says he saw no evidence of wrongdoing by Biden - Los Angeles Times

Lutsenko served as prosecutor general from May 2016 until last month, when Zelensky had him replaced. Both men are pivotal characters in the Trump impeachment saga.

Lutsenko has had a checkered career. He spent several years in prison on corruption charges that he claimed were trumped up. He was eventually pardoned.

Rivals have accused him of fomenting the Biden allegations in hopes of winning Trump administration support during the Ukrainian election for Poroshenko, the defeated candidate.

The picture that is emerging of Giuliani's back-channel diplomacy suggests maneuvering that countered and ultimately undermined official U.S. foreign policy.

The U.S. Congress has voiced bipartisan support for Kyiv in its showdown with neighboring Russia, which seized the Crimea region in 2014 and has backed separatists in an armed insurgency in eastern Ukraine.

Trump has been reluctant to criticize Moscow, and last week, when he met Zelensky on the sidelines of the United Nations General Assembly, the president appeared to startle the Ukrainian leader by urging him to settle his differences with Russia.

*Loiko is a special correspondent.*

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# Listen: Audio of Trump discussing whistleblower at private event: 'That's close to a spy'

Listen: Trump slams whistleblower at private event



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Los Angeles

12/20/2019

Listen: Audio of Trump discussing whistleblower at private event; 'That's close to a spy' - Los Angeles Times

STAFF WRITER

SEP. 26, 2019  
3:57 PM

WASHINGTON — President Trump expressed disgust Thursday morning with the explosive whistleblower [complaint](#), slamming the intelligence officer and the White House aides who helped him as “almost a spy” and suggested it was treason.

Speaking at a private event with U.S. diplomatic officials in New York, Trump described reporters as “scum” and raged at the Democrats’ new impeachment proceedings, which were spurred by the whistleblower’s complaint alleging that Trump tried to strong-arm Ukraine’s leader to interfere in the 2020 election.

The still-unidentified intelligence officer acknowledged that he did not listen to Trump’s July 25 phone call with Ukrainian President Volodymyr Zelensky, but [cited accounts](#) from more than half a dozen White House and other officials over the last four months as part of “official interagency business.”

“Basically, that person never saw the report, never saw the call, he never saw the call — *heard* something and decided that he or she, or whoever the hell they saw — they’re almost a spy,” Trump said.

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Listen: Audio of Trump discussing whistleblower at private event: 'That's close to a spy' - Los Angeles Times

"I want to know who's the person, who's the person who gave the whistleblower the information? Because that's close to a spy," he continued. "You know what we used to do in the old days when we were smart? Right? The spies and treason, we used to handle it a little differently than we do now."

A few attendees laughed at the casually menacing remark, but the ballroom at the Intercontinental Hotel in New York stayed mostly silent.

A person attending the event provided the Los Angeles Times with a recording of the president's remarks. The event was arranged so the president could thank the U.S. ambassador to the United Nations, Kelly Craft, and her staff as he wound up four days of meetings around the U.N. General Assembly.

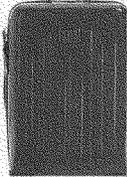


POLITICS

**Full coverage: President Trump becomes the third U.S. president to be impeached**

Dec. 17, 2019

Trump spoke just as Joseph Maguire, the acting director of national intelligence, was [defending the whistleblower](#) at a hearing by the House Intelligence Committee, saying the individual "did the right thing" and followed the law "every step of the way."



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Rep. Adam B. Schiff (D-Burbank), who heads the committee and led the questioning of Maguire, said later that Trump's crude comments in New York *were intended to intimidate witnesses in the fast-moving impeachment inquiry.*

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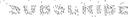
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WORLD & NATION

# Trump froze military aid — as Ukrainian soldiers perished in battle



Anactacia Golta at the graveside of her husband, Oleksandr

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**OBUKHIV, Ukraine** — When President Trump froze hundreds of millions of dollars in security assistance to Ukraine in July, Oleksandr Markiv was in a trench defending his country's eastern front line against Russia-backed separatist militias.

Two months later, Markiv, 38, was dead, killed by shrapnel during a mortar attack on his battalion's position in a notoriously dangerous defense point known as the Svitlodarsk Bulge.

Markiv was one of 25 Ukrainian fatalities on the front line since July 18, the day Trump quietly put on hold a \$391-million military aid package appropriated by Congress for Ukraine last year.

Democrats accuse Trump of holding Ukraine's allotted military aid hostage in exchange for promises from Ukrainian President Volodymyr Zelensky to investigate the dealings of Trump's political rival, Joe Biden.

Although there is no way to link Markiv's or the dozens of other deaths directly to the lack of aid, military officials and other Ukrainians say they felt exposed, vulnerable and, at least temporarily, abandoned by their foremost ally: Washington.

"U.S. aid to Ukraine has been very complex and fluid, alternating between more economic aid in the 1990s to more civil society support after 200

Rory Finnin, a professor of Ukrainian studies at

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Although the Trump administration said in September that it had lifted the freeze on military aid, it “has not reached us yet,” Oleksandr Motuzianyk, a spokesman for the Ukrainian Defense Ministry, said this week. “It is not just money from the bank. It is arms, equipment and hardware.”

At the time Russian President Vladimir Putin annexed Ukraine's Crimean peninsula and the war was breaking out in Donbas, Ukraine's armed forces and its equipment had been stripped down and sold off under then-President Viktor Yanukovich. The Kremlin-favored leader was ousted in the Maidan protests in 2014 and fled to Russia.

Tens of thousands of Ukrainians, like Markiv, volunteered to help fight the Russia-backed separatists in the east. Many of them were sent to the front line wearing sneakers and without flak jackets and helmets, let alone rifles and ammunition. Ukrainians across the country organized in an unprecedented, united civil movement not seen since World War II to raise money to supply their ragtag military with everything from soldiers' boots to bullets.

The West, including the U.S., stepped in to provide billions of dollars in security assistance that included armored Hummer SUVs, military ambulances and medical supplies, radar and communications equipment, night-vision goggles and drones.

Bolstering Ukraine's battle against Russia in the Donbas follows decades of what the U.S. saw as vital support for the country of 45 million's post-Soviet transition.

Washington has poured money into developing and stabilizing Ukraine as a way to bring it into the Western fold. This irritated the Kremlin, which sees Ukraine as belonging firmly in Moscow's perceived sphere of influence.

Whereas Ukraine had been for nearly three decades at the center of a tug of war between the West and Moscow, Trump's July phone call with Zelensky turned Ukraine into a battlefield for American domestic politics that comes at a high price for Ukrainians fighting on the front line.

“If the United States will drag us into their dome

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the co-founder of a new nongovernmental organization lobbying for democratic reforms in Ukraine.

Ukraine would have managed to defend itself against Russia without U.S. assistance, but Kyiv's losses "would have been much heavier," said Gen. Viktor Muzhenko, who was chief of staff from 2014 until 2019.

The U.S. donations of counter-battery radar systems, which warns troops about incoming mortar and artillery fire and pinpoints where the firing came from, has saved "hundreds if not thousands of our soldiers' lives," Muzhenko said.

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Oleksiy Tikhonchuk, the commander of Markiv's battalion, said such a system could have saved his deputy's life.

On Sept. 27, Markiv's unit was hit first by a mortar attack, and then rounds of a large-caliber machine gun, Tikhonchuk said.

"All the soldiers were hiding in the trenches, holes and dugouts, but Sasha decided to climb on top of his dugout to visually spot where the fire was coming from to adjust our return fire," he said, using the diminutive name for Oleksandr. Markiv was struck when their position took a direct hit from a mortar round. He died three hours later during an operation to remove the shrapnel from his head in a military hospital in Svitlodarsk.

Many Ukrainian battalions have the American radar systems, but Markiv's squad did not, Tikhonchuk said. "That cost him his life."

### Funeral for Ukrainian soldier killed in battle

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In her grief, Markiv's widow doesn't want to make her husband's death about geopolitics.

Anastasia Golota has enough to worry about with their son, Svetoslav, 9, who refuses to believe that his father is dead.



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"He gets upset when I go to the cemetery, he tells me he doesn't think he's there," Golota, 37, said as she walked backed to the car from her husband's grave. Ukraine's national blue and yellow flags flap in the wind and mark the graves of 34 soldiers from this former chemical factory town killed during the conflict.

More than 14,000 Ukrainians have died and about 1.5 million displaced in the conflict. For many in Ukraine, it's still hard to accept that Kyiv is in an armed conflict with its neighbor, Russia, with whom it shares deep historical, linguistic and cultural ties. Many Ukrainians and Russians also have family ties on both sides of the border. Golota is half Russian. Her mother moved from Russia to Ukraine as a child during the Soviet Union years.

"I don't understand what Russia wants from our little country," said Golota's mother, Marina.

But Markiv understood perfectly well what Russia's ambitions were for Ukraine, Golota said. He was a patriot with a deep commitment to Ukraine's independence, just as his great-grandfather had been as a member of the nationalist, paramilitary Ukrainian Insurgent Army that fought the Soviet Red Army in the 1940s.

He had worked in the Obukhiv tax office in 2010 and watched as Yanukovich helped his business associates divvy up local government offices to run the city like their personal fiefdoms.

Markiv was very principled and hated the endemic corruption in his country under Yanukovich, she said.

When the Maidan revolution started in 2013, she and Markiv took turns standing on the square and taking care of their son at home. Her husband helped drag the wounded to the makeshift medical hospitals set up on Kyiv's Independence Square at the height of the clashes between government riot police and protesters.

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Anactacia Golota at the graveside of her husband, Oleksandr

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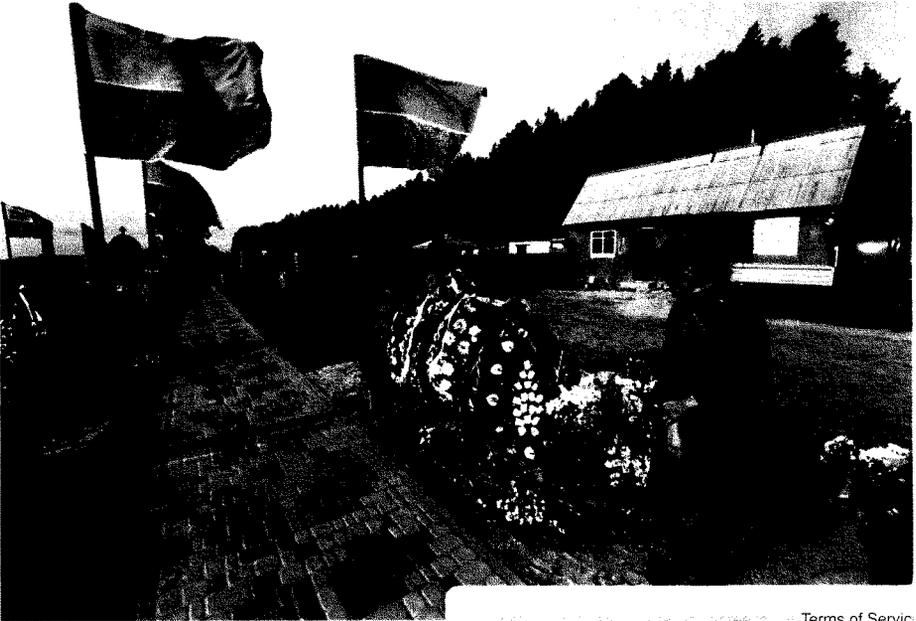
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## Letter to Congress from Legal Scholars



Legal Scholars on Impeachment

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We, the undersigned legal scholars, have concluded that President Trump engaged in impeachable conduct.

We do not reach this conclusion lightly. The Founders did not make impeachment available for disagreements over policy, even profound ones, nor for extreme distaste for the manner in which the President executes his office. Only “Treason, Bribery, or other high Crimes and Misdemeanors” warrant impeachment. But there is overwhelming evidence that President Trump betrayed his oath of office by seeking to use presidential power to pressure a foreign government to help him distort an American election, for his personal and political benefit, at the direct expense of national security interests as determined by Congress. His conduct is precisely the type of threat to our democracy that the Founders feared when they included the remedy of impeachment in the Constitution.

We take no position on whether the President committed a crime. But conduct need not be criminal to be impeachable. The standard here is *constitutional*; it does not depend on what Congress has chosen to criminalize.

Impeachment is a remedy for grave abuses of the public trust. The two specific bases for impeachment named in the Constitution — treason and bribery — involve such abuses because they include conduct undertaken not in the “faithful execution” of public office that the Constitution requires, but instead for personal gain (bribery) or to benefit a foreign enemy (treason).

Impeachment is an especially essential remedy for conduct that corrupts elections. The primary check on presidents is political: if a president behaves poorly, voters can punish him or his party at the polls. A president who corrupts the system of elections seeks to place himself beyond the reach of this political check. At the Constitutional Convention,

George Mason described impeachable offenses as “attempts to subvert the constitution.” Corrupting elections subverts the process by which the Constitution makes the president democratically accountable. Put simply, if a President cheats in his effort at re-election, trusting the democratic process to serve as a check through that election is no remedy at all. That is what impeachment is for.

Moreover, the Founders were keenly concerned with the possibility of corruption in the president’s relationships with foreign governments. That is why they prohibited the president from accepting anything of value from foreign governments without Congress’s consent. The same concern drove their thinking on impeachment. James Madison noted that Congress must be able to remove the president between elections lest there be no remedy if a president betrayed the public trust in dealings with foreign powers.

In light of these considerations, overwhelming evidence made public to date forces us to conclude that President Trump engaged in impeachable conduct. To mention only a few of those facts: William B. Taylor, who leads the U.S. embassy in Ukraine, testified that President Trump directed the withholding of hundreds of millions of dollars in military aid for Ukraine in its struggle against Russia — aid that Congress determined to be in the U.S. national security interest — until Ukraine announced investigations that would aid the President’s re-election campaign. Ambassador Gordon Sondland testified that the President made a White House visit for the Ukrainian president conditional on public announcement of those investigations. In a phone call with the Ukrainian president, President Trump asked for a “favor” in the form of a foreign government investigation of a U.S. citizen who is his political rival. President Trump and his Chief of Staff Mick Mulvaney made public statements confirming this use of governmental power to solicit investigations that would aid the President’s personal political interests. The President made clear that his private attorney, Rudy Giuliani, was central to efforts to spur Ukrainian investigations, and Mr. Giuliani confirmed that his efforts were in service of President Trump’s private interests.

Ultimately, whether to impeach the President and remove him from office depends on judgments that the Constitution leaves to Congress. But if the House of Representatives impeached the President for the conduct described here and the Senate voted to remove him, they would be acting well within their constitutional powers. Whether President

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Trump's conduct is classified as bribery, as a high crime or misdemeanor, or as both, it is clearly impeachable under our Constitution.

Signed,\*

	First name	Last name	Title	Academic/Institutional Affiliation
267	Lawrence	Friedman	Marion Rice Kirkwood Prof...	Stanford University Scho...
268	Lawrence	Friedman	Professor of Law	New England Law   Bostc...
269	Richard	Friedman	Alene and Allan F. Smith Pr...	University of Michigan L...
270	Maryellen	Fullerton	Suzanne J. and Norman Mil...	Brooklyn Law School
271	William	Funk	Lewis & Clark Distinguishe...	Lewis & Clark Law Schoo...
272	Barry	Furrow	Professor of Law	Kline School of Law at Dr...
273	Craig	Futterman	Clinical Professor of Law	University of Chicago La...
274	Martha	Gaines	Distinguished Clinical Profe...	University of Wisconsin L...
275	Mary Ellen	Gale	Professor of Law Emerita	Whittier College
276	Paula	Galowitz	Clinical Professor of Law E...	New York University Sch...
277	James	Gardner	Professor of Law	University at Buffalo Sch...
278	Bernadette	Gargano	Vice Dean of Students and ...	University at Buffalo Sch...

878 records

\*Affiliations noted for identification purposes only.

If you are a legal scholar and would like to add your name, [click here](#). Protect Democracy will update this list daily with new signatories.



<https://medium.com/@legalscholarsonimpeachment/letter-to-congress-from-legal-scholars-6c18b5b6d116>

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1/6/2020

Letter to Congress from Legal Scholars - Legal Scholars on Impeachment - Medium



Politics Impeachment Trump Legal

IMPEACHMENT INQUIRY

## FBI seeks to interview the whistleblower

The whistleblower's complaint touched off the impeachment inquiry against Trump.



The Federal Bureau of Investigation seal is displayed outside FBI headquarters in Washington on Feb. 2, 2018.

T. J. Kirpatrick / Bloomberg via Getty Images File

Nov. 20, 2019, 9:40 AM EST / Updated Nov. 20, 2019, 4:04 PM EST

**By Ken Dilanian, Julia Ainsley and Michael Kosnar**

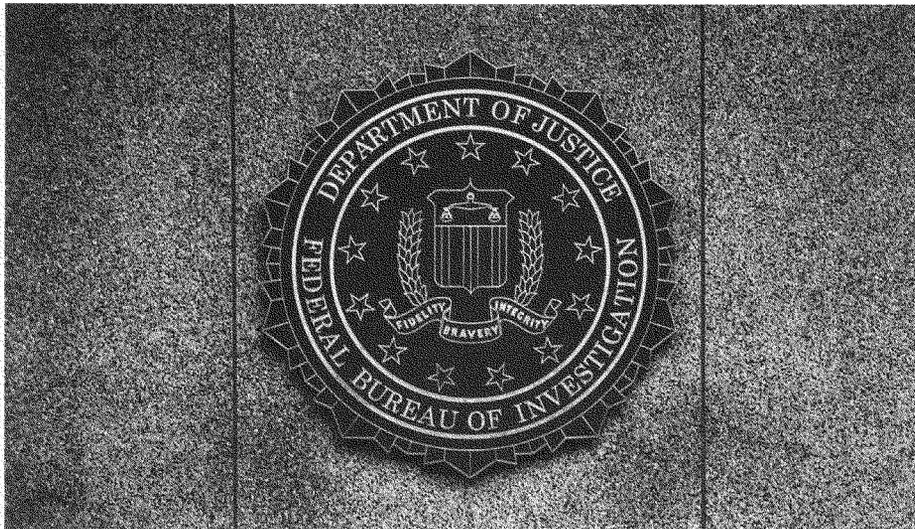
The FBI has asked to interview the [CIA whistleblower](#) whose complaint touched off the Ukraine impeachment investigation, a source directly familiar with the matter told NBC News.

The whistleblower has not yet agreed to an interview, the source said.

A law enforcement source said the FBI is not investigating the whistleblower – the bureau wants to talk to him.

The outreach to the whistleblower was approved by the FBI's Washington field office, and neither Attorney General William Barr nor those in his orbit at the Justice Department were made aware until media reports surfaced on Wednesday, according to another source familiar with the matter.

The FBI request was [first reported by Yahoo News](#), which said that some FBI officials were disturbed that the Justice Department declined to investigate the [whistleblower's complaint](#) after a criminal referral was sent over from the inspector general of the Intelligence Community.



#### FBI sought to interview whistleblower at center of impeachment inquiry

NOV. 20, 2019 01:36

Spokespeople for the FBI and the Justice Department did not immediately respond to requests for comment.

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Justice Department officials said they examined the criminal referral based on the whistleblower's complaint, and decided that there should be no investigation. They said they only examine the question of whether a campaign finance crime occurred, and they have never explained why they did not consider questions of bribery, extortion or other possible crimes.

The whistleblower was not on the July 25 call between President Donald Trump and the Ukrainian president, and is not considered a first-hand witness to any of the key moments in the Ukraine saga. The whistleblower aggregated the concerns passed on by other colleagues on the National Security Council, and forwarded them in a written complaint to the inspector general for the intelligence community.

Because the whistleblower is not a first-hand witness, congressional Democrats have decided they do not need the person's testimony and the ongoing impeachment hearings. Republicans, on the other hand, have urged that the whistleblower be brought in to testify, in what critics see as a bid to expose the person's identity.



Ken Dilanian

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Michael Kosnar



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1/3/2020

House leaders unveil two articles of impeachment, accusing Trump of 'high crimes and misdemeanors'

IMPEACHMENT INQUIRY

## House leaders unveil two articles of impeachment, accusing Trump of 'high crimes and misdemeanors'

Democrats are expected to move swiftly to hold a committee and floor vote before the holiday break.



Dec. 10, 2019, 9:16 AM EST / Updated Dec. 10, 2019, 5:49 PM EST

By Allan Smith and Rebecca Shabad

WASHINGTON – House Democrats on Tuesday unveiled articles of impeachment against President Donald Trump about two and a half months after Speaker Nancy Pelosi, D-Calif., first announced a formal impeachment inquiry into the president.

Judiciary Committee Chairman Jerry Nadler, D-N.Y., announced that his committee will consider two articles of impeachment – one for abuse of power and the other for obstruction of Congress – charging Trump “with committing high crimes and misdemeanors.”

Nadler said the articles of impeachment were being filed in response to Trump allegedly soliciting foreign interference in the 2020 election, compromising national security, threatening the integrity of the upcoming election and concealing evidence from Congress and the American people. Trump, he said, violated his oath of office.

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House leaders unveil two articles of impeachment, accusing Trump of 'high crimes and misdemeanors'



#### House Democrats charge Trump with 'high crimes and misdemeanors' in two articles of impeachment

DEC. 10, 2019 2:48

Democrats released the [draft articles](#) later Tuesday morning. The articles allege that Trump "corruptly solicited the government of Ukraine to publicly announce investigations" into the Bidens and a [conspiracy theory alleging Ukrainian interference](#) in the 2016 election. Trump also "conditioned two official acts on the public announcements that he requested," Democrats wrote, citing nearly \$400 million in military aid and an official White House meeting with Ukrainian President Volodymyr Zelenskiy.

"Wherefore President Trump, by such conduct, has demonstrated that he will remain a threat to national security and the Constitution if allowed to remain in office and has acted in a manner grossly incompatible with self-governance and the rule of law," the articles read. "President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States."

The second article, focused on obstructing Congress, states that Trump's conduct violated his oath of office and the Constitution, and that through that alleged obstruction, the president "sought to arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any and all information to the" House.

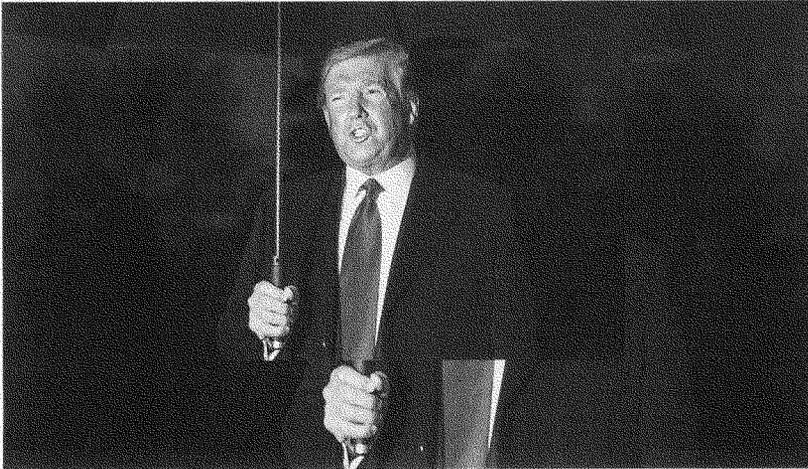
To print the document, click the "Original Document" link to open the original PDF. At this time it is not possible to print the document with annotations.

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House leaders unveil two articles of impeachment, accusing Trump of 'high crimes and misdemeanors'

The articles are expected to be considered in the House Judiciary Committee this week and voted on soon after, which would send them to the floor for a vote on impeachment by the full House, possibly this month. If one or more of the articles pass, the Senate would then hold a trial to consider removing Trump. That would take a vote by at least two thirds of the Senate, most likely some time in January.

Trump, Nadler said, exercised "the powers of his public office to obtain an improper personal benefit" and engaged in "indiscriminate defiance of the impeachment inquiry."



#### Trump knocks 'very weak' articles of impeachment

DEC. 10, 2019 4:05

Trump fired back within an hour of the announcement, tweeting, "WITCH HUNT!"

"Nadler just said that I 'pressured Ukraine to interfere in our 2020 Election,'" Trump wrote. "Ridiculous, and he knows that is not true. Both the President & Foreign Minister of Ukraine said, many times, that there "WAS NO PRESSURE." Nadler and the Dems know this, but refuse to acknowledge!"

He later told reporters again that the White House "did nothing wrong."

"I think it's a disgrace, so people can make impeachment out of nothing. That was a perfect conversation," he told reporters on the south lawn of the White House late Tuesday as he left for a campaign rally in Hershey, Pennsylvania. "They were perfect conversations, there's nothing done wrong and I think it's a disgrace...I think it's an absolute disgrace."

Pelosi and Nadler were flanked by Intelligence Committee Chairman Adam Schiff, D-Calif., Financial Services Committee Chairwoman Maxine Waters, D-Calif., Ways & Means Committee Chairman Richard Neal, D-Mass., Oversight Committee

<https://www.nbcnews.com/politics/trump-impeachment-inquiry/house-democrats-unveil-two-articles-impeachment-charge-trump-high-crimes-n1098846> 3/5

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House leaders unveil two articles of impeachment, accusing Trump of 'high crimes and misdemeanors'

Chairwoman Carolyn Maloney, D-N.Y., and Foreign Affairs Committee Chairman Eliot Engel, D-N.Y.

"The argument, 'Why don't you just wait?' amounts to this: 'Why don't you just let him cheat in one more election. Why not let him cheat just one more time. Why not let him have foreign help just one more time,'" Schiff said.

"The president's oath of office appears to mean very little to him," Schiff added, citing Trump's chief of staff Mick Mulvaney's October call to "get over it" when asked about whether there was any link between the president's push for Ukrainian investigations and the withholding of nearly \$400 million in military aid to that country. Mulvaney later walked back his comments.

Pointing to Trump's personal attorney Rudy Giuliani's recent trip to Ukraine, Schiff said Trump "still wants Ukraine to interfere" in the 2020 election and boost his campaign.

Trump blasted Schiff on [Twitter](#), calling him a "totally corrupt politician." The president also pointed to the call summary of his July 25 conversation with Zelenskyy, saying when he asked Zelenskyy to do "us" a favor and probe Democrats, the president was talking about the country and not himself.

Speaking at the Wall Street Journal CEO Council Forum on Tuesday, Mulvaney said the articles of impeachment "should surprise nobody," adding that "politics can and should influence foreign policy and hopefully always will."

The White House, the Trump campaign and their allies swiftly pushed back too. White House press secretary Stephanie Grisham called the articles of impeachment "baseless" and said Trump "will address these false charges in the Senate and expects to be fully exonerated, because he did nothing wrong."

Brad Parscale, Trump's campaign manager, said in a statement that Democrats "are putting on this political theater because they don't have a viable candidate for 2020 and they know it." Ronna McDaniel, chairwoman of the Republican National Committee, said Pelosi "can invent whatever false charges she wants, but the American people see this for what it is: yet another partisan attempt to overthrow a duly-elected president and rob voters of the chance to re-elect him in 2020."

Rep. Jim Jordan, R-Ohio, a top Trump ally who sits on the Judiciary and Oversight committees, said in a statement that the articles of impeachment were "the product of a baseless attempt to upend the will of the people less than 11 months before the next election."

"The Democrats' impeachment effort is a miscarriage of the House of Representatives' constitutional obligations and marks a shameful chapter in American history," he added.

The announcement comes a day after the Judiciary Committee held its [second public impeachment hearing](#), in which lawyers for the Democrats and the Republicans took turns summarizing the cases they've built. NBC News [reported](#) Monday night that Democrats had settled on bringing two articles of impeachment against the president.

The impeachment inquiry began after Congress was made aware of a whistleblower complaint alleging that Trump was soliciting foreign interference in 2020. That led to the White House releasing the summary of the July 25 call between Trump and Zelenskyy, which showed Trump asking his counterpart to investigate former Vice President Joe Biden and his son Hunter, and a debunked conspiracy about the 2016 election.

Multiple current and former Trump administration officials testified before the impeachment probe, but the administration has so far refused to provide investigators with a trove of documents, as well as allow several firsthand witnesses, such as Mulvaney, to testify.

With Congress slated to leave Washington by the end of next week, Democrats are expected to move swiftly to hold a vote in the Judiciary Committee to adopt and recommend the articles to the House for a floor vote before the holiday break.

Democrats had been wrestling with whether to make the articles narrow, focusing only on the president's alleged misconduct in Ukraine, or expanding them to include issues such as obstruction of justice, raised in former special counsel Robert Mueller's Russia report, or alleged violations of the emoluments clause of the Constitution.

Rep. Gerry Connolly, D-Va., signaled Tuesday that he was disappointed not to see an article on obstruction of justice.

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"I will vote for the two articles of impeachment," he said, though he joked, "But I would also vote for third...It's a matter of public record – I've said, I think one of the articles should be obstruction of justice."

Rep. Pramila Jayapal, D-Wash., a co-chair of the Congressional Progressive Caucus, told reporters Tuesday that she wished Trump had cooperated with the inquiry.

"I wish we had the president testifying," she said. "They keep shouting about process and yet they've engaged not at all. They have not submitted – it's unprecedented the president's obstruction of Congress. They have not given us any documents, he hasn't allowed anybody to come and testify."



Allan Smith

Allan Smith is a political reporter for NBC News.

Rebecca Shabad

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Shannon Pettypiece contributed.



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WORLD

## Russia's Putin labels Trump impeachment 'domestic political infighting'

"I doubt they will want to expel from power their party representative based on what I think are absolutely made-up reasons," Putin said.



President Putin weighs in on Trump's impeachment at annual news conference

DEC. 19, 2019/01:04

Dec. 19, 2019, 4:22 AM EST / Updated Dec. 19, 2019, 7:24 AM EST

By Yuliya Talmazan

Russian President Vladimir Putin called [President Donald Trump's impeachment](#) a "continuation of domestic political infighting" as he spoke with reporters at his annual press conference in Moscow on Thursday.

For the third time in U.S. history, [the House of Representatives voted Wednesday to impeach](#) a sitting president, acting after a daylong debate on whether Trump violated his oath in pressuring Ukraine to damage a political opponent.

Asked about the vote during his marathon press conference, Putin said he didn't think that Trump's presidency was over, noting that the trial still has to go through the Senate where Republicans have a majority.

"I doubt they will want to expel from power their party representative based on what I think are absolutely made-up reasons," he said.

The Democrats, "who lost the election," were working to achieve their goals "by other means, accusing Trump of Russian collusion," he said. "It then turned out that there was no collusion and it could not form the basis for an impeachment, and now there is this made-up pressure on Ukraine."

"But your congressmen know better," he added sarcastically.

At his annual press conference, President Vladimir Putin said global climate change could threaten Arctic cities and towns built on permafrost.

Alexei Druzhinin / AP

A Senate intelligence report released in July found "extensive" Russian interference in the 2016 U.S. election. The report was issued just one day after former special counsel Robert Mueller warned lawmakers that he believed Russia would seek to interfere again in the 2020 campaign.

Democrats, meanwhile, have said there was ample evidence that Trump abused his power by pressuring Ukraine to announce investigations into former Vice President Joe Biden and his son Hunter while withholding almost \$400 million in aid, and that he had obstructed Congress by refusing to release any documents related to his actions.

Putin also responded to news that U.S. officials had voted to place strict sanctions on Russia, saying his country would "mirror" the moves.

On Wednesday, the Senate Foreign Relations Committee advanced legislation described by one sponsor as the sanctions bill "from hell."

The Russian leader added that Moscow was ready to extend the New Strategic Arms Reduction Treaty, or New START, with the U.S.

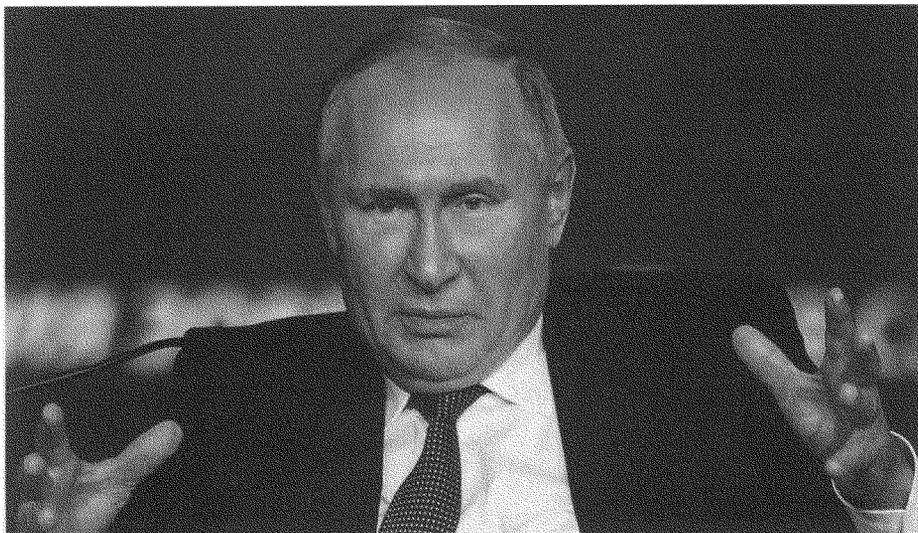
The agreement limits the number of strategic nuclear warheads that the world's two biggest nuclear powers can deploy.

"We are happy to prolong the current agreement till the end of the year," Putin said, but added that so far, they haven't received any response from the U.S.

"If there is no SNV III," Putin said, referring to the Russian name for the treaty, "there is nothing in the world that will contain the nuclear arms race. And that's very bad in my opinion."

In February, the Trump administration moved to withdraw from another key missile treaty with Russia, the Intermediate-Range Nuclear Forces (INF) Treaty, which has formed a cornerstone of nuclear arms control efforts for decades.

Asked about peace talks with Ukraine earlier this month, Putin said he thinks the negotiations should continue as long as there are positive changes.



**Putin: 'Thank God' Ukraine not Russia now under U.S. spotlight**

NOV. 21, 201900:40

However, he added that he was alarmed by comments made by Ukrainian President Volodymyr Zelenskij in the aftermath of talks held in Paris on the war in the east of Ukraine, where fighting between Ukrainian troops and Russian-backed separatists has claimed more than 13,000 lives.

"There should be a direct dialogue with Donbass. It's not there," Putin added, referring to the name of the war-ravaged region in Ukraine's east.

The president was also asked about Russia's recent ban from the world's top sporting events for four years, including the next summer and winter Olympics and the 2022 soccer World Cup, for tampering with doping tests.

Putin called the decision "unfair" and "unlawful," adding that the decision was politically motivated.

During the marathon press conference that lasted nearly four-and-a-half hours, the Russian leader addressed a myriad of other topics including health care, inflation, pension reform and internet freedom, as well as Russia's relations with Belarus, Turkey, China and the European Union.

He also touched on his own political legacy and international image.

"I know what is in my country's interest and whatever is said about me means nothing in comparison to achieving the fundamental goals needed for Russia," he said.



Yuliya Talmazan

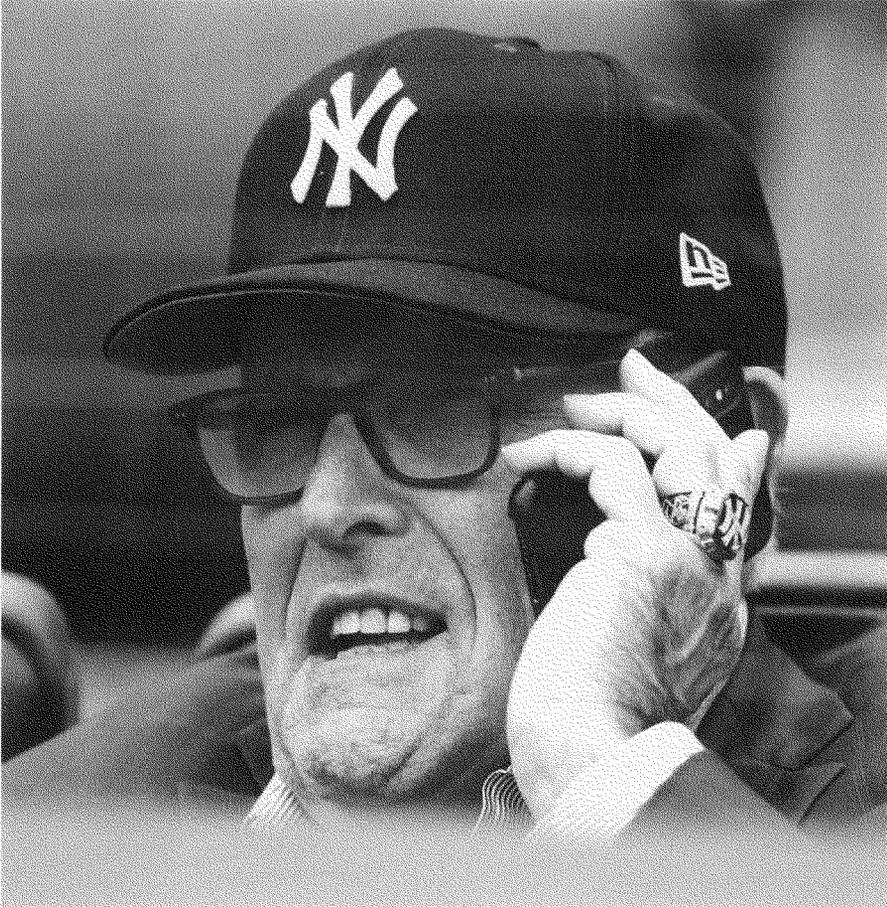
Yuliya Talmazan is a London-based journalist.

## A Conversation With Rudy Giuliani Over Bloody Marys at the Mark Hotel

[nymag.com/intelligencer/2019/12/a-conversation-with-rudy-giuliani-over-bloody-marys.html](https://nymag.com/intelligencer/2019/12/a-conversation-with-rudy-giuliani-over-bloody-marys.html)

By Olivia Nuzzi

December 23  
2019



Rudy, not at the Mark Hotel. Photo: Elsa/Getty Images

As the black SUV came to a stop on 33rd Street in Manhattan, its lights flashing, a pale hand stretched through the open window of the passenger door and gave a little wave. It was attached to Rudy Giuliani, who smiled from behind his tortoiseshell sunglasses. He

apologized for being late. "Couldn't go on sidewalks like I used to," he said, mourning a perk of his past life as mayor.

It was early in the afternoon on Sunday, December 8, and Giuliani had just returned from Ukraine, where he said he was looking for information to undermine the case to impeach his client, President Donald Trump.

"We snuck out of Kiev to escape having to answer a lot of questions," he said, though it wasn't clear if he meant from the press or government officials. "They all thought we were going to leave on Friday morning, and I organized a private plane to go to Vienna on Thursday night."

The back of the car was cluttered with luggage. His bodyguard, a retired NYPD officer who loves Donald Trump almost as much as he loves his boss of ten years, got out to move the bags to the trunk while Giuliani climbed into the backseat.

When Giuliani got to his hotel in Vienna, he said it was 2:30 in the morning, and the first thing he did was search for opera tickets. "Lo and behold, that Friday night they were performing *Tosca*, with the conductor Marco Armiliato." He sang me an aria from *Rigoletto*, one of the first pieces he fell in love with when he was introduced to opera in high school, as he theatrically conducted with his hands.

Over a sweater, he wore a navy-blue suit, the fly of the pants unzipped. He accessorized with an American-flag lapel pin, American-flag woven wallet, a diamond-encrusted pinky ring, and a diamond-encrusted Yankees World Series ring (about which an innocent question resulted in a 15-minute rant about "fucking Wayne Barrett," a journalist who manages to enrage Giuliani even in death).

In addition to being the president's free personal attorney, Giuliani, who is 75, is an informal White House cybersecurity adviser and a high-priced cybersecurity contractor. In one hand, he clutched three phones of varying sizes. Two of the devices were unlocked, their screens revealing open tabs and a barrage of banner notifications as they knocked into each other and reacted to Giuliani's grip. He accidentally activated Siri, who said she didn't understand his command. "She never understands me," he said. He sighed and poked at the device, attempting to quiet her.

Giuliani is quick to announce that he knows "every block of this city," but he lives on the Upper East Side and doesn't linger much across or below the park. When I asked him to bring me somewhere he likes to hang out, he quickly directed his bodyguard to the Mark, a five-star hotel on East 77th Street. Always a creature of habit, Giuliani is extra-aware of where he's welcome these days. He says that "because of what's happened" his circle is tightening, that he doesn't trust anyone anymore.

I asked him how he ever trusted Lev Parnas and Igor Fruman, two Russian associates with a

business called Fraud Guarantee who were arrested by the FBI in October. “They look like Miami people. I know a lot of Miami people that look like that that are perfectly legitimate and act like them,” Giuliani said. “Neither one of them have ever been convicted of a crime. Neither one. And generally that’s my cutoff point, because if you do it based on allegations and claims and — you’re not gonna work with anybody,” he said, laughing. “Particularly in business.”

As we sped uptown, he spoke in monologue about the scandal he co-created, weaving one made-up talking point into another and another. He said former ambassador Marie Yovanovitch, whom he calls Santa Maria Yovanovitch, is “controlled” by George Soros. “He put all four ambassadors there. And he’s employing the FBI agents.” I told him he sounded crazy, but he insisted he wasn’t.

“Don’t tell me I’m anti-Semitic if I oppose him,” he said. “Soros is hardly a Jew. I’m more of a Jew than Soros is. I probably know more about — he doesn’t go to church, he doesn’t go to religion — synagogue. He doesn’t belong to a synagogue, he doesn’t support Israel, he’s an enemy of Israel. He’s elected eight anarchist DA’s in the United States. He’s a horrible human being.”

In the grand tradition of Soros conspiracy theorists, Giuliani believes the media is doing the billionaire’s bidding by printing lies about him, yet he often bungles his own attempts to discredit the media’s reporting. While attempting to argue that, despite what has been written, “I have no business interests in Ukraine,” he told me about his business interests in Ukraine.

“I’ve done two business deals in Ukraine. I’ve sought four or five others,” he said. Since he’s been representing the president, he said, he has been approached with two opportunities in Ukraine, both of which he turned down to avoid accusations of impropriety.

“The one that I really wanted to do,” Giuliani said, was a lawsuit on behalf of the Ukrainian government against a large financial institution he claims laundered \$7 billion for Viktor Yanukovich, the former president. “It would’ve had nothing to do with Trump, nothing to do with Burisma, nothing to do with Biden,” he said. He then explained that the reason why he “really wanted” to take on the case was to learn about Ukrainian money laundering, “so I could figure out they utilize the same money-laundering system for Hunter Biden.”

“I thought about it for a month, back and forth, and then I referred it to another lawyer,” he said. “I did take advantage of learning a little about the money-laundering system first.”

In order to take out the president, Giuliani believes you must first take out his men, so he’s under siege, the victim of a conspiracy to remove Trump from office that includes the media and the Democrats and the deep state and even some people he thought he really knew.

And about this, Giuliani is emotional. He reads his own press and sees that his friends, these

“sources close” to him, are being weaponized by the conspirators, helping to paint a public portrait of a man unglued. These are the same concerned people who have told him to be careful with his legacy. “And my attitude about my legacy is *Fuck it*,” he said.

His ex-wife had implied, in an interview with *New York*, that he was an alcoholic. Others anonymously question his mental state. “Oh yeah, yeah — I do a lot of drugs,” Giuliani said sarcastically. “There was one I was addicted to. I’ve forgotten what it is. I don’t know where the drug things come from — I really don’t. The alcohol comes from the fact that I did occasionally drink. I love Scotch. I can’t help it. All of the malts. And part of it is cigars — I love to have them with cigars. I’m a partyer.”

And then there’s the Southern District of New York, the biggest betrayal of all. That was supposed to be his world, full of his guys; he ran the office for most of the ‘80s. It was unrecognizable now. “If they’re investigating me, they’re assholes. They’re absolutely assholes if they’re investigating me,” he said.

As he spoke, he fixed his gaze straight ahead, rarely turning to make eye contact. When his mouth closed, saliva leaked from the corner and crawled down his face through the valley of a wrinkle. He didn’t notice, and it fell onto his sweater.

“If they are, they’re idiots,” he went on. “Then they really are a Trump-deranged bunch of silly New York liberals.” He added that he didn’t know for sure if he was being investigated at all, though subpoenas issued to Giuliani associates by the SDNY reportedly request documents and correspondence related to Giuliani, his firm, and, specifically, “any actual or potential payment” to or from Giuliani.

“If they think I committed a crime, they’re out of their minds,” he said. “I’ve been doing this for 50 years. I know how not to commit crimes. And if they think I’ve lost my integrity, maybe they’ve lost theirs in their insanity over hating Trump with some of the things they did that I never would’ve tolerated when I was U.S. Attorney.”

He thought they might be jealous of him, he said, because, in the 30 years since he resigned with thousands of convictions under his belt, the office had declined. The new guys, the ones after him, wish they were prosecuting the mob like he did, he said. They couldn’t do what he’d been capable of.

“It’s a terrible thing to say because it will get the Southern District all upset, but I know why they’re all upset,” Giuliani said. “Because they’ve never done anything like me since me. They haven’t done an eight years like I did since I left being U.S. Attorney. Nothing close.”

“Jealousy,” he added, “and because I’m of a different political philosophy than they are. They’re all — they’re all knee-jerk, now logically impaired anti-Trump people, including James Comey’s daughter, who works there. You don’t think she’s bitter? Do you know the things that I’ve called her husband? I hired her husband.”

He meant her father.

"Her father," he said. "I consider her father a disgrace. I'm embarrassed that I hired him. Never seen anyone run the FBI like that."

The car stopped at 77th and Madison. "Your honor, do you want me to secure you a table?," the bodyguard asked. "Uhh," Giuliani said, pausing, "yeah."

As we walked into the hotel lobby, Giuliani said he hadn't yet discussed the possibility of representing the president during the Senate trial, but visions of cross-examining congressional Democrats and witnesses made famous during the hearings, something he hasn't done since the '90s, satisfied his desire for revenge.

"I'm great at it. It's what I do best as a lawyer. That's what I would be good at," he said. "Oh, I would love it, I could rip — you know, I hate to sound like a ridiculously boastful lawyer, but cross-examining them would be, I don't know, I could've done it when I was a second-year assistant U.S. Attorney. They're a bunch of clowns."

"You plan for days and days how you're gonna cross-examine them," he said of his theoretical strategy. "And try to learn his personality. You try to learn when he's gonna lie, how he's gonna lie. You try to learn how to make him feel comfortable and confident. You try to work on what kind of personality is he. Is he a boaster? Is he sensitive about certain things? Somebody like Biden, for example, is extraordinarily sensitive about his intellect."

He had a few ideas for going after the credibility of witnesses. "The guy that overheard the telephone call," for instance, "anybody check if the guy has an earpiece? Maybe he didn't have it in. How old is he? How old is that guy?" There was a possibility that he was deaf, he said, and didn't know what he heard. "How do we know he isn't a paranoid schizophrenic?," he said. "How do we know he isn't an alcoholic?"

But to the extent that he was aware of a strategy from Lindsey Graham and Mitch McConnell, it was to respond to the evidence the Democrats have presented with a shrug: "Deal with it, like, 'Who cares? How stupid.'"

The hostess led us through a hallway to the dining room. As Giuliani walked down the carpeted ramp, he fell over to his right and hit the wall. He kept on walking as if it hadn't happened. "My God, it's Rudy Giuliani," I heard someone say. He nodded and waved at people he knew seated across the restaurant. He stopped to shake hands with an older man and his wife.

"I'd like some sparkling water. And I know you have wonderful Bloody Marys," Giuliani told the waiter. "Yes, sir," the waiter said, "and I know you love them." Giuliani laughed. "You're a good man!," he said.

After he ordered an omelet with extra-crispy bacon, I asked about the mysterious call logs included in the House Intelligence Committee report, which suggested that Giuliani had corresponded with someone at the White House at axial points in Trump's back-and-forth with Ukraine. The report said the number was "associated" with the Office of Management and Budget.

"I don't think I talked to OMB at all," Giuliani told me. "Of course, it's not clear. I don't even remember. It might have been my son." His son, Andrew Giuliani, is the president's public-liaison assistant. He suggested that perhaps he was calling to discuss with Andrew the White House baseball team, which Andrew was coaching and Giuliani claimed to be very invested in. "I don't remember who I called. I talk to the president, mostly."

He said he sometimes calls the White House to talk to Jared Kushner, whom he likes to joke around with — "I just called to kid him because I once said he was indispensable; I thought he was dispensable" — and Dan Scavino, the longtime social-media director. But the president was often the one calling Giuliani. "He calls me a lot before work and after work. I generally don't like to bother him in the middle of night," he said. "I call the main switchboard, and then sometimes I get switched to another number. I don't know who I called."

He said he and Jay Sekulow, the president's other lawyer, often call the president together. "We both prefer to do it together, so we can have our own interpretation to the call," he said.

He swore that although he doesn't know whom he called, he knows he didn't discuss anything improper with whoever it was. "Those calls — I can tell you what they don't have to do with: They don't have to do with military aid. I never discussed military aid with them. Never discussed military aid with anyone until it first appeared in the *New York Times* of late August of 2019. I had no idea we were withholding it, if we were." He didn't think it was such a big deal once he read about it, he said, because it was "typical Trump; he withholds aid till the last minute until he makes them beg for it."

He lifted the skewer of olives from his Bloody Mary and removed one with his teeth. He continued speaking as he chewed. He ordered a second Bloody Mary.

I asked Giuliani if he thought he could do a better job representing Trump in a trial than Sekulow. He smiled. "Jay is a different kind of lawyer. Jay is more of an academic lawyer. I mean, I've only argued in the Supreme Court once; he's argued it 14 times. I don't know how often Jay's ever cross-examined anyone. I've cross-examined a thousand people." (Then he mused and said, "a hundred.")

"No, but he would be better arguing the case through the court than I would," he said. "He knows the justices a lot better; he understands their temperament better."

Still, if it ever came to it, he thought Trump might pick him instead. “If it’s a very aggressive case, he would be more comfortable with me,” he said. “He was annoyed because over the last couple of weeks I’ve been pulling all his facts together and I haven’t been on television. People who think he doesn’t like me on television, I don’t know where they get that from. It’s just the opposite.”

He made the case that the Ukrainian prosecutor fired for corruption, Viktor Shokin, was in fact not corrupt and had been forced out by the Obama administration precisely because he had the goods on the Bidens. He also claimed to have a secret source with documentary proof that Hunter Biden had been paid off through a Cyprus bank in a transaction routed through a Lithuanian bank. “When I got it” — that is, the document he claims shows this — “I had already lost Lev, and so I had no translator. I translated it with my app,” he said. He took out his phone to show me how Google Translate works.

Back in the black SUV, Giuliani directed his bodyguard to drop him at home and then take me back to my hotel. “Oh, look at those poor people,” he said, glancing out the window to the park, where a man and a woman sat on a bench. “When I was mayor, by the time I was home, there’d be a call to the head of Homeless Services. *Have somebody on Fifth between 70 — is that 75 or 76? A couple, they seem to be freezing. See if we can get them in a shelter.* All my commissioners were trained to do that. And we got it down to almost nothing, zero.” The couple on the bench did not appear to be homeless.

“Do you have all three phones?,” his bodyguard said as Giuliani stepped out of the car. “Yeah, I got all three phones,” he said. “I gotta get down to two. I’m gonna try that tonight.”

A few minutes later, as we made our way downtown, I saw from the corner of my eye the sun reflecting off of something. It was the screen of one of the phones, which he had left on the seat next to me.

I handed it to the bodyguard, who laughed. He called Giuliani to tell him, and Giuliani laughed too.

*\*A version of this article appears in the January 6, 2020, issue of New York Magazine. **Subscribe Now!***

## At Louisiana Rally, Trump Lashes Out at Impeachment Inquiry and Pelosi

The president denounced the impeachment inquiry and condemned what he called the “unholy alliance of corrupt Democrat politicians, deep-state bureaucrats and the fake news media.”



By Katie Rogers

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LAKE CHARLES, La. — President Trump left a dizzying trail of developments behind him in Washington on Friday evening, swapping the confines of the capital for a fiery rally where he used foul language, fierce political attacks and personal grievances to light up his supporters for the second day in a row.

The president lashed out at the House speaker, Nancy Pelosi, saying that the top Democrat in Congress “hates this country” and ridiculing her decision to begin an impeachment inquiry into his efforts to get foreign countries to dig up damaging information on his rivals.

To the delight of thousands who repeatedly roared their approval, Mr. Trump denounced the impeachment inquiry and condemned what he called the “unholy alliance of corrupt Democrat politicians, deep-state bureaucrats and the fake news media.”

“The radical Democrats’ policies are crazy. Their politicians are corrupt. Their candidates are terrible,” Mr. Trump said to huge applause. “And they know they can’t win on Election Day so they’re pursuing an illegal, invalid and unconstitutional bullshit impeachment.”

Regarding Ms. Pelosi, he said: “She hates the country. Nancy Pelosi hates the United States of America, because she wouldn’t be doing this.”

Mr. Trump’s latest political rally came only a day after he appeared in front of supporters in Minneapolis to deliver a profanity-laced screed against former Vice President Joseph R. Biden Jr. and called his younger son, Hunter, “a loser.” Mr. Trump only briefly returned to Washington, where an impeachment inquiry surrounding his efforts to pressure the Ukrainian president to uncover damaging information about the Bidens is rapidly moving forward.

In a head-spinning 24 hours before departing for Louisiana, Mr. Trump announced a preliminary deal with China that will forestall a tariff increase, and the Pentagon announced it would send additional troops to Saudi Arabia — a decision, Mr. Trump said before departing Washington, was made because the Saudis had “agreed to pay us for everything.”

A federal appeals court ruled Friday that the president’s financial team must turn over eight years of Mr. Trump’s financial information to a House committee. Separately, judges in three states ruled against the administration’s efforts to withhold green cards from immigrants who receive public assistance.

And in a closed-door deposition on Capitol Hill, Marie L. Yovanovitch, the former American ambassador to Ukraine, offered a scathing assessment of the Trump administration’s approach to foreign policy, adding that she believed Mr. Trump had personally pushed for her removal for months.

Asked about Ms. Yovanovitch’s testimony before he left Washington, Mr. Trump said that Volodymyr Zelensky, the Ukrainian president, “didn’t speak favorably” about her during the July 25 phone call that has formed the basis of the impeachment inquiry.

Amid it all, Mr. Trump left again for the campaign trail, which he has long employed as a useful conduit for his most provocative language, particularly when he feels the confines of Washington closing in.

Upon landing, he announced the departure of Kevin McAleenan, the acting secretary of homeland security who had publicly expressed frustration with the job in recent weeks. Once the president took the stage in this southwestern corner of the state, he defended himself against those pursuing impeachment, singling out Ms. Pelosi and Representative Adam Schiff, the chairman of the House Intelligence Committee.

Mr. Schiff’s decision during a committee hearing to liken the president’s remarks in the July 25 call to a mobster issuing a veiled threat drew the president’s ire on Friday, as it had for weeks.

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At Louisiana Rally, Trump Lashes Out at Impeachment Inquiry and Pelosi - The New York Times

“He made it up: It was fiction,” Mr. Trump said. “I don’t know, congressman, are you immune from something like that? That should be a crime.”

Throughout the rally, Mr. Trump seemed to abruptly switch emotional channels. He toggled between lashing out at Democrats to acting out an imagined back-and-forth between two former F.B.I. officials, Lisa Page and Peter Strzok, in order to mock them for exchanging unflattering text messages about Mr. Trump during his candidacy. He also paused at one point to interview Little League ballplayers about their pitching speeds.

Eventually, he circled back to his original purpose for the visit: testing his political influence over local races ahead of Saturday’s primary election, largely following the same attack-style playbook he deployed last month in a close North Carolina race.

Earlier on Friday, Mr. Trump urged his supporters to vote for one of two Republican candidates running to replace John Bel Edwards, the state’s Democratic governor.

At the rally, the president said that Mr. Edwards was “100 percent going to drop the Second Amendment” and sought to cast the centrist governor in the same light as other popular target at his rallies, including Ms. Pelosi and Chuck Schumer, the Senate minority leader.

Mr. Trump was joined by Mr. Edwards’s Republican challengers — Ralph Abraham, a third-term congressman, and Eddie Rispone, a Baton Rouge businessman — but did not endorse either. The goal on Saturday, he said, was to keep Mr. Edwards from earning the majority of the vote and avoiding a runoff.

“I need you to send the radical Democrat establishment a loud and clear message,” Mr. Trump told the crowd. “You are going to fire your Democratic governor. He’s done a lousy job.”

But Mr. Edwards remains the leader in the race, with recent polls showing that he is likely to draw about 47 percent of the vote. Keeping with a tradition of Louisiana Democrats, he is largely a centrist, and earlier this year pleased conservatives when he signed a restrictive law that bans abortions once a fetal heartbeat is detected.

He is also practiced at the art of political survival in deep-red territories: Last year, he was the only Democratic lawmaker to attend the first state dinner of the Trump administration, an event that honored Emmanuel Macron, the president of France.

On Friday, the governor responded to the president on Twitter by defending his track record on the Second Amendment, and saying that he looked forward to working with Mr. Trump during his second term.

The particulars of the governor’s record — or any of the other more pressing news matters of the day — did not seem to concern Mr. Trump as he spoke for nearly an hour and a half.

As news broke that Rudolph W. Giuliani, one of Mr. Trump’s personal lawyers, was under investigation over whether he broke foreign lobbying laws in his work with Ukraine, the president was speaking about the importance of voter identification laws, and telling his supporters how much he loved them.

Michael D. Shear contributed reporting from Washington.

## Common Questions About Impeachment

- **What is impeachment?**  
Impeachment is charging a holder of public office with misconduct.
- **Why is the impeachment process happening now?**  
A whistle-blower complaint filed in August said that White House officials believed they had witnessed Mr. Trump abuse his power for political gain.
- **Can you explain what President Trump is accused of doing?**  
President Trump is accused of breaking the law by pressuring the president of Ukraine to look into former Vice President Joseph R. Biden Jr., a potential Democratic opponent in the 2020 election.
- **What did the President say to the president of Ukraine?**  
Here is a reconstructed transcript of Mr. Trump’s call to President Volodymyr Zelensky of Ukraine, released by The White House.
- **What is the impeachment process like?**  
Here are answers to seven key questions about the process.

## How to Keep Up

<https://www.nytimes.com/2019/10/11/us/trump-rally-louisiana-lake-charles.html>

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

[nytimes.com/2019/12/29/us/politics/trump-ukraine-military-aid.html](https://www.nytimes.com/2019/12/29/us/politics/trump-ukraine-military-aid.html)

Eric  
Lipton

December 29,  
2019



WASHINGTON — Deep into a long [flight to Japan](#) aboard Air Force One with President Trump, Mick Mulvaney, the acting White House chief of staff, dashed off an email to an aide back in Washington.

“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?”

It was June 27, more than a week after Mr. Trump had first asked about putting a hold on security aid to Ukraine, an embattled American ally, and Mr. Mulvaney needed an answer.

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 further fuel the narrative that Mr. Trump was pro-Russia.

Mr. Blair was right, even if his prediction of a messy outcome was wildly understated. Mr. Trump's order to hold \$391 million worth of sniper rifles, rocket-propelled grenades, night vision goggles, medical aid and other equipment the Ukrainian military needed to fight a grinding war against Russian-backed separatists would help pave a path to the president's impeachment.

The Democratic-led inquiry into Mr. Trump's dealings with Ukraine this spring and summer established that the president was actively involved in parallel efforts — both secretive and highly unusual — to bring pressure on a country he viewed with suspicion, if not disdain.

One campaign, spearheaded by Rudolph W. Giuliani, the president's personal lawyer, aimed to force Ukraine to conduct investigations that could help Mr. Trump politically, including one focused on a potential Democratic 2020 rival, former Vice President Joseph R. Biden Jr.

The other, which unfolded nearly simultaneously but has gotten less attention, was the president's demand to withhold the security assistance. By late summer, the two efforts merged as American diplomats used the withheld aid as leverage in the effort to win a public commitment from the new Ukrainian president, Volodymyr Zelensky, to carry out the investigations Mr. Trump sought into Mr. Biden and unfounded or overblown theories about Ukraine interfering in the 2016 election.

Interviews with dozens of current and former administration officials, congressional aides and others, previously undisclosed emails and documents, and a close reading of thousands of pages of impeachment testimony provide the most complete account yet of the 84 days from when Mr. Trump first inquired about the money to his decision in September to relent.

What emerges is the story of how Mr. Trump's demands sent shock waves through the White House and the Pentagon, created deep rifts within the senior ranks of his administration, left key aides like Mr. Mulvaney under intensifying scrutiny — and ended only after Mr. Trump learned of a damning whistle-blower report and came under pressure from influential Republican lawmakers.

In many ways, the havoc Mr. Giuliani and other Trump loyalists set off in the State Department by pursuing the investigations was matched by conflicts and confusion in the White House and Pentagon stemming from Mr. Trump's order to withhold the aid.

Opposition to the order from his top national security advisers was more intense than previously known. In late August, Defense Secretary Mark T. Esper joined Secretary of State Mike Pompeo and John R. Bolton, the national security adviser at the time, for a previously undisclosed Oval Office meeting with the president where they tried but failed to convince him that releasing the aid was in interests of the United States.

By late summer, top lawyers at the Office of Management and Budget who had spoken to

lawyers at the White House and the Justice Department in the weeks beforehand, were developing an argument — not previously divulged publicly — that Mr. Trump's role as commander in chief would simply allow him to override Congress on the issue.

And Mr. Mulvaney is shown to have been deeply involved as a key conduit for transmitting Mr. Trump's demands for the freeze across the administration.

The interviews and documents show how Mr. Trump used the bureaucracy to advance his agenda in the face of questions about its propriety and even legality from officials in the White House budget office and the Pentagon, many of whom say they were kept in the dark about the president's motivations and had grown used to convention-flouting requests from the West Wing. One veteran budget official who raised questions about the legal justification was pushed aside.

Those carrying out Mr. Trump's orders on the aid were for the most part operating in different lanes from those seeking the investigations, including Mr. Giuliani and a number of senior diplomats, including [Gordon D. Sondland](#), the ambassador to the European Union, and [Kurt D. Volker](#), the State Department's special envoy for Ukraine and Russia.

The New York Times found that some key players are now offering a defense that they did not know the diplomatic push for the investigations was playing out at the same time they were implementing the aid freeze — or if they were aware of both channels, they did not connect the two.

Mr. Mulvaney is said by associates to have stepped out of the room whenever Mr. Trump would talk with Mr. Giuliani to preserve Mr. Trump's attorney-client privilege, leaving him with limited knowledge about their efforts regarding Ukraine. Mr. Mulvaney has told associates he learned of the substance of Mr. Trump's July 25 call weeks after the fact.

Yet testimony before the House suggests a different picture. [Fiona Hill](#), a top deputy to Mr. Bolton at the time, told the impeachment inquiry about a July 10 White House meeting at which Mr. Sondland said Mr. Mulvaney had guaranteed that Mr. Zelensky would be invited to the White House if the Ukrainians agreed to the investigations — an arrangement that [Mr. Bolton described as a "drug deal,"](#) according to Ms. Hill.

Along with Mr. Bolton and others, Mr. Mulvaney and Mr. Blair have declined to cooperate with impeachment investigators and provide information to Congress under oath, an intensifying point of friction between the two parties as the Senate prepares for Mr. Trump's impeachment trial.

At the center of the maelstrom was the Office of Management and Budget, a seldom-scrutinized arm of the White House that during the Trump administration has often had to find creative legal reasoning to justify the president's unorthodox policy proposals, like his demand to divert Pentagon funding to his proposed wall along the border with Mexico.

In the Ukraine case, however, shock about the president's decision spread across America's national security apparatus — from the National Security Council to the State Department and the Pentagon. By September, after the freeze had become public and scrutiny was increasing, the blame game inside the administration was in full swing.

On Sept. 10, the day before Mr. Trump changed his mind, a political appointee at the budget office, Michael P. Duffey, wrote a lengthy email to the Pentagon's top budget official, with whom he had been at odds throughout the summer about how long the agency could withhold the aid.

He asserted that the Defense Department had the authority to do more to ensure that the aid could be released to Ukraine by the congressionally mandated deadline of the end of that month, suggesting that responsibility for any failure should not rest with the White House.

Forty-three minutes later, the Pentagon official, Elaine McCusker, hit send on a brief but stinging reply.

"You can't be serious," she wrote. "I am speechless."

## 'We Need to Hold It Up'

For top officials inside the budget office, the first warning came on June 19.

Informed that the president had a problem with the aid, Mr. Blair called Russell T. Vought, the acting head of the Office of Management and Budget. "We need to hold it up," he said, according to officials briefed about the conversation.

Typical of the Trump White House, the inquiry was not born of a rigorous policy process. Aides speculated that someone had shown Mr. Trump a news article about the Ukraine assistance and he demanded to know more.

Mr. Vought and his team took to Google, and came upon a piece in the conservative Washington Examiner saying that the Pentagon would pay for weapons and other military equipment for Ukraine, bringing American security aid to the country to \$1.5 billion since 2014.

The money, the article noted, was coming at a critical moment: Mr. Zelensky, a onetime comedian, had called ending the armed conflict with Russia in eastern Ukraine his top priority — a move that would likely only happen if he could negotiate from a position of strength.

The budget office officials had little idea of why Mr. Trump was interested in the topic, but many of the president's more senior aides were well aware of his feelings about Ukraine. Weeks earlier, in an Oval Office meeting on May 23, with Mr. Sondland, Mr. Mulvaney and Mr. Blair in attendance, Mr. Trump batted away assurances that Mr. Zelensky was committed to confronting corruption.

"They are all corrupt, they are all terrible people," Mr. Trump said, according to testimony in the impeachment inquiry.

The United States had been planning to provide \$391 million in military assistance to Ukraine in two chunks: \$250 million allocated by the Pentagon for war-fighting equipment — from sniper rifles to rocket-propelled grenade launchers — and \$141 million controlled by the State Department to buy night-vision devices, radar systems and yet more rocket-grenade launchers.

With the money having been appropriated by Congress, it would be hard for the administration to keep it from being spent by the end of the fiscal year on Sept. 30.

The task of dealing with the president's demands fell primarily to a group of political appointees in the West Wing and the budget office, most with personal and professional ties to Mr. Mulvaney. There was no public announcement that Mr. Trump wanted the assistance withheld. Neither Congress nor the Ukrainian government was formally notified.

Mr. Mulvaney had first served in the administration as the budget director, after three terms in the House, where he earned a reputation as a firebrand conservative.

The four top political appointees helping Mr. Mulvaney execute the hold — Mr. Vought, Mr. Blair, Mr. Duffey and Mark Paoletta, the budget office's top lawyer — all had extensive experience in either congressional budget politics or Republican and conservative causes.

Their efforts would cause tension and at times conflict between officials at the budget office and the Pentagon, some of whom watched with growing alarm.

## A Question of Legality

The single largest chunk of the federal government's annual discretionary budget, some \$800 billion a year, goes to the Pentagon, spy agencies and the Department of Veterans Affairs. The career official in charge of managing the flow of all that money for the budget office is an Afghanistan war veteran named Mark Sandy.

After learning about the president's June 19 request, Mr. Sandy contacted the Pentagon to learn more about the aid package. He also repeatedly pressed Mr. Duffey about why Mr. Trump had imposed the hold in the first place.

“He didn’t provide an explicit response on the reason,” Mr. Sandy testified in the impeachment inquiry. “He simply said we need to let the hold take place — and I’m paraphrasing here — and then revisit this issue with the president.”

From the start, budget office officials took the position that the money did not have to go out the door until the end of September, giving them time to address the president’s questions.

It was easy enough for the White House to hold up the State Department portion of the funding. Since the State Department had not yet notified Congress of its plans to release the money, all it took was making sure that the notification did not happen.

Freezing the Pentagon’s \$250 million portion was more difficult, since the Pentagon had already certified that Ukraine had met requirements set by Congress to show that it was addressing its endemic corruption and notified lawmakers of its intent to spend the money.

So on July 19, Mr. Duffey proposed an unusual solution: Mr. Sandy should attach a footnote to a routine budget document saying the money was being temporarily withheld.

Approving such requests is routine; Mr. Sandy processed hundreds each year. But attaching a footnote to block spending that the administration had already notified Congress was ready to go was not. Mr. Sandy said in testimony that he had never done it before in his 12 years at the agency.

And there was a problem with this maneuver: Mr. Sandy was concerned it might violate a law called the Impoundment Control Act that protects Congress’s spending power and prohibits the administration from blocking disbursement of the aid unless it notifies Congress.

“I asked about the duration of the hold and was told there was not clear guidance on that,” Mr. Sandy testified. “So that is what prompted my concern.”

Mr. Sandy sought advice from the top lawyers at the budget office.

## A Pivotal Day

For a full month, the fact that Mr. Trump wanted to halt the aid remained confined primarily to a small group of officials.

That ended on July 18, when a group of top administration officials meeting on Ukraine policy — including some calling in from Kyiv — learned from a midlevel budget office official that the president had ordered the aid frozen.

"I and the others on the call sat in astonishment," William B. Taylor Jr., the top United States diplomat in Ukraine, testified to House investigators. "In an instant, I realized that one of the key pillars of our strong support for Ukraine was threatened."

That same day, aides on the House Foreign Affairs Committee received four calls from administration sources warning them about the hold and urging them to look into it.

A week later came Mr. Trump's fateful July 25 call with Mr. Zelensky. Mr. Bolton, the national security adviser, had recommended the call take place in an effort to end the "incessant lobbying" from officials like Mr. Sondland that the two leaders connect.

Some of Mr. Trump's aides had thought the call might lead Mr. Trump to lift the freeze. But Mr. Trump did not specifically mention the hold, and instead asked Mr. Zelensky to look into Mr. Biden and his son and into supposed Ukrainian involvement in the 2016 election. Among those listening on the call was Mr. Blair.

Mr. Blair has told associates he did not make much of Mr. Trump's requests during the call for the investigations. He saw the aid freeze not as a political tool, but as an extension of Mr. Trump's general aversion to foreign aid and his belief that Ukraine is rife with corruption.

Just 90 minutes after the call ended, and following days of email traffic on the topic, Mr. Duffey, Mr. Sandy's boss, sent out a new email to the Pentagon, where officials were impatient about getting the money out the door. His message was clear: Do not spend it.

"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," Mr. Duffey wrote in his note, which was released this month to the Center for Public Integrity.

This caused immediate discomfort at the Pentagon, with a top official there noting that this hold on military assistance was coming on the same day Ukraine announced it had seized a Russian tanker — a potential escalation in the conflict between the two nations.

On that same day, Mr. Sandy, having received the go-ahead from the budget office's lawyers, took the first official step to legally impose what they called a "brief pause," inserting a footnote into the budget document that prohibited the Pentagon from spending any of the aid until Aug. 5.

By that point, officials in Ukraine were getting word that something was up. At the same time, the effort to win a commitment from the Ukrainians for the investigations sought by Mr. Trump was intensifying, with Mr. Giuliani and a Zelensky aide, Andriy Yermak, meeting in Madrid on Aug. 2 and the diplomats Mr. Sondland and Mr. Volker also working the issue.

And inside the intelligence community, a C.I.A. officer was hearing talk about the two strands of pressure on Ukraine, including the aid freeze. Seeing how they fit together, he was alarmed enough that by Aug. 12 he would take the extraordinary step of laying them out in detail in a confidential whistle-blower complaint.

## A 'POTUS-level Decision'

Keeping a hold on the assistance was now a top priority, so officials moved to tighten control over the money.

In a very unusual step, the White House removed Mr. Sandy's authority to oversee the aid freeze. The job was handed in late July to Mr. Sandy's boss, Mr. Duffey, the political appointee, the official ultimately responsible for apportionments but one who had little experience in the nuts and bolts of the budget office process.

As the debate over the aid continued, disagreements flared. Two budget office staff members left the agency after the summer. Mr. Sandy testified that their departures were related to the aid freeze, a statement disputed by budget office officials.

Pentagon officials, in the dark about the reason for the holdup, grew increasingly frustrated. Ms. McCusker, the powerful Pentagon budget official, notified the budget office that either \$61 million of the money would have to be spent by Monday, Aug. 12 or it would be lost. The budget office saw her threat as a ploy to force release of the aid.

At the White House, which had been looped into the dispute by the budget office, there was a growing consensus that officials could find a legal rationale for continuing the hold, but with the Monday deadline looming, it was a "POTUS-level decision," one official said.

Complicating matters, another budget battle was escalating. Mr. Vought was attempting to impose cuts of as much as \$4 billion on the nation's overall foreign aid budget. It was an entirely separate initiative from the Ukraine freeze, and was quickly abandoned, but helped the White House establish that its concern about aid was not limited to Ukraine.

By the second week of August, Mr. Duffey had taken to issuing footnotes every few days to block the Pentagon spending. Office of Management and Budget lawyers approved each one.

Mr. Trump spent the weekend before the Pentagon's Aug. 12 deadline at Bedminster, his New Jersey golf resort.

In a previously unreported sequence of events, Mr. Mulvaney worked to schedule a call for that day with Mr. Trump and top aides involved in the freeze, including Mr. Vought, Mr. Bolton and Pat Cipollone, the White House counsel. But they waited to set a final time

because Mr. Trump had a golf game planned for Monday morning with John Daly, the flamboyant professional golfer, and they did not know how long it would take.

Late that morning, Ms. McCusker checked in with the budget office. "Hey, any update for us?" she asked in an email obtained by Center for Public Integrity.

Mr. Duffey was still waiting for an answer as of late that afternoon. "Elaine — I don't have an update," he wrote back. "I am attempting to get one."

The planned-for conference call with the president never happened. Budget office lawyers decided that Ms. McCusker had inaccurately raised alarms about the Aug. 12 date to try to force their hand.

In Bedminster with Mr. Trump, Mr. Mulvaney finally reached the president and the answer was clear: Mr. Trump wanted the freeze kept in place. In Washington, the whistle-blower submitted his report that same day.

## The National Security Team Intervenes

Inside the administration, pressure was mounting on Mr. Trump to reverse himself.

Backed by a memo saying the National Security Council, the Pentagon and the State Department all wanted the aid released, Mr. Bolton made a personal appeal to Mr. Trump on Aug. 16, but was rebuffed.

On Aug. 28, Politico published a story reporting that the assistance to Ukraine had been frozen. After more than two months, the issue, the topic of fiery internal debate, was finally public.

Mr. Bolton's relationship with the president had been deteriorating for months, and he would leave the White House weeks later, but on this front he had powerful internal allies.

On a sunny, late-August day, Mr. Bolton, Mr. Esper and Mr. Pompeo arrayed themselves around the Resolute desk in the Oval Office to present a united front, the leaders of the president's national security team seeking to convince him face to face that freeing up the money for Ukraine was the right thing to do. One by one they made their case.

"This is in America's interest," Mr. Bolton argued, according to one official briefed on the gathering.

"This defense relationship, we have gotten some really good benefits from it," Mr. Esper added, noting that most of the money was being spent on military equipment made in the United States.

Mr. Trump responded that he did not believe Mr. Zelensky's promises of reform. He emphasized his view that corruption remained endemic and repeated his position that European nations needed to do more for European defense.

"Ukraine is a corrupt country," the president said. "We are pissing away our money."

The aid remained blocked. On Aug. 31, Senator Ron Johnson, Republican of Wisconsin, arranged a call with Mr. Trump. Mr. Johnson had been told days earlier by Mr. Sondland that the aid would be unblocked only if the Ukrainians gave Mr. Trump the investigations he wanted.

When Mr. Johnson asked Mr. Trump directly if the aid was contingent on getting a commitment to pursue the investigations, Mr. Johnson later said, Mr. Trump replied, amid a string of expletives, that there was no such demand and he would never do such a thing.

Around the same time, White House lawyers informed Mr. Trump about the whistleblower's complaint regarding his pressure campaign. It is not clear how much detail the lawyers provided the president about the details of the complaint, which noted the aid freeze.

Mr. Trump was scheduled to travel to Poland on Sept. 1 to commemorate the 80th anniversary of the outbreak of World War II, and had planned to get together with Mr. Zelensky. Some administration officials hoped meeting the new Ukrainian president in person would change Mr. Trump's mind.

But a hurricane was bearing down on the United States, and Mr. Trump sent Vice President Mike Pence in his place. When Mr. Zelensky raised the issue with the vice president, Mr. Pence said he should speak with Mr. Trump.

Behind the scenes in Warsaw, Mr. Sondland, the American envoy who was Mr. Trump's point person on getting the Ukrainians to agree to the investigations, had a blunter message. Until the Ukrainians publicly announced the investigations, he told Mr. Yermak, the Zelensky adviser, they should not expect to get the military aid. (Mr. Yermak has questioned Mr. Sondland's account.)

## An Abrupt Reversal

By late summer, top lawyers at the budget office were developing a proposed legal justification for the hold, based in part on conversations with White House lawyers as well as the Justice Department.

Their argument was that lifting the hold would undermine Mr. Trump's negotiating position in his efforts to fight corruption in Ukraine.

The president, the lawyers believed, could ignore the requirements of the Impoundment Control Act and continue to hold the aid by asserting constitutional commander in chief powers that give him authority over diplomacy. He could do so, they believed, if he determined that, based on existing circumstances, releasing the money would undermine military or diplomatic efforts.

But divisions within the administration continued to widen; Mr. Bolton was opposed to using an argument proffered by administration lawyers to block the funding. And pressure from Congress was intensifying. Mr. Johnson and another influential Republican, Senator Rob Portman of Ohio, were both pushing for the aid to be released.

On a call with Mr. Portman on Sept. 11, Mr. Trump repeated his familiar refrain about other nations not doing enough to support Ukraine.

"Sure, I agree with you," Mr. Portman responded, according to an aide who described the exchange. "But we should not hold that against Ukraine. We need to release these funds."

Democrats in the House were gearing up to limit Mr. Trump's power to hold up the money to Ukraine, and the chairmen of three House committees had also announced on Sept. 9 that they were opening an investigation.

Still, White House officials did not expect anything to change, especially since Mr. Trump had repeatedly rejected the advice of his national security team.

But then, just as suddenly as the hold was imposed, it was lifted. Mr. Trump, apparently unwilling to wage a public battle, told Mr. Portman he would let the money go.

White House aides rushed to notify their counterparts at the Pentagon and elsewhere. The freeze had been lifted. The money could be spent. Get it out the door, they were told.

The debate would now begin as to why the hold was lifted, with Democrats confident they knew the answer.

"I have no doubt about why the president allowed the assistance to go forward," said Representative Eliot L. Engel, Democrat of New York and the chairman of the House Foreign Affairs Committee. "He got caught."

Adam Goldman, Edward Wong and Peter Baker contributed reporting.

The New York Times

## Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump and Allies

By Kenneth P. Vogel and Iulia Mendel

May 1, 2019

WASHINGTON — It was a foreign policy role Joseph R. Biden Jr. enthusiastically embraced during his vice presidency: browbeating Ukraine's notoriously corrupt government to clean up its act. And one of his most memorable performances came on a trip to Kiev in December 2015, when he threatened to withhold \$1 billion in United States loan guarantees if Ukraine's leaders did not dismiss the country's top prosecutor, who had been accused of turning a blind eye to corruption in his own office and among the political elite.

The pressure campaign eventually worked. The prosecutor general, long a target of criticism from other Western nations and international lenders, was voted out months later by the Ukrainian Parliament.

Among those who had a stake in the outcome was Hunter Biden, Mr. Biden's younger son, who at the time was on the board of an energy company owned by a Ukrainian oligarch who had been in the sights of the fired prosecutor general.

Hunter Biden was a Yale-educated lawyer who had served on the boards of Amtrak and a number of nonprofit organizations and think tanks, but lacked any experience in Ukraine and just months earlier had been discharged from the Navy Reserve after testing positive for cocaine. He would be paid as much as \$50,000 per month in some months for his work for the company, Burisma Holdings.

The broad outlines of how the Bidens' roles intersected in Ukraine have been known for some time. The former vice president's campaign said that he had always acted to carry out United States policy without regard to any activities of his son, that he had never discussed the matter with Hunter Biden and that he learned of his son's role with the Ukrainian energy company from news reports.

But new details about Hunter Biden's involvement, and a decision this year by the current Ukrainian prosecutor general to reverse himself and reopen an investigation into Burisma, have pushed the issue back into the spotlight just as the senior Mr. Biden is beginning his 2020 presidential campaign.

They show how Hunter Biden and his American business partners were part of a broad effort by Burisma to bring in well-connected Democrats during a period when the company was facing investigations backed not just by domestic Ukrainian forces but by officials in the Obama administration. Hunter Biden's work for Burisma prompted concerns among State Department officials at the time that the connection could complicate Vice President Biden's diplomacy in Ukraine, former officials said.

"I have had no role whatsoever in relation to any investigation of Burisma, or any of its officers," Hunter Biden said Wednesday in a statement. "I explicitly limited my role to focus on corporate governance best practices to facilitate Burisma's desire to expand globally."

Hunter Biden, who left Burisma's board last month, was one of many politically prominent Americans of both major parties who made money in Ukraine over the last decade. In several cases — most notably that of Paul Manafort, President Trump's former campaign chairman — that business came under criminal investigation that exposed a seedy side of the lucrative Western consulting industry in Ukraine.

### Hunter Biden

*Served on the board of Burisma Holdings*

Mr. Biden, the son of former Vice President Joseph R. Biden Jr., started on the board of Burisma Holdings, an energy company owned by a Ukrainian oligarch, in the spring of 2014.

### Mykola Zlochevsky

*Owner of Burisma Holdings*

Mr. Zlochevsky had served in the government of the former Ukrainian president Viktor F. Yanukovich.

He fled the country not long after the collapse of Mr.

### Viktor Shokin

*Former prosecutor general of Ukraine*

Mr. Shokin's office had oversight of investigations into Mr. Zlochevsky and his businesses, including Burisma.

Some in the Obama administration supported the

### Joseph R. Biden Jr.

*Then-Vice President*

In December 2015, Mr. Biden issued an ultimatum to Ukraine's Parliament to dismiss Mr. Shokin, or the United States would withhold \$1 billion in

### Yuriy Lutsenko

*Subsequent prosecutor general of Ukraine*

Mr. Lutsenko initially continued investigating Mr. Zlochevsky and Burisma, but cleared him of all charges within 10 months of taking office.

### Rudolph W. Giuliani

*President Trump's personal lawyer*

Mr. Giuliani has spearheaded the effort among conservatives to publicize and encourage the new investigation in Ukraine.

He was paid about \$50,000 per month through accounts linked to Burisma. He stepped down last month when his term expired.

Yanukovich's government in 2014, and the Ukrainian prosecutor general's office opened multiple investigations into him and his businesses.

investigations, but worried Mr. Shokin was not pursuing them. He was accused of turning a blind eye to corruption in his office and among the political elite.

loan guarantees. Mr. Shokin was voted out by Parliament.

No evidence has surfaced that the former vice president intentionally tried to benefit his son.

The prosecutor general reversed himself and reopened an investigation into Burisma this year. Some see his decision as an effort to curry favor with the Trump administration.

Mr. Giuliani said he got involved because he was seeking to counter the Mueller investigation with evidence that Democrats had conspired with sympathetic Ukrainians to help initiate what became

By The New York Times

But the renewed scrutiny of Hunter Biden's experience in Ukraine has also been fanned by allies of Mr. Trump. They have been eager to publicize and even encourage the investigation, as well as other Ukrainian inquiries that serve Mr. Trump's political ends, underscoring the Trump campaign's concern about the electoral threat from the former vice president's presidential campaign.

The Trump team's efforts to draw attention to the Bidens' work in Ukraine, which is already yielding coverage in conservative media, has been led partly by Rudolph W. Giuliani, who served as a lawyer for Mr. Trump in the investigation by the special counsel, Robert S. Mueller III. Mr. Giuliani's involvement raises questions about whether Mr. Trump is endorsing an effort to push a foreign government to proceed with a case that could hurt a political opponent at home.

Mr. Giuliani has discussed the Burisma investigation, and its intersection with the Bidens, with the ousted Ukrainian prosecutor general and the current prosecutor. He met with the current prosecutor multiple times in New York this year. The current prosecutor general later told associates that, during one of the meetings, Mr. Giuliani called Mr. Trump excitedly to brief him on his findings, according to people familiar with the conversations.

Mr. Giuliani declined to comment on any such phone call with Mr. Trump, but acknowledged that he has discussed the matter with the president on multiple occasions. Mr. Trump, in turn, recently suggested he would like Attorney General William P. Barr to look into the material gathered by the Ukrainian prosecutors — echoing repeated calls from Mr. Giuliani for the Justice Department to investigate the Bidens' Ukrainian work and other connections between Ukraine and the United States.

Mr. Giuliani said he got involved because he was seeking to counter the Mueller investigation with evidence that Democrats conspired with sympathetic Ukrainians to help initiate what became the special counsel's inquiry.

"I can assure you this all started with an allegation about possible Ukrainian involvement in the investigation of Russian meddling, and not Biden," Mr. Giuliani said. "The Biden piece is collateral to the bigger story, but must still be investigated, but without the prejudgments that infected the collusion story."

The decision to reopen the investigation into Burisma was made in March by the current Ukrainian prosecutor general, who had cleared Hunter Biden's employer more than two years ago. The announcement came in the midst of Ukraine's contentious presidential election, and was seen in some quarters as an effort by the prosecutor general, Yuriy Lutsenko, to curry favor from the Trump administration for his boss and ally, the incumbent president, Petro O. Poroshenko.

Mr. Poroshenko lost his re-election bid in a landslide last month. While the incoming president, Volodymyr Zelensky, has said he will replace Mr. Lutsenko as prosecutor general, Mr. Zelensky has not said whether the prosecutors he appoints will be asked to continue the investigation.

Kostiantyn H. Kulyk, a deputy for Mr. Lutsenko who was handling the cases before being reassigned last month, told The New York Times that he was scrutinizing millions of dollars of payments from Burisma to the firm that paid Hunter Biden.

No evidence has surfaced that the former vice president intentionally tried to help his son by pressing for the prosecutor general's dismissal. Some of his former associates, moreover, said Mr. Biden never did anything to deter other Obama administration officials who were pushing for the United States to support criminal investigations by Ukrainian and British authorities — and potentially to start its own investigation — into Burisma and its owner, Mykola Zlochevsky, for possible money laundering and abuse of office.

The Biden campaign cast the revival of the Ukrainian investigation as politically motivated and pointed to the involvement of Mr. Giuliani to question the motives behind the new scrutiny.

Kate Bedingfield, a Biden campaign spokeswoman, said the former vice president's push to oust the former prosecutor general, Viktor Shokin, was undertaken "without any regard for how it would or would not impact any business interests of his son, a private citizen."

The effort, she added, was consistent with "the United States' foreign policy to root out corruption in Ukraine" and was backed by the United States government, allies and multilateral institutions, including the International Monetary Fund and the World Bank.

The younger Mr. Biden said in the statement, "At no time have I discussed with my father the company's business, or my board service, including my initial decision to join the board."

Mr. Lutsenko denied any political motivation in reopening the case.

Hunter Biden, 49, is the middle of three children his father had with his first wife, Neilia Biden. She and the youngest child died in an automobile crash in 1972. Hunter and his older brother, Beau, survived the crash, and Beau Biden went on to a career in public service. Beau Biden died from brain cancer in 2015 at age 46.

After graduating from Yale Law School, Hunter Biden took on a number of roles that intersected with his father's political career, including working with a Delaware-based credit card issuer, working at the Commerce Department under President Bill Clinton and working as a lobbyist on behalf of various universities, associations and companies.

When his father was selected as Barack Obama's running mate in 2008, Hunter Biden terminated his lobbying registrations, which at the time included a company that had lobbied the staff of the Senate Judiciary Committee, on which his father had served, about online gambling issues.

Months after his father became vice president, Mr. Biden joined with Christopher Heinz, the stepson of John Kerry, then a senator, and Devon Archer, a Kerry family friend, to create a network of investment and consulting firms with variations of the name Rosemont Seneca. Mr. Kerry would go on to become secretary of state.

Mr. Biden and Mr. Archer pursued business with international entities that had a stake in American foreign policy decisions, sometimes in countries where connections implied political influence and protection.

Among the companies they did work for was Burisma, a natural gas company owned by Mr. Zlochevsky. Mr. Zlochevsky had served nearly four years in the government of the former Ukrainian president Viktor F. Yanukovich, who stepped down in early 2014 and fled amid mass street protests.

In the months after the collapse of Mr. Yanukovich's government, Mr. Zlochevsky also fled the country as Ukrainian prosecutors opened multiple investigations into him and his businesses. Britain's Serious Fraud Office froze London accounts linked to Mr. Zlochevsky containing \$23 million, declaring it was connected to money laundering and Yanukovich-era corruption. (The British prosecution later collapsed because of what American officials said was a lack of cooperation from the office of the Ukrainian prosecutor general who preceded Mr. Shokin.)

When Mr. Shokin became prosecutor general in February 2015, he inherited several investigations into the company and Mr. Zlochevsky, including for suspicion of tax evasion and money laundering. Mr. Shokin also opened an investigation into the granting of lucrative gas licenses to companies owned by Mr. Zlochevsky when he was the head of the Ukrainian Ministry of Ecology and Natural Resources. Mr. Zlochevsky and Burisma have always vigorously disputed the accusations against them.

Views about the role of the Bidens in the matter depend to some degree on questions about Mr. Shokin's motives. Among both Ukrainian and American officials, there is considerable debate about whether Mr. Shokin was intent on pursuing a legitimate inquiry into Burisma or whether he was merely using the threat of prosecution to solicit a bribe, as Mr. Zlochevsky's defenders assert.

Concerns about Mr. Shokin notwithstanding, the cases against Burisma had high-level support from the Obama administration. In April 2014, it sent top officials to a forum on Ukrainian asset recovery, co-sponsored by the United States government, in London, where Mr. Zlochevsky's case was highlighted.

Early that year, Mr. Archer, the Kerry family friend, and Hunter Biden were part of a wave of Americans who would come from across the Atlantic to help Burisma both with its substantive legal issues and its image. Their support allowed Burisma to create the perception that it was backed by powerful Americans at a time when Ukraine was especially dependent on aid and strategic backing from the United States and its allies, according to people who worked in Ukraine at the time.

First, Mr. Archer joined Burisma's board. Around the same time, the company started paying the New York law firm Boies Schiller Flexner, where Hunter Biden was working.

The firm, which Mr. Biden left at the end of 2017, declined to describe the nature of Boies Schiller's work for Burisma. But previously unreported financial data from the Ukrainian prosecutor general's office show the company paid \$283,000 to Boies Schiller for legal services in 2014.

Soon after Mr. Archer joined Burisma's board, Hunter Biden followed, despite being warned by associates who had experience in Ukraine "to stay away from Mr. Zlochevsky, according to a person familiar with the conversations.

A news release from the company said Hunter Biden would "be in charge of the holdings' legal unit and will provide support for the company among international organizations." Mr. Biden said the news release mischaracterized his role with Burisma. "At no time was I in charge of the company's legal affairs," he said.

Among the Americans brought in by Hunter Biden's American business partners to help fend off the investigations was Blue Star Strategies, a consulting firm run by Clinton administration veterans that had done substantial work in Ukraine.

A team from Blue Star, and an American lawyer Blue Star hired, John D. Buretta, who had served as a senior official in the Obama Justice Department, held two previously unreported meetings in Kiev, Ukraine's capital, with Mr. Lutsenko, who took office in May 2016 after Mr. Shokin's dismissal, according to people with direct knowledge of the meetings. Mr. Lutsenko denied attending the meeting.

Mr. Lutsenko initially took a hard line against Burisma. But within 10 months after he took office, Burisma announced that Mr. Lutsenko and the courts had "fully closed" all "legal proceedings and pending criminal allegations" against Mr. Zlochevsky and his companies, and that the oligarch had been removed by a Ukrainian court from "the wanted list." Mr. Zlochevsky returned to the country.

Hunter Biden's work in Ukraine appears to have been well compensated. Burisma paid \$3.4 million to a company called Rosemont Seneca Bohai LLC from mid-April 2014, when Hunter Biden and Mr. Archer joined the board, to late 2015, according to the financial data provided by the Ukrainian deputy prosecutor. The payments continued after that, according to people familiar with the arrangement.

Rosemont Seneca Bohai was controlled by Mr. Archer, who left Burisma's board after he was charged in connection with a scheme to defraud pension funds and an Indian tribe of tens of millions of dollars. Bank records submitted in that case — which resulted in a conviction for Mr. Archer that was overturned in November — show that Rosemont Seneca Bohai made regular payments to Mr. Biden that totaled as much as \$50,000 in some months.

Amos J. Hochstein, who worked with Vice President Biden on Ukraine issues as the State Department's coordinator for international energy affairs, said the Obama administration's support for prosecuting Mr. Zlochevsky contradicts any implication that the elder Mr. Biden was seeking to oust Mr. Shokin in order to protect his son or Mr. Zlochevsky.

"I was in almost every single meeting that Vice President Biden had with President Poroshenko, I was on every trip, and I was on most of the phone calls, and there was never a discussion about his son, or Burisma," Mr. Hochstein said. "None of these issues ever came up."

On Wednesday, Hunter Biden said in his statement that his term as a director had expired and that he was stepping down from Burisma's board in a political climate "where my qualifications and work are being attacked by Rudy Giuliani and his minions for transparent political purposes."

## Charges of Ukrainian Meddling? A Russian Operation, U.S. Intelligence Says

[The Trump Impeachment](#) [Trump Impeached](#) [Senators' Reactions](#) [How Everyone Voted](#) [What's Next?](#)

Moscow has run a yearslong operation to blame Ukraine for its own 2016 election interference. Republicans have used similar talking points to defend President Trump in impeachment proceedings.

By Julian E. Barnes and Matthew Rosenberg

Published Nov. 22, 2019 Updated Nov. 26, 2019

WASHINGTON — Republicans have sought for weeks amid the impeachment inquiry to shift attention to President Trump's demands that Ukraine investigate any 2016 election meddling, defending it as a legitimate concern while Democrats accuse Mr. Trump of pursuing fringe theories for his benefit.

The Republican defense of Mr. Trump became central to the impeachment proceedings when Fiona Hill, a respected Russia scholar and former senior White House official, added a harsh critique during testimony on Thursday. She told some of Mr. Trump's fiercest defenders in Congress that they were repeating "a fictional narrative." She said that it likely came from a disinformation campaign by Russian security services, which also propagated it.

In a briefing that closely aligned with Dr. Hill's testimony, American intelligence officials informed senators and their aides in recent weeks that Russia had engaged in a yearslong campaign to essentially frame Ukraine as responsible for Moscow's own hacking of the 2016 election, according to three American officials. The briefing came as Republicans stepped up their defenses of Mr. Trump in the Ukraine affair.

The revelations demonstrate Russia's persistence in trying to sow discord among its adversaries — and show that the Kremlin apparently succeeded, as unfounded claims about Ukrainian interference seeped into Republican talking points. American intelligence agencies believe Moscow is likely to redouble its efforts as the 2020 presidential campaign intensifies. The classified briefing for senators also focused on Russia's evolving influence tactics, including its growing ability to better disguise operations.

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Russia has engaged in a “long pattern of deflection” to pin blame for its malevolent acts on other countries. Dr. Hill said, not least Ukraine, a former Soviet republic. Since Ukraine won independence in 1991, Russia has tried to reassert influence there, meddling in its politics, maligning pro-Western leaders and accusing Ukrainian critics of Moscow of fascist leanings.

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“The Russians have a particular vested interest in putting Ukraine, Ukrainian leaders in a very bad light,” she told lawmakers.

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But the campaign by Russian intelligence in recent years has been even more complex as Moscow tries not only to undermine the government in Kyiv but also to use a disinformation campaign there to influence the American political debate.

**Listen to ‘The Daily’: Why Trump (Still) Believes (Wrongly) That Ukraine Hacked the D.N.C.**

The president is promoting a conspiracy theory — one that may have originated with the Russian government.




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The accusations of a Ukrainian influence campaign center on actions by a handful of Ukrainians who openly criticized or sought to damage Mr. Trump's candidacy in 2016. They were scattershot efforts that were far from a replica of Moscow's interference, when President Vladimir V. Putin ordered military and intelligence operatives to mount a broad campaign to sabotage the American election. The Russians in 2016 conducted covert operations to hack Democratic computers and to use social media to exploit divisions among Americans.

This time, Russian intelligence operatives deployed a network of agents to blame Ukraine for its 2016 interference. Starting at least in 2017, the operatives peddled a mixture of now-debunked conspiracy theories along with established facts to leave an impression that the government in Kyiv, not Moscow, was responsible for the hackings of Democrats and its other interference efforts in 2016, senior intelligence officials said.

The Russian intelligence officers conveyed the information to prominent Russians and Ukrainians who then used a range of intermediaries, like oligarchs, businessmen and their associates, to pass the material to American political figures and even some journalists, who were likely unaware of its origin, the officials said.

That muddy brew worked its way into American information ecosystems, sloshing around until parts of it reached Mr. Trump, who has also spoken with Mr. Putin about allegations of Ukrainian interference. Mr. Trump also brought up the assertions of Ukrainian meddling in his July 25 call with President Volodymyr Zelensky of Ukraine, which is at the heart of the impeachment inquiry into whether he abused his power by asking for a public commitment to investigations he stood to gain from personally.

Mr. Trump referred elliptically to allegations that Ukraine meddled in the 2016 election and brought up a related conspiracy theory. Asking Mr. Zelensky to "do us a favor," Mr. Trump added, "I would like you to find out what happened with this whole situation with Ukraine."

Russia's operation to blame Ukraine has become more relevant as Republicans have tried to focus public debate during the impeachment inquiry on any Ukrainian role in the 2016 campaign, American officials said.

Republicans have denounced any suggestion that their concerns about Ukrainian meddling are without merit or that they are ignoring Russia's broader interference. "Not a single Republican member of this committee said Russia did not meddle in the 2016 elections," Representative Elise Stefanik, Republican of New York, said Thursday.

Indeed, Ms. Stefanik and her Republican colleagues on the Democratic-led House Intelligence Committee, which is conducting the impeachment hearing, have also steered clear of the fringe notion that Mr. Trump mentioned to Mr. Zelensky, which is pushed by Russian intelligence: the so-called CrowdStrike server conspiracy theory, which falsely suggests Ukraine, not Russia, was behind the breach of Democratic operatives' servers.

Mr. Trump repeated the baseless claim on Friday in an interview with “Fox & Friends,” laying out the narrative and doubling down after a host gently pressed him on whether he was sure of one aspect of the debunked theory, that the F.B.I. gave a Democratic server to what Mr. Trump had inaccurately described as a Ukrainian-owned company.

“That is what the word is,” Mr. Trump replied.

Some Republicans have also focused on Hunter Biden, raising questions about whether his hiring by the Ukrainian energy company Burisma was corrupt. Burisma hired Mr. Biden while his father, former Vice President Joseph Biden Jr., a potential rival of Mr. Trump’s in the 2020 election, was leading the Obama administration’s Ukraine policy. On the July 25 call, Mr. Trump also demanded Mr. Zelensky investigate Burisma and Hunter Biden.

Moscow has long used its intelligence agencies and propaganda machine to muddy the waters of public debate, casting doubts over established facts. In her testimony, Dr. Hill noted Russia’s pattern of trying to blame other countries for its own actions, like the attempted poisoning last year of a former Russian intelligence officer or the downing of a passenger jet over Ukraine in 2014. Moscow’s goal is to cast doubt on established facts, said current and former officials.

“The strategy is simply to create the impression that it is not really possible to know who was really behind it,” said Laura Rosenberger, the director of the Alliance for Securing Democracy, which tracks Russian disinformation efforts.

Although American intelligence agencies have made no formal classified assessment about the Russian disinformation campaign against Ukraine, officials at several of the agencies have broadly agreed for some time that Russian intelligence services have embraced tactics to shift responsibility for the 2016 interference campaign away from themselves, officials said.

Russia has relentlessly tried to deflect attention since the allegations of its interference campaign in the 2016 election first surfaced, one official said.

Mr. Putin began publicly pushing false theories of Ukrainian interference in the early months of 2017 to deflect responsibility from Russia, said Senator Angus King, independent of Maine and a member of the Senate Intelligence Committee, who declined to answer questions about the briefing.

“These people are pros at this,” said Mr. King, who caucuses with the Democrats. “The Soviet Union used disinformation for 70 years. This is nothing new. Vladimir Putin is a former K.G.B. agent. He is trained in deception. This is his stock and trade and he is doing it well.”

During a news conference in February 2017, Mr. Putin accused the Ukrainian government of supporting Hillary Clinton during the previous American election and funding her candidacy with friendly oligarchs.

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It is not clear when American intelligence agencies learned about Moscow's campaign or when precisely it began.

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Russian intelligence officers aimed part of their operation at prompting the Ukrainian authorities to investigate the allegations that people in Ukraine tried to tamper with the 2016 American election and to shut down inquiries into corruption by pro-Russian politicians in Ukraine, according to a former official.

One target was the leak of a secret ledger disclosed by a Ukrainian law enforcement agency that appeared to show that Paul Manafort, Mr. Trump's onetime campaign chairman, had taken illicit payments from Ukrainian politicians who were close to Moscow. He was forced to step down from the Trump campaign after the ledger became public in August 2016, and the Russians have since been eager to cast doubt on its authenticity, the former official said.

Intelligence officials believe that one of the people the Kremlin relied on to spread disinformation about Ukrainian interference was Oleg V. Deripaska, a Russian oligarch who had ties to Mr. Manafort. After his ouster from the campaign, Mr. Manafort told his former deputy later in 2016 that Ukrainians, not Russians, stole Democratic emails. Mr. Deripaska has broadly denied any role in election meddling.

"There is a long history of Russians putting out fake information," said Marc Polymeropoulos, a former senior C.I.A. official. "Now they are trying to put out theories that they think are damaging to the United States."

## Common Questions About Impeachment

- **What is impeachment?**

Impeachment is charging a holder of public office with misconduct.

- **Why is the impeachment process happening now?**

A whistle-blower complaint filed in August said that White House officials believed they had witnessed Mr. Trump abuse his power for political gain.

- **Can you explain what President Trump is accused of doing?**

President Trump is accused of breaking the law by pressuring the president of Ukraine to look into former Vice President Joseph R. Biden Jr., a potential Democratic opponent in the 2020 election.

- **What did the President say to the president of Ukraine?**

Here is a reconstructed transcript of Mr. Trump's call to President Volodymyr Zelensky of Ukraine, released by The White House.

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12/20/2019

Excerpts From President's Statement - The New York Times

## The New York Times

### Excerpts From President's Statement

March 13, 1973



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WASHINGTON, March 11 —Following are excerpts from a statement issued today by President Nixon on his use of executive privilege:

The doctrine of executive privilege is well established. It was first invoked by President Washington, and it has been recognized and utilized by our Presidents for almost 200 years since that time.

The doctrine is rooted in the Constitution, which vests “the executive power” solely in the President, and it is designed to protect communications within the executive branch in a variety of circumstances in time of both war and peace.

Without such protection, our military security, our relations with other countries, our law enforcement, procedures and many other aspects of the national interest could be significantly damaged and the decisionmaking process of the executive branch could be impaired.

The general policy of this Administration regarding the use of executive privilege during the next four years will be the same as the one we have followed during the past four years: Executive privilege will not be used as a shield to prevent embarrassing information from being made available but will be exercised only in those particular instances in which disclosure would harm the public interest.

### **Pledged to Openness**

During the first four years of my Presidency, hundreds of Administration officials spent thousands of hours testifying before committees of the Congress. Secretary of Defense Laird, for instance, made 86 separate appearances before Congressional committees; engaging in over 327 hours of testimony.

By contrast, there were only three occasions during the first term of my Administration when executive privilege was invoked anywhere in the executive branch in response to a Congressional request for information. These facts speak not of a closed Administration but of one that is pledged to openness and is proud to stand on its record.

Requests for Congressional appearances by members of the President's personal staff present a different situation and raise different considerations. Such requests have been relatively infrequent through the years, and in past Administrations they have been routinely declined.

12/20/2019

Excerpts From President's Statement - The New York Times

I have followed that same tradition in my Administration, and I intend to continue it during the remainder of my term.

Under the doctrine of separation of powers, the manner in which the President personally exercises his assigned executive powers is not subject to questioning by another branch of government. If the President is not subject to such questioning, it is equally inappropriate that members of his staff not be so questioned, for their roles are in effect an extension of the Presidency.

### **Loss of Candor Feared**

This tradition rests on more than constitutional doctrine: It is also a practical necessity. To insure the effective discharge of the executive responsibility, a President must be able to place absolute confidence in the advice and assistance offered by the members of his staff. And in the performance of their duties for the President, those staff members must not be inhibited by the possibility that their advice and assistance will ever become a matter of public debate, either during their tenure in government or at a later date. Otherwise, the candor with which advice is rendered, and the quality of such assistance will inevitably be compromised and weakened.

What is at stake, therefore, is not simply a question of confidentiality but the integrity of the decisionmaking process at the very highest levels of our government.

As I stated in my press conference on Jan. 31, the question of whether circumstances warrant the exercise of executive privilege should be determined on a case-by-case basis.

In making such decisions, I shall rely on the following guidelines:

1. In the case of a department or agency, every official shall comply with a reasonable request for an appearance before the Congress, provided that the performance before the Congress, provided that the performance of the duties of his office will not be seriously impaired thereby. If the official believes that a Congressional request for a particular document or for testimony on a particular point raises a substantial question as to the need for invoking executive privilege, he shall comply with the procedures set forth in my memorandum of March 24, 1969. Thus, executive privilege will not be invoked until the compelling need for its exercise has been clearly demonstrated and the request has been approved first by the Attorney General and then by the President.
2. A Cabinet officer or any other governmental official who also holds a position as a member of the President's personal staff shall comply with any reasonable request to testify in his non-White House capacity, provided that the performance of his duties will not be seriously

impaired thereby. If the official believes that the request raises a substantial question as to the need for invoking executive privilege, he shall comply with the procedures set forth in my memorandum of March 24, 1969.

3. A member or former member of the President's personal staff normally shall follow the well-established precedent and decline a request for a formal appearance before a committee of the Congress. At the same time, it will continue to be my policy to provide all necessary and relevant information through informal contacts between my present staff and committees of the Congress in ways which preserve intact the constitutional separation of the branches.

1/3/2020

George Papadopoulos, Ex-Trump Adviser, Is Sentenced to 14 Days in Jail - The New York Times

**The New York Times** <https://nyti.ms/2MXQVZZ>

## George Papadopoulos, Ex-Trump Adviser, Is Sentenced to 14 Days in Jail

By Mark Mazzetti and Sharon LaFraniere

Sept. 7, 2018

WASHINGTON — George Papadopoulos, a former Trump campaign adviser, was sentenced on Friday to 14 days in prison for lying to the F.B.I. about his contacts with Russian intermediaries during the 2016 presidential race, becoming the first Trump adviser to be sentenced in the special counsel investigation.

Though most first-time offenders convicted of lying to federal authorities escape with probation, Judge Randolph D. Moss said that Mr. Papadopoulos deserved a stiffer sentence because he had impeded an investigation of “grave national importance.”

Prosecutors argued that Mr. Papadopoulos’s repeated lies during a January 2017 interview with investigators hampered the Russia investigation at a critical moment. In part because Mr. Papadopoulos misled the authorities, prosecutors said in court papers, they failed to arrest a London-based professor — suspected of being a Russian operative — before he left the United States in February 2017, never to return.

During an interview with The New York Times this week, Mr. Papadopoulos, 31, for the first time gave his own account of why he deceived F.B.I. agents after they arrived at his house in Chicago last year asking about any connections between the Trump campaign and Russian intermediaries.

*[Read excerpts from the Times’s interview with George Papadopoulos.]*

“I wanted to distance myself as much as possible — and Trump himself and the campaign — from what was probably an illegal action or dangerous information,” he said. He told the judge that he was blinded by personal ambition and the thrill of being part of Mr. Trump’s electoral victory. Just before his F.B.I. interview, he had attended an inauguration event; just after, he promoted his campaign work as a reason he should be hired by the Energy Department.

“I was surrounded by important people,” he told the judge. “I was young and ambitious and excited.”

At the time of the F.B.I. interview, he told The Times, he was concerned about where the escalating investigation might lead. He made no suggestion that anyone on the campaign or in the administration had directed him to lie.

The sentencing hearing, which lasted more than 90 minutes in a packed courtroom, veered in unexpected directions. Mr. Papadopoulos’s defense lawyer, Thomas M. Breen, tried to shift some of the blame for his client’s lies to President Trump. He suggested that Mr. Papadopoulos took his cues from Mr. Trump, who has tried to discredit the inquiry by the special counsel, Robert S. Mueller III, into Russia’s interference in the election and whether any Trump associates conspired.

“The president of the United States hindered this investigation more than George Papadopoulos ever could,” Mr. Breen said. “The message for all of us is to check our loyalty, to tell the truth, to help the good guys.”

While Judge Moss cut short that argument, he stressed the importance of the investigation to the integrity of American democracy. Because determining whether a foreign government interfered in the electoral process was “a matter of enormous importance,” he said, Mr. Papadopoulos’s crime was “significantly more serious than the typical violation.”

He “elevated his self-interest over the national interest,” he said. The judge also fined Mr. Papadopoulos \$9,500 and ordered him to complete 200 hours of community service and one year of probation after he is released from custody.

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George Papadopoulos, Ex-Trump Adviser, Is Sentenced to 14 Days in Jail - The New York Times

Andrew D. Goldstein, a prosecutor on Mr. Mueller's team, told the judge that because Mr. Papadopoulos lied, investigators were forced into a painstaking monthslong examination of 100,000 emails and other communications to establish how Russian intermediaries tried to use him as a channel to the Trump campaign. Even after he pleaded guilty, Mr. Goldstein said, Mr. Papadopoulos made only "begrudging efforts to cooperate."

Roughly 60 percent of defendants in such cases receive probation, the judge said, and sentencing guidelines suggested a punishment from probation to six months in prison.

While Mr. Papadopoulos deserved a harsher punishment than probation, the judge said, he also deserved credit for trying to cooperate and for his apparent contrition. In that, he said, he differed from Alex van der Zwaan, a Dutch lawyer who pleaded guilty to deceiving the special counsel's office about his work for Paul Manafort, the president's former campaign manager, who was convicted last month on fraud charges. Mr. van der Zwaan, who served a 30-day prison sentence, expressed little remorse during his sentencing.

In comments to reporters aboard Air Force One on his way to Fargo, N.D., Mr. Trump sought to distance himself from the sentencing. "I see Papadopoulos today; I don't know Papadopoulos, I don't know," Mr. Trump said, adding, "They got him, on I guess, on a couple of lies."

The president used his former aide's conviction to deride Mr. Mueller's inquiry on Twitter, implying that each day of the 14-day sentence equaled \$2 million in the investigation's budget. In fact, the special counsel's office has secured five other guilty pleas or convictions. About two dozen Russian citizens have also been indicted but have eluded arrest.

Mr. Papadopoulos told The Times that he believed that the Mueller investigation, in which three other former Trump advisers now await sentencing for their crimes, was legitimate and fair-minded. But he said he had no knowledge of whether top campaign officials conspired with Russia to disrupt the election.

"I can only speak for myself, and I'm paying the price for my mistakes," he said, adding that he was not expecting a pardon and would not seek one. "And if anyone else made mistakes, they're going to have to pay a price, too."

Mr. Papadopoulos was a 29-year-old with relatively little foreign policy experience when Mr. Trump named him in March 2016 as part of a team of campaign advisers. A month after that, the professor, Joseph Mifsud, told Mr. Papadopoulos that the Russian government had thousands of emails that might damage Hillary Clinton's candidacy.

Mr. Mueller's prosecutors revealed the existence of this exchange in court papers filed in October, and a lingering mystery in the months since has been who in the Trump campaign — if anyone — Mr. Papadopoulos might have told about the Russian dirt.

In the interview with The Times, Mr. Papadopoulos said he had "no recollection" of telling any Trump advisers about the emails supposedly in Russia's hands. On the day he met with Professor Mifsud, he said, he was supposed to speak to Stephen Miller — a campaign adviser and now a senior White House official — but the call never happened.

"Maybe if the call between myself and Stephen Miller occurred that day, I would have told him. But that call never went through," he said. "How fate works sometimes, I guess."

Mr. Papadopoulos discussed the Russian information during a meeting in a London bar in May 2016 with Alexander Downer, the top Australian diplomat in London. The Australian government passed the information to the F.B.I., which used it as a basis to open an investigation into possible ties between the Trump campaign and Russia.

Mr. Papadopoulos said that he remembered a great deal from that meeting with Mr. Downer, which he described as confrontational, but he had no memory of discussing the dirt about Mrs. Clinton.

During an interview with the newspaper The Australian in April, Mr. Downer said that Mr. Papadopoulos, unprompted, said that "the Russians might use material they have on Hillary Clinton in the lead-up to the election, which might be damaging."

Until this week, Mr. Papadopoulos had given no public interviews. But he has updated his whereabouts frequently on Twitter, sending a gallery of selfies taken with his wife in chic bars and on exotic beaches.

1/3/2020

George Papadopoulos, Ex-Trump Adviser, Is Sentenced to 14 Days in Jail - The New York Times

His mother, Kiki Papadopoulos, who remains a Trump supporter, said she was satisfied with the judge's decision. "Judge Moss was very fair," she said.

## ***Giuliani Associate Asks Court to Allow Handing Over Documents Sought in Trump Impeachment***

By Reuters

Dec. 30, 2019

WASHINGTON — Lev Parnas, an indicted associate of U.S. President Donald Trump's personal lawyer Rudy Giuliani, has asked a court for permission to turn over the contents of Parnas' phone and other documents to a House of Representatives panel for use in the Trump impeachment inquiry, his lawyer said on Monday.

Lawyer Joseph Bondy said in a tweet that the Justice Department on Tuesday would be producing the documents and the contents of the phone seized from Parnas when he was arrested in October.

The government "does not object" to Parnas handing over the documents to the House Intelligence Committee, subject to approval by the court, Bondy wrote in a letter to U.S. District Judge Paul Oetken in New York.

Parnas, a Ukraine-born U.S. citizen, was charged alongside another Florida businessman, Belarus-born Igor Fruman, with illegally funneling money to a pro-Trump election committee and other politicians. Both have pleaded not guilty.

Giuliani has said Parnas and Fruman assisted him in investigating one of the Republican president's political rivals, former Democratic Vice President Joe Biden, and Biden's son Hunter, who served on the board of a Ukrainian energy company.

Trump was impeached by the Democratic-led House on Dec. 18 on charges of abuse of power and obstruction of Congress.

The House intelligence panel played a leading role in the investigation, which focused on Trump's effort to push Ukrainian President Volodymyr Zelenskiy to open investigations into Biden, a leading contender to run against Trump in the 2020 election, and a debunked theory on election interference.

1/5/2020

Giuliani Associate Asks Court to Allow Handing Over Documents Sought in Trump Impeachment - The New York Times

In the letter to Oetken, Bondy said review of the material, which the House panel had subpoenaed, was essential for its "ability to corroborate the strength" of Parnas' potential testimony.

Bondy said he and Parnas did not know "whether we intend to produce the entirety of the materials, or a subset filtered for either privilege or relevancy."

Bondy said in early November that Parnas was prepared to comply with requests for records and testimony from congressional impeachment investigators.

(Reporting by Mohammad Zargham; Editing by Peter Cooney)

## ***Giuliani Provides Details of What Trump Knew About Ambassador's Removal***

Rudolph Giuliani said in an interview that he briefed the president “a couple of times” about Marie Yovanovitch, the envoy to Ukraine, setting her recall in motion.



By Kenneth P. Vogel

Dec. 16, 2019

WASHINGTON — Rudolph W. Giuliani said on Monday that he provided President Trump with detailed information this year about how the United States ambassador to Ukraine was, in Mr. Giuliani's view, impeding investigations that could benefit Mr. Trump, setting in motion the ambassador's recall from her post.

In an interview, Mr. Giuliani, the president's personal lawyer, described how he passed along to Mr. Trump “a couple of times” accounts about how the ambassador, Marie L. Yovanovitch, had frustrated efforts that could be politically helpful to Mr. Trump. They included investigations involving former Vice President Joseph R. Biden Jr. and Ukrainians who disseminated documents that damaged Mr. Trump's 2016 campaign.

The president in turn connected Mr. Giuliani with Secretary of State Mike Pompeo, who asked for more information, Mr. Giuliani said. Within weeks, Ms. Yovanovitch was recalled as ambassador at the end of April and was told that Mr. Trump had lost trust in her.

The circumstances of Ms. Yovanovitch's ouster after a smear campaign engineered in part by Mr. Giuliani were documented during testimony to the House Intelligence Committee, where she was a key witness in impeachment proceedings against Mr. Trump. Mr. Giuliani has made no secret of his role in flagging concerns about Ms. Yovanovitch to Mr. Trump.

But Mr. Giuliani's account, in an interview with The New York Times on Monday evening, provided additional detail about the president's knowledge of and involvement in one element of a pressure campaign against Ukraine.

Mr. Giuliani's interview came as the House prepared for a vote on Wednesday to impeach Mr. Trump. The articles of impeachment put forward by Democrats accuse the president of abusing the power of his office to push Ukraine to help him politically and of obstructing Congress by blocking testimony from key officials. Over several weeks of testimony, Democrats assembled a case that Mr. Trump withheld military aid from Ukraine and denied its president an Oval Office meeting as he sought a commitment from the Ukrainians for the investigations promoted by Mr. Giuliani.

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In conversations in the first months of the year with the president, Mr. Giuliani, by his account, cast Ms. Yovanovitch as impeding not only investigations in Ukraine that could benefit Mr. Trump, but also Mr. Giuliani's efforts to gather evidence to defend him — and target his rivals — in the United States.

"There's a lot of reasons to move her," Mr. Giuliani said, asserting that his briefings of Mr. Trump and Mr. Pompeo most likely played a role in their decision to recall Ms. Yovanovitch.

"I think my information did," he said. "I don't know. You'd have to ask them. But they relied on it."

He added that he did not recommend that Mr. Trump or Mr. Pompeo recall Ms. Yovanovitch. "I just gave them the facts," he said. "I mean, did I think she should be recalled? I thought she should have been fired." He said, "If I was attorney general, I would have kicked her out. I mean — secretary of state."

Testimony in the impeachment proceedings as well as other information have shown that Mr. Giuliani's claims about Ms. Yovanovitch were either unsubstantiated or were taken out of context.

In the interview, he portrayed himself as personally involved in the effort to derail a career diplomat around the time he was considering business arrangements with some of the Ukrainians funneling information to him. On Tuesday, Mr. Giuliani said the potential business arrangements were never finalized, and that he had stopped pursuing them before he discussed Ms. Yovanovitch with Mr. Trump and Mr. Pompeo.

Mr. Giuliani told the president and Mr. Pompeo that Ms. Yovanovitch was blocking visas for Ukrainian prosecutors to come to the United States to present evidence to him — and also to federal authorities — that he claimed could be damaging to Mr. Biden and his son Hunter Biden, and to Ukrainians who distributed documents that led to the resignation of Mr. Trump's 2016 campaign chairman, Paul Manafort.

Mr. Giuliani also claimed, based on his own interviews with those prosecutors, that Ms. Yovanovitch had sought to block investigations in Ukraine. And he relayed vague claims that she had been bad-mouthing the president.

“I think I had pointed out to the president a couple of times, I reported to the president, what I had learned about the visa denials,” Mr. Giuliani said, as well as the claims that she ordered one Ukrainian prosecutor to drop cases. “I may or may not have passed along the general gossip that the embassy was considered to be a kind of out-of-control politically partisan embassy, but that was, like, general gossip, I didn’t report that as fact.”

Mr. Giuliani had told *The New Yorker* in an article published on Monday that he needed Ms. Yovanovitch “out of the way,” and that she “was going to make the investigations difficult for everybody.”

Ms. Yovanovitch, a 33-year veteran of the Foreign Service, testified in the impeachment proceedings that Mr. Giuliani helped lead a smear campaign against her based on what she described as scurrilous lies, and she described the State Department as capitulating to the president’s demands to recall her.

Although she had been accused by a Republican member of Congress of disparaging the Trump administration, no direct evidence has emerged that she did so, nor that she had issued a do-not-prosecute list, as one of Mr. Giuliani’s prosecutor sources once claimed.

But, by Mr. Giuliani’s account on Monday, the information he was spreading about her seemed to find a receptive audience at the highest reaches of the United States government and led Mr. Trump to involve Mr. Pompeo.

Mr. Giuliani told *The Times* that after he briefed Mr. Trump on the claims, the president said “either ‘discuss it with Mike’ or ‘turn it over to Mike.’” Mr. Giuliani said he could not recall “if he had me call him, or him call me — but he put us together so that Pompeo could evaluate it.”

Mr. Giuliani’s account of the phone calls with Mr. Pompeo seems to be corroborated by emails released by the State Department to a liberal watchdog group that had filed a public records lawsuit. The emails reflect at least two telephone calls between the men in late March, including one that was arranged with guidance from Mr. Trump’s personal assistant.

Mr. Giuliani said that Mr. Pompeo asked him whether he had anything in writing, so Mr. Giuliani sent a timeline listing events related to some of the claims about Ms. Yovanovitch, the Bidens’ work in Ukraine and other matters.

Mr. Pompeo subsequently requested more detailed information, Mr. Giuliani said, so he had someone hand deliver to Mr. Pompeo’s office an envelope containing a series of memos detailing claims made by a pair of Ukrainian prosecutors in interviews conducted by Mr. Giuliani and his associates in January. The existence of those memos has been previously

reported, as has Mr. Giuliani's hope that Mr. Pompeo would pass them along to State Department investigators and the F.B.I. as a way of prompting an investigation in the United States that could benefit Mr. Trump.

"What I thought was, a really smart guy and he's going to see what else is involved," Mr. Giuliani said, referring to Mr. Pompeo. "And then he'll be the one referring it to the F.B.I. And maybe they'll take it from him and also it won't look like I'm pushing the F.B.I. to do it."

One of the interviews detailed in a memo sent to Mr. Pompeo was conducted by phone with Viktor Shokin, a former Ukrainian prosecutor who was denied a visa by the State Department. He was denied the visa because he was seen as having wasted American assistance money that had been allocated to his office for anti-corruption programs, according to testimony in the impeachment inquiry.

Mr. Shokin "wanted to come to the United States to share information suggesting that there was corruption at the U.S. Embassy," testified George P. Kent, a State Department official. "Knowing Mr. Shokin, I had full faith that it was bunch of hoovey, and he was looking to basically engage in a con-game out of revenge because he'd lost his job."

Another Ukrainian prosecutor, Yuriy Lutsenko, had traveled to New York to be interviewed by Mr. Giuliani for hours over two days in January, and information he relayed was included in memos sent to Mr. Pompeo.

Mr. Giuliani's efforts in Ukraine have come under scrutiny from federal prosecutors examining whether he violated laws requiring Americans to publicly disclose when they lobby government officials or communicate with journalists on behalf of foreign political interests.

Yet Mr. Giuliani traveled to Europe this month, as first reported by The Times, to meet with some of those same Ukrainian prosecutors to continue gathering information to try to undercut the impeachment case, including through a series of programs on a conservative cable network.

Mr. Trump has said that Mr. Giuliani will submit a report of his findings to Attorney General William P. Barr and Congress.

Mr. Giuliani has shared some information gathered on the trip with Mr. Trump — but "not too much" — the president told reporters on Monday. He added that Mr. Giuliani "knows what he is doing."

Mr. Giuliani would not comment on any conversations with Mr. Trump about the report from his most recent trip. He said he has not spoken with Mr. Barr about it. He has spoken to "several" members of Congress about his findings, he said, but he would not identify them, explaining, "It's all very confidential."

Chris Cameron contributed reporting.

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## The New York Times

### ***Giuliani Pursued Business in Ukraine While Pushing for Inquiries for Trump***

The president's private lawyer explored agreements with Ukrainian officials for hundreds of thousands of dollars.

By Ben Protess, William K. Rashbaum and Michael Rothfeld

Nov. 27, 2019

As ~~Rudolph W. Giuliani~~ <sup>The Trump Impeachment</sup> waged a public campaign this year to unearth damaging information in Ukraine, ~~President Trump's political rivals~~ <sup>Trump Impeached, Senators' Reactions, How Everyone Voted</sup>, he privately pursued hundreds of thousands of dollars in business from Ukrainian government officials, documents reviewed by The New York Times show.

Mr. Giuliani, the president's personal lawyer, has repeatedly said he has no business in Ukraine, and none of the deals were finalized. But the documents indicate that while he was pushing Mr. Trump's agenda with Ukrainian officials eager for support from the United States, Mr. Giuliani also explored financial agreements with members of the same government.

His discussions with Ukrainian officials, including the country's top prosecutor, who assisted him on the dirt-digging mission, proceeded far enough along that he signed at least one retainer agreement, on his company letterhead.

In an interview on Wednesday, Mr. Giuliani played down the discussions. He said that a Ukrainian official approached him this year seeking to hire him personally. Mr. Giuliani said he dismissed that suggestion, but spent about a month considering a separate deal with the Ukrainian government. He then rejected that idea.

"I thought that would be too complicated," Mr. Giuliani said. "I never received a penny."

Mr. Giuliani's shadow diplomacy campaign in Ukraine on behalf of the president is a central focus of the current House impeachment inquiry.

At the same time, a federal criminal investigation into Mr. Giuliani is examining his role in the campaign to oust Marie L. Yovanovitch, the American ambassador to Ukraine, and scrutinizing any financial dealings he may have had with Ukrainian officials, according to people briefed on the matter.

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Giuliani Pursued Business in Ukraine While Pushing for Inquiries for Trump - The New York Times

Prosecutors and F.B.I. agents in Manhattan are scrutinizing whether Mr. Giuliani was not just working for the president, but also doing the bidding of Ukrainian officials who wanted the ambassador removed for their own reasons, the people said.

It is a federal crime to try to influence the United States government at the request or direction of a foreign government, politician or party without registering as a foreign agent. Mr. Giuliani did not register as one, he has said, because he was acting on behalf of his client, Mr. Trump, not Ukrainians.

Mr. Giuliani has not been accused of wrongdoing.

The federal inquiry focused on Mr. Giuliani grew out of the case against two of his associates, Lev Parnas and Igor Fruman, who were arrested on campaign finance charges last month. Alongside Mr. Giuliani, Mr. Parnas and Mr. Fruman worked to pressure Ukraine into announcing investigations into former Vice President Joseph R. Biden Jr. and his son Hunter.

Mr. Parnas and Mr. Fruman have pleaded not guilty to the campaign finance charges.

Spokesmen for the United States attorney in the Southern District of New York, Geoffrey S. Berman, whose prosecutors are handling the case, and the F.B.I. declined to comment.

The documents reviewed by The Times portray an evolving effort over the course of several months by Mr. Giuliani and lawyers close to him to consider taking on various Ukrainian officials or their agencies as clients.

The Times could not determine whether the documents it reviewed comprised the entirety of discussions between Mr. Giuliani and other lawyers about representing Ukrainian government officials.

The documents date to mid-February, when one draft proposal said Mr. Giuliani would represent Yuriy Lutsenko, who was then Ukraine's top prosecutor. At the time, Mr. Giuliani had been working with Mr. Lutsenko to encourage investigations into the Bidens and the 2016 election.

The draft proposal, which was unsigned and not on letterhead, called for Mr. Lutsenko to pay \$200,000 to retain Giuliani Partners, Mr. Giuliani's firm, and a husband-and-wife legal team aligned with Mr. Trump, Joseph E. diGenova and Victoria Toensing.

In return, Mr. Giuliani would help the government recover money it believed had been stolen and stashed overseas, advising Mr. Lutsenko "on Ukrainian claims for the recovery of sums of money in various financial institutions outside Ukraine."

The proposal came a few weeks after Mr. Giuliani met at his office in New York with Mr. Lutsenko to discuss Ukrainian corruption. Mr. Lutsenko told Mr. Giuliani and others about payments he claimed involved Mr. Biden, Hunter Biden and Burisma Holdings, a Ukrainian company that had named the younger Mr. Biden to its board, according to a memo summarizing the talks. Mr. Lutsenko also shared information he said he had about Ms. Yovanovitch.

Mr. Giuliani was critical of Ms. Yovanovitch, whom he and other Republicans have said was opposed to the president. Mr. Giuliani's moves against her, however, were also aligned with the interests of Mr. Lutsenko, who had butted heads with the ambassador.

Ultimately, Ms. Yovanovitch was removed from her post in May, and Mr. Lutsenko was replaced in August after a new Ukrainian president took office.

In the interview, Mr. Giuliani said that after their meeting, Mr. Lutsenko broached the idea of hiring him to help deliver information about corruption in Ukraine to United States authorities.

Although Mr. Giuliani worked for free for Mr. Trump, he said he concluded that it would be a potential conflict of interest for him to represent the Ukrainian prosecutor in that capacity.

Still, he said, Mr. Lutsenko also wanted to hire Mr. Giuliani to help recover Ukrainian assets.

An updated proposal was circulated a few days later, along with instructions on how to wire money to Giuliani Partners. This version made no mention of Mr. Lutsenko, but instead sought \$300,000 from the Ukrainian Ministry of Justice and the Republic of Ukraine. The proposal was signed by Mr. Giuliani, but not by the justice minister at the time, Pavlo Petrenko.

Asked why he signed that agreement and pursued payment, Mr. Giuliani said he considered the deal in order to learn more about the recovery of assets and money laundering in Ukraine.

"It did not come out of my desire to make a lot of money," he said, adding that his typical retainer is much higher than a few hundred thousand dollars.

"Originally, I thought I would do it. And then when I thought it over," he said, "I thought it would look bad."

The Ukrainian Ministry of Justice said Wednesday that it did not enter into any contracts or make payments to Mr. Giuliani.

In March, a document proposed that the Ukrainian justice ministry would hire Ms. Toensing and Mr. diGenova for help with asset recovery. But it said that the General Prosecutor's office, run by Mr. Lutsenko, would pay \$300,000 to Giuliani Partners.

Several later draft retainer agreements involved Ms. Toensing and Mr. diGenova but did not reference Mr. Giuliani.

In April, Mr. Lutsenko reappeared as a potential client in some new versions of documents, along with one of his deputies. Under the proposals, which were signed only by Ms. Toensing and printed on her law firm's letterhead, she and Mr. diGenova would represent the officials "in connection with recovery and return to the Ukraine government of funds illegally embezzled from that country."

The proposed April agreement between Mr. Lutsenko and Ms. Toensing and Mr. diGenova also referenced another assignment: helping him meet with American officials about "the evidence of illegal conduct in Ukraine regarding the United States, for example, interference in the 2016 U.S.

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Giuliani Pursued Business in Ukraine While Pushing for Inquiries for Trump - The New York Times

elections.”

Asked for comment by The Times, a spokeswoman for Mr. Lutsenko, Larisa Sarhan, on Wednesday referred to an interview Mr. Lutsenko gave to a Ukrainian news outlet confirming that aides to Mr. Giuliani had asked him to hire a lobbying company. He did not specify which company.

Mr. Lutsenko told Ukrainska Pravda he had been seeking a meeting with William P. Barr, the United States attorney general, and was in touch with unnamed advisers to Mr. Giuliani.

“In the end, they said the meeting would be impossible unless I hired a company that would lobby for such a meeting,” Mr. Lutsenko told the news outlet, adding that he declined to do that.

The proposals noted that Ms. Toensing and Mr. diGenova might have to register as foreign agents under American law.

“We have always stated that we agreed to represent Ukrainian whistle-blowers,” Mark Corallo, a representative for the law firm of Ms. Toensing and Mr. diGenova, said in a statement on Wednesday.

Mr. Corallo said the business proposals were “unaccepted” and the lawyers never represented the Ukrainians. “No money was ever received and no legal work was ever performed,” he said.

In another agreement signed by Ms. Toensing in April, the client would have been Victor Shokin, the top Ukrainian prosecutor before Mr. Lutsenko. Mr. Shokin was ousted after critics, among them Mr. Biden, said he was soft on corruption.

Mr. Shokin did not respond to a request for comment.

Mr. Shokin had also spoken with Mr. Giuliani and his associates in January, via Skype. In the call, Mr. Shokin asserted that American officials applied pressure on the Ukrainian government to kill an investigation of Burisma, and that he was fired after Mr. Biden accused the prosecutor of being corrupt, according to a memo summarizing the discussion.

Ms. Toensing proposed that, for \$25,000 a month, her firm would represent Mr. Shokin “for the purpose of collecting evidence regarding his March 2016 firing as Prosecutor General of Ukraine and the role of then-Vice President Joe Biden in such firing, and presenting such evidence to U.S. and foreign authorities.”

The news of Mr. Giuliani’s efforts comes a day after Mr. Trump appeared to distance himself from Mr. Giuliani.

In an interview on Tuesday, the former Fox News host Bill O’Reilly asked Mr. Trump if he had directed Mr. Giuliani in his Ukraine efforts. “No, I didn’t direct him, but he is a warrior, he is a warrior,” Mr. Trump said.

When asked what work Mr. Giuliani was doing for him related to Ukraine, Mr. Trump replied, “You have to ask that to Rudy.”

Andrew E. Kramer, Maggie Haberman and Ken Vogel contributed reporting. Maria Varenikova contributed reporting from Kyiv.

<https://www.nytimes.com/2019/11/27/nyregion/giuliani-ukraine-business-trump.html>

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**The New York Times****Giuliani to Join Trump's Legal Team**

By Maggie Haberman and Michael S. Schmidt

April 19, 2018

Rudolph W. Giuliani, the former New York City mayor and longtime friend of President Trump, will join the president's legal team in an effort to "quickly" resolve the special counsel investigation into Russian election interference and possible ties to Trump associates.

Mr. Trump will also bring on Jane Serene Raskin and Martin R. Raskin, former federal prosecutors based in Florida, according to Mr. Trump's lawyer Jay Sekulow. Mr. Giuliani is himself a former federal prosecutor.

"The president said: 'Rudy is great. He has been my friend for a long time and wants to get this matter quickly resolved for the good of the country,'" Mr. Sekulow said in a statement.

The three new lawyers give Mr. Trump a broader legal stable to rely on as he faces not just the special counsel, Robert S. Mueller III, but the threat of an investigation by federal prosecutors in Manhattan into the president's longtime personal lawyer and fixer, Michael D. Cohen. Federal agents raided Mr. Cohen's office and hotel room last week.

Mr. Trump has a difficult time retaining top-flight lawyers as the inquiries have increasingly unsettled him, and he has angrily chafed against his lawyers' legal strategies.

Mr. Trump and his associates believe the issues in New York pose a far greater challenge to the president than even Mr. Mueller's investigation. They do not know what was taken from Mr. Cohen's office, and it is not clear what exactly investigators are looking into. But the fact that the authorities were able to get a federal judge to give them permission to raid Mr. Cohen's office and residences has led Mr. Trump and his associates to believe the government possesses some evidence of wrongdoing by Mr. Cohen.

In hiring Mr. Giuliani, Mr. Trump has turned to someone who is a reliable, loyal surrogate and an attack dog on television. Mr. Giuliani is a former top official at the Justice Department and served as the United States attorney in Manhattan. But at age 73 he is no longer known as a powerhouse white-collar litigator and in recent years has been more active as a worldwide consultant.

One person close to Mr. Trump said the Raskins will be the longer-term and more durable additions to the team. Mr. Giuliani, by contrast, is coming on board as a short-timer not only to appear on television but also to see if he can use his decades-long ties with Mr. Mueller to re-establish a working relationship with the special counsel's team. The relationship between the president's lawyers and Mr. Mueller's team blew up after agents raided Mr. Cohen.

Mr. Giuliani's main focus will be on bringing an end to Mr. Mueller's investigation into whether Mr. Trump obstructed justice and links between his campaign and Russia. As part of those efforts, Mr. Giuliani will take the lead dealing with Mr. Mueller's office on an interview with Mr. Trump. The president and his lawyers do not believe Mr. Trump has any real legal exposure but are wary of the interview.

At the same time, though, they have determined that for Mr. Mueller to complete his inquiry in a timely manner, Mr. Trump will need to sit down for questioning. Mr. Giuliani plans to try to work with Mr. Mueller to come up with a way to question Mr. Trump that both sides are comfortable with.

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Giuliani to Join Trump's Legal Team - The New York Times

The addition of Mr. Giuliani comes at a particularly tumultuous time for the president. Last month the president's lead lawyer, John Dowd, quit the team after he determined the president was not following his advice. For much of the past month, the team has been led by Mr. Sekulow, who has had to assemble a new group of lawyers to deal with the issues in New York and another team to confront Mr. Mueller.

At the same time, Mr. Mueller has been pressuring Mr. Trump to sit down for an interview. The president, who initially said he was eager to answer Mr. Mueller's questions under oath, is said to be more skeptical of an interview in the wake of the raid on Mr. Cohen's office.

After Mr. Dowd quit, many well-known lawyers turned down the opportunity to join the president's legal team. Some said that they did not believe Mr. Trump would listen to them and that their firms did not want to be associated with the president. But after the raid on Mr. Cohen, many more lawyers have become interested in working for Mr. Trump, according to people briefed on the matter. The lawyers believe the government overstepped its bounds by executing a warrant at a lawyer's office and have contended the government violated the attorney-client privilege between Mr. Cohen and his clients.

Mr. Trump negotiated the discussions to have Mr. Giuliani join his team with Mr. Giuliani directly, a person close to the process said. Mr. Trump had repeatedly offered Mr. Giuliani the job of attorney general during the transition, but Mr. Giuliani turned it down because he wanted to be secretary of state.

Mr. Trump turned to Senator Jeff Sessions, Republican of Alabama, to be attorney general, but has publicly criticized Mr. Sessions for recusing himself from the Russia inquiry. Mr. Trump has said that Mr. Sessions should be protecting him from the inquiry.

Some close to the president believe he could try to replace Mr. Sessions with Mr. Giuliani in the coming months, although Mr. Giuliani would face an extremely difficult confirmation hearing in the Senate. When Mr. Giuliani sought the secretary of state job, Trump advisers, including the president's son-in-law, Jared Kushner, raised concerns about his business dealings and paid speeches to a shadowy Iranian opposition group that until 2012 was on the State Department's list of foreign terrorist organizations.

Mr. Giuliani will be taking a leave of absence from his law firm, Greenberg Traurig, while he works for Mr. Trump. Three people close to the former mayor said that Greenberg Traurig lawyers were distressed that Mr. Giuliani was taking on the new role. Many at the firm were already uncomfortable with Mr. Giuliani's work for the Trump campaign, his outspoken opinions and his role in helping to write the president's first travel ban that affected mostly Muslim countries.

James B. Comey, the F.B.I. director Mr. Trump fired, is critical of Mr. Giuliani in his new book, "A Higher Loyalty: Truth, Lies, and Leadership." (Mr. Giuliani was Mr. Comey's boss when Mr. Comey went to work for the United States attorney's office in Manhattan in 1987.)

"Though Giuliani's confidence was exciting, it fed an imperial style that severely narrowed the circle of people with whom he interacted, something I didn't realize was dangerous until much later: a leader needs the truth, but an emperor does not consistently hear it from his underlings," Mr. Comey wrote.

## The New York Times

The Trump  
Impeachment

Trump Impeached

Senators' Reactions

How Everyone Voted

### *In Hungary, a Freewheeling Trump Ambassador Undermines U.S. Diplomats*

He brokered a White House meeting for Hungary's prime minister. He spends \$320,000 on parties and takes positions at odds with American policy. He says he knows what President Trump wants.

By **Matt Apuzzo and Benjamin Novak**

Oct. 22, 2019

BUDAPEST — The annual Independence Day celebration at the United States Embassy in Budapest is usually a modest garden party, a chance for the ambassador to celebrate American freedom, democracy and the rule of law.

This year, the ambassador, David B. Cornstein, spent hundreds of thousands of dollars on a blowout gala for 800 guests. He flew in the singer Paul Anka from California. The guest of honor was Prime Minister Viktor Orban of Hungary, who has curtailed the very freedoms the event was meant to highlight.

Standing at a lectern, Mr. Cornstein declared Mr. Orban “the perfect partner” and “a very, very strong and good leader.” Mr. Anka serenaded the Hungarian leader with a personalized rendition of “My Way.”

For many in the room, it was a bewildering spectacle: an American ambassador lavishing praise on a far-right leader whose party has methodically eroded Hungarian democracy and pushed anti-Semitic tropes. But it was just another demonstration of Mr. Cornstein's pattern of emboldening Mr. Orban.

Since becoming ambassador in June 2018, Mr. Cornstein has assiduously courted Mr. Orban, giving the Hungarian leader unexpected influence in the Trump administration. Mr. Cornstein used his decades-long friendship with President Trump to help broker a coveted Oval Office meeting for Mr. Orban last May — a meeting now under scrutiny by impeachment investigators in Washington.

At the time, some White House officials tried to stop the meeting, citing Mr. Orban's anti-democratic record in Hungary and his growing closeness to Russia. The meeting went ahead, and Mr. Orban is said to have used it to fuel the president's suspicions about Ukraine.

As yet, Mr. Cornstein's role in that meeting does not appear to be part of the impeachment inquiry. But his freewheeling diplomacy and courtship of Mr. Orban have alarmed career civil servants and contributed to broader criticism, even among Republicans, that some members of the president's foreign policy team are dangerously unprepared for the job.

During the past year, Mr. Cornstein, an 81-year-old jewelry magnate, has developed unusually close relationships with Mr. Orban and his advisers, according to several American and Western officials. He exchanges text messages with them, occasionally from personal devices, and boasts about his contacts — even as American security officials warn that Mr. Orban is trying to manipulate him.

He has undermined efforts by career diplomats to deliver messages to Washington about corruption and democratic backsliding in Hungary. And he has privately acted as a broker for Mr. Orban's point of view, taking positions contrary to United States policy, according to interviews with roughly two dozen current and former American and foreign officials as well as others who have worked with Mr. Cornstein.

He has also adopted some of Mr. Orban's talking points on Ukraine, contradicting the policy of the United States and its NATO allies.

Some embassy officials were so taken aback that, according to two American officials, they confided to a recent congressional delegation that Washington's top man in Hungary acted more like Mr. Orban's top man in the Trump administration.

In two interviews, Mr. Cornstein played down concerns about Hungarian corruption, anti-Semitism and the erosion of democracy. He defended his approach as good for the United States, and said that his outreach to Mr. Orban was exactly what Mr. Trump wanted.

"Hopefully there are one or two people who think I'm doing a good job," he said.

Mr. Trump seems pleased. Although the Obama administration sought to isolate Mr. Orban as punishment for his authoritarian tendencies, the Trump administration has engaged him uncritically, a strategy intended to keep the Hungarian leader from drifting toward China and Russia.

But Thomas Carothers, who studies democracies for the Carnegie Endowment for International Peace, said Mr. Cornstein's public praise for Mr. Orban had gone too far. "The ambassador has crossed the line, both in openly endorsing bad things and mocking serious issues," he said.

Privately, Mr. Cornstein has gone even farther.

In April, a group of congressional staff members visited Budapest on a trip sponsored by the Hungarian government. Realizing that Hungarian officials would present a rosy picture, American diplomats squeezed in a 45-minute briefing about corruption and the erosion of democracy.

Mr. Cornstein arrived unannounced and commandeered the meeting, saying he saw no evidence of corruption, according to several people in attendance.

"Before I could start, Cornstein interrupted," said Miklos Ligeti, a former official at the Hungarian Ministry of Justice who was asked to discuss corruption on behalf of Transparency International. "He came in and hijacked the meeting."

Mr. Cornstein also spoke glowingly of Mr. Orban's unchecked power.

"He's got the executive. He's got the legislature. And he's got the judges," Marta Pardavi, a lawyer with the Hungarian Helsinki Committee, a human rights group, recalled the ambassador as saying. "He actually said it. And he said it so we would hear it."

Mr. Ligeti said he was never able to deliver his corruption briefing.

"Cornstein is the worst, most detrimental of diplomats — not just of the United States, but of all the countries," Mr. Ligeti said. "He is actively working against the voices of anticorruption."

In interviews, Mr. Cornstein said he did not recall the meeting but played down corruption concerns.

"Is there corruption in Hungary? I'm sure there is," Mr. Cornstein said. "Is there corruption in New York City and Chicago? I'm sure there is." He said he had seen no evidence of an effect on American businesses.

State Department and private analysts, however, say that corruption is persistent in Hungary. Secretary of State Mike Pompeo has pledged to increase support for anti-corruption efforts in Hungary.

## **A Dispute with Ukraine**

It may not seem obvious how, or why, a Hungarian prime minister would influence the views of an American president toward Ukraine, an American ally.

But Mr. Orban has been locked in a dispute with Ukrainian officials over a language law that he says is discriminatory to ethnic Hungarians in Ukraine. The dispute has become a key security issue for the United States because Mr. Orban has blocked Ukrainian engagement with NATO. The United States is adamant that such disagreements should have no bearing on NATO security matters.

The White House meeting gave Mr. Orban the opportunity to press his case directly to Mr. Trump. Asked on Tuesday what Mr. Orban told the president about Ukraine, Mr. Cornstein replied, "It was between two men, and neither person discussed the subject with me."

But Mr. Cornstein's statements on the topic have recently drifted toward Mr. Orban's point of view. Asked about Ukraine in an interview, he raised the language law unprompted.

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In Hungary, a Freewheeling Trump Ambassador Undermines U.S. Diplomats - The New York Times

“The language law that was passed, which was not favorable to the 175,000 Ukrainian, former Hungarian people that are living in that part of the country, was something that I didn’t agree with,” Mr. Cornstein said.

Mr. Cornstein also took Mr. Orban’s side over the fate of Central European University, an accredited institution that Mr. Orban forced from the country. The Hungarian-born philanthropist George Soros founded the school after the collapse of the Soviet Union, in part to educate a new generation on the principles of human rights and the rule of law. As he eroded democratic norms, Mr. Orban attacked Mr. Soros, portraying him as part of a global conspiracy against the prime minister.

Publicly, Mr. Cornstein declared that saving the school was a top priority. But privately, he helped broker the university’s exit, according to the school’s president, Michael Ignatieff.

Mr. Ignatieff said that Mr. Cornstein had proposed that the school move its American degree program to Vienna and keep a smaller, Hungarian-only program in Budapest.

“What do you care where your degrees are issued?” Mr. Ignatieff recalled Mr. Cornstein as saying.

“David, that’s not a compromise,” Mr. Ignatieff replied. “You’re kicking a U.S. institution out of Hungary.”

“I don’t see it that way at all,” Mr. Cornstein said.

The university soon lost its authority to issue American degrees and moved to Vienna — the very outcome Mr. Cornstein had mentioned. The United States Embassy said in a statement that the government was “disappointed.”

## **A Strongman Inside the European Union**

The university’s expulsion was another example of Mr. Orban’s vast influence over Hungarian political life. His party, Fidesz, has cemented control of the media, curtailed religious freedom, endorsed racial and cultural purity and used anti-Semitic stereotypes to attack the European Union. (State Department reports have cited Mr. Orban’s utilization of anti-Semitism.)

Mr. Cornstein, who is Jewish, often says that Hungary’s biggest problem is public relations and that Jews in Hungary have little to worry about.

“They’re content. They’re happy and they’re safe,” he said. “I can’t say that about New York City.”

Other American presidents have been accused of supporting strongmen. But Mr. Trump has broken with a half-century of bipartisan consensus that supporting freedom was a moral imperative and a security goal, said Larry Diamond of the Hoover Institution, a conservative research group.

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“Orban has quietly and skillfully, with velvet gloves, strangled the life out of democracy,” Mr. Diamond said. “To embrace and normalize and look away from these transgressions in a country that is in the heart of the liberal democratic project of the world is not only disturbing. It’s alarming.”

Friends say that Mr. Cornstein, an affable grandfather, is a Rockefeller Republican, not an ideologue. He has donated not only to the presidential campaigns of Mitt Romney and John McCain, but also to Democrats like Chuck Schumer and Cory Booker.

He did not give money to Mr. Trump’s campaign, but the friendship between the two men goes back decades. Mr. Cornstein attended Mr. Trump’s wedding and ran New York City’s off-track-gambling operation in the mayoral administration of Rudolph W. Giuliani, who is now Mr. Trump’s personal lawyer.

Mr. Cornstein made his fortune operating jewelry counters inside department stores, and he often recounts stories of hard-won wisdom from his business career. Running an embassy is a lot like running a jewelry counter, he says: You can’t forget you’re in someone else’s store.

Some American officials and Western diplomats say that Mr. Cornstein is falling for a Hungarian campaign to undermine veteran foreign policy officials. At the White House, for example, Mr. Orban told Mr. Trump that the embassy in Budapest — staffed by career civil servants — was full of Obama administration holdovers, according to Mr. Cornstein and other American officials.

Mr. Trump responded by asking why Mr. Cornstein had not fired them. (In an interview, Mr. Cornstein said he had confidence in his staff.)

Mr. Cornstein is open about his closeness to Mr. Orban. He tells how, on the flight back to Budapest after the White House meeting, the two men — exhausted from a long day — stripped to their underwear and napped and chatted on couches in the back of Mr. Orban’s plane.

When Mr. Cornstein learned recently that Radio Free Europe, the pro-democracy American news outlet, was preparing to return to Hungary, he sought assurances that it would not criticize Mr. Orban’s government. In an interview, he said he simply wanted to ensure that the government viewpoint would be included.

It is hardly unusual for diplomats to seek ties with foreign leaders, but Mr. Cornstein has eschewed both the rigorous prep sessions that normally precede high-level contacts and the detailed briefings that follow. State Department officials say they often do not know what messages are exchanged.

Mr. Cornstein acknowledged that he rarely speaks to officials in Washington. He conceded that he has used personal devices to contact Mr. Orban and his advisers, but said he had done so a half-dozen times at most, and only to set up meetings.

“I was told this before I got to the post: ‘This is your show. You run it,’” he said. “I know what the president’s philosophy is and what his foreign policy is.”

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Mr. Cornstein has delivered mixed results, at best. He regards as an achievement negotiations that are underway, but not finalized, for Hungary to buy more than \$1 billion in American weaponry.

Yet Mr. Orban has also allowed an obscure Russian financial institution, the International Investment Bank, to open in Budapest with sweeping diplomatic immunity — a move that Western security officials say enables Russian spying and money laundering.

After a Drug Enforcement Administration sting captured two men thought to be Russian arms dealers, Hungarian officials extradited them to Russia, where they were set free. Hungary has also snubbed Washington by saying that it sees no evidence that the Chinese telecom giant Huawei is a security threat.

Mr. Cornstein said that building bridges was a process, one that will help the United States. He denied honoring Mr. Orban at the Independence Day gala.

“My motivation was to really show what a great party can be,” he said, “and have people walk out and say, ‘Man, America really did that terrific.’”

He said the party cost about \$320,000, financed mostly by American businesses. An additional \$7,000 came from an embassy account used to establish local contacts.

During the interview, Mr. Cornstein appeared to nudge American policy in another new direction. He said he had vehemently opposed the Russian bank’s relocation but that Mr. Orban had made private promises that have allayed his concerns.

“I am comfortable with where we are now,” Mr. Cornstein said. Pressed on whether that was the official view of the United States government, he replied: “You’ve got to ask Washington. I’m comfortable.”

The embassy quickly clarified his remarks, saying the ambassador considered the bank a threat as long as it remained in Hungary.

## Common Questions About Impeachment

- **What is impeachment?**

Impeachment is charging a holder of public office with misconduct.

- **Why is the impeachment process happening now?**

A whistle-blower complaint filed in August said that White House officials believed they had witnessed Mr. Trump abuse his power for political gain.

- **Can you explain what President Trump is accused of doing?**

President Trump is accused of breaking the law by pressuring the president of Ukraine to look into former Vice President Joseph R. Biden Jr., a potential Democratic opponent in the 2020 election.

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- **What did the President say to the president of Ukraine?**

Here is a [reconstructed transcript](#) of Mr. Trump's call to President Volodymyr Zelensky of Ukraine, released by The White House.

- **What is the impeachment process like?**

Here are answers to [seven key questions](#) about the process.

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## The New York Times

# Joe Biden Announces 2020 Run for President, After Months of Hesitation

By Alexander Burns and Jonathan Martin

April 25, 2019

For 2020 President Joseph R. Biden Jr. announced Thursday that he would seek the Democratic nomination to challenge President Trump in 2020, casting the election as a national emergency and asking Democrats to put the task of defeating Mr. Trump above all their other ambitions.

In a three-and-a-half minute video that focused on excoriating Mr. Trump, Mr. Biden presented himself as a steely leader for a country wracked by political conflict. Unlike the wide field of Democrats competing for the affections of the left, Mr. Biden avoided almost any talk of policy or ideology, signaling that he believes voters will embrace him as a figure of stability and maturity even in a partisan primary election.

In doing so, Mr. Biden, 76, is making a bet of sorts that the Democratic Party's leftward shift in recent years has been greatly overstated, and that the moral clarity of his rhetoric and his seeming strength as a general election candidate will overpower other considerations for Democratic voters who tend to prize youth, diversity and unapologetic liberalism.

Laying out for the first time why he wanted to run for president, Mr. Biden invoked the white supremacist march through Charlottesville, Va., that ended in bloodshed in 2017, and Mr. Trump's comment that there were "very fine people on both sides." In that moment, Mr. Biden said in the video, "I knew the threat to our nation was unlike any I'd ever seen in my lifetime."

"We are in the battle for the soul of this nation," Mr. Biden said, warning that if Mr. Trump is re-elected, "He will forever and fundamentally alter the character of this nation, who we are, and I cannot stand by and watch that happen."

Mr. Biden elaborated on his opening argument at a fund-raising event in Philadelphia on Thursday evening, again decrying Mr. Trump's response to the Charlottesville march. He rebuked what he described as Mr. Trump's "embrace of dictators and oligarchs" and "the onslaught and constant attack on the courts, the constant attack on the press, the constant attack on even the Congress," according to a recording of his remarks.

Mr. Trump did not directly address Mr. Biden's video assailing his comments about Charlottesville, responding instead with personal taunts, calling Mr. Biden "Sleepy Joe" on Twitter and "not the brightest light bulb" on Fox News.

Mr. Biden enters the Democratic race as something of a front-runner, albeit one beset by challenges from all flanks and looming questions about his long political record. Two of Mr. Biden's populist rivals, Senators Bernie Sanders of Vermont and Elizabeth Warren of Massachusetts, were already jabbing at his relationships with moneyed interests on Thursday. And Mr. Biden's allies believe he must soon explain to voters his evolution on a range of issues, including elemental ones like criminal justice, abortion rights and the Iraq war.

In a sign he may recognize the urgency of that task, Mr. Biden recently spoke privately with Anita Hill, who in 1991 was questioned harshly by a Senate committee led by Mr. Biden after she accused Clarence Thomas, now a Supreme Court justice, of sexual harassment. Mr. Biden expressed regret, according to an aide, but in an interview Ms. Hill said she left the conversation feeling deeply unsatisfied and did not describe Mr. Biden as having apologized.

*[Anita Hill said that "I'm sorry" was not enough.]*

Mr. Biden's long-awaited entry effectively completes the list of Democratic candidates, a cast of 20 characters that is the most diverse presidential field ever. Atop it, for now, are two white men in their eighth decades of life — Mr. Biden and Mr. Sanders.

Mr. Biden's position as the leading Democratic candidate is an unfamiliar one for him. His two previous presidential bids, in 1988 and 2008, failed to catch on. Though he campaigned twice as former President Barack Obama's running mate, Mr. Biden has never been the starring actor in a major political production of his own inception.

The overarching question of Mr. Biden's campaign is whether he can fill that role with sufficient competence and imagination to both dispel Democratic concerns about his personal discipline and inspire younger voters for whom he is a relatively distant figure.

He gave a brief preview on Thursday evening of how he might talk about issues besides Mr. Trump, telling the fund-raising gathering that he would focus on "economic dignity" as an organizing concept.

"My North Star of what we're going to talk about, in terms of the economy, is restoring the middle class, but looking at dignity, not just the G.D.P.," Mr. Biden said.

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Joe Biden Announces 2020 Run for President, After Months of Hesitation - The New York Times



Former Vice President Joseph R. Biden Jr. is seen by many Democrats as a trustee of former President Barack Obama's legacy. T.J. Kirkpatrick for The New York Times

Mr. Biden is seen by most Democratic voters as a sympathetic figure, a trustee of Mr. Obama's legacy whose life has been touched repeatedly by grievous tragedy. He has spoken frequently about the death of his first wife, Neilia, and his infant daughter in a 1972 car crash; the death of his son, Beau, in 2015 became an occasion of national mourning.

But Mr. Biden differs in profound ways, in his identity and political orientation, from the rising generation of voters and activists that has increasingly come to define the Democratic Party.

Mr. Biden is a white man who became a senator during Richard Nixon's presidency, in a party seen as prizing youth and diversity. He is a centrist and a determined champion of bipartisanship, vying to lead a coalition that views the Republican Party as irretrievably malignant. And he plans to finance his campaign chiefly through large contributions from traditional party bankrollers, in an age of grass-roots hostility to corporations and the very wealthy.

Mr. Biden has appeared alternately eager to campaign as Mr. Obama's natural heir, and also wary of subsuming his candidacy entirely in nostalgia for an earlier administration. He did not mention Mr. Obama in his announcement video, and he told reporters, in a brief exchange Thursday at the Wilmington, Del., Amtrak station that bears his name, that he did not want Mr. Obama's backing at the outset.

"I asked President Obama not to endorse and whoever wins this nomination should win it on their own merits," Mr. Biden said.

A spokeswoman for Mr. Obama issued a statement on Thursday praising Mr. Biden warmly but not endorsing him, and over the last year Mr. Obama has quietly encouraged a range of other candidates to pursue the presidency.

The dividing line in Democratic politics around Mr. Biden's candidacy was immediately apparent on Thursday morning. He was instantly endorsed by a number of prominent moderates, including Senators Bob Casey of Pennsylvania and Doug Jones of Alabama, and the International Association of Firefighters is expected to back him early next week. In the crucial early state of New Hampshire, a popular former governor, John Lynch, agreed to help lead Mr. Biden's campaign.

"I think he's right that we need to restore the soul of America," Mr. Lynch said, adding, "I think somebody in the middle has a better chance of beating Donald Trump."

At the same time, a number of vocal liberal activists and advocacy groups offered blunt criticism of Mr. Biden. One of the more influential groups on the insurgent left, Justice Democrats, issued a scathing statement rejecting Mr. Biden as an option in the race and describing him as a symbol of the Democratic establishment that was unable to stop Mr. Trump in 2016.

"The old guard of the Democratic Party failed to stop Trump, and they can't be counted on to lead the fight against his divide-and-conquer politics today," said Alexandra Rojas, the group's executive director.

*[Biden on the issues: where he stands and how he's changed.]*

Mr. Biden is poised to embark on an ambitious and highly visible campaign schedule, starting with a Friday appearance on ABC's "The View," in his first television interview as a candidate. He plans to visit a Pittsburgh union hall on Monday to make remarks on the economy, before embarking on a multiweek tour of the early primary states and California, culminating in a May 18 speech in Philadelphia about "unifying America," his campaign said.

Facing intensifying scrutiny of his long record, Mr. Biden has yet to allay concerns about the most contentious aspects of his career. In recent months, he expressed remorse — without quite apologizing — for having supported draconian tough-on-crime measures in the 1980s and 1990s, and said he wished the Hill-Thomas hearings before the Senate Judiciary Committee had gone differently.

Kate Bedingfield, a spokeswoman for Mr. Biden, said on Thursday that Mr. Biden had gone somewhat further in a personal conversation with Ms. Hill, voicing "his regret for what she endured and his admiration for everything she has done to change the culture around sexual harassment in this country."

But Ms. Hill told The Times on Thursday that she could not support Mr. Biden, and told a reporter that he should "give an apology to the other women and to the American public" because of the wide-reaching social impact of the hearings. Mr. Biden is certain to have to address the issue again.

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Marc Morial, the president of the National Urban League, said Mr. Biden would bring a unique set of political strengths to the race, but would also need to address aspects of his record that make progressives uneasy.

“I think it’s important that Biden perhaps help people understand that, as a 40-year member of Congress, his views have evolved,” said Mr. Morial, who suggested Mr. Biden might be well equipped to make an explanation: “He is one of the few guys who is probably as comfortable talking to a group of truck drivers as he is in an African-American church.”

*[Make sense of the people, issues and ideas shaping American politics with our newsletter.]*

Mr. Biden’s competitors have already had months to find their footing in the race. The field includes muscular fund-raisers like Mr. Sanders, Senator Kamala Harris of California and former Representative Beto O’Rourke of Texas; intriguing underdogs, like Mayor Pete Buttigieg of South Bend, Ind.; and policy-minded liberals like Ms. Warren and Senator Cory Booker of New Jersey, who have helped frame the race as a contest of ideas.

Mr. Biden’s rivals largely avoided criticizing him on Thursday, but Ms. Warren and Mr. Sanders — the two most aggressive populists in the race — were exceptions. In an email to supporters, Mr. Sanders’s campaign manager, Faiz Shakir, chided Mr. Biden for ending the day “in the home of a corporate lobbyist,” an allusion to Mr. Biden’s fund-raiser in Philadelphia with a Comcast executive.

And addressing reporters in Cedar Rapids, Iowa, Ms. Warren described Mr. Biden as having been “on the side of credit card companies” during a landmark battle over bankruptcy legislation last decade, in which Ms. Warren was on the opposing side.

That line of attack is likely to be a dangerous one for Mr. Biden, as the race proceeds. And his private endeavors could also become political targets. Mr. Biden has earned millions of dollars through paid speeches and book deals since leaving office, and has created a network of nonprofits and academic centers that employ many of his trusted aides. He intends to shut down the most prominent of those groups, the Biden Foundation.

Rival Democrats have taken encouragement from several unsteady moments in the Biden camp, including his halting response this month to a wave of stories about his physical behavior with women. And his advisers repeatedly explored and then disavowed some offbeat or daring plans, including announcing a running mate early in his campaign.

Mr. Biden’s candidacy is a bet, above all, that none of that will matter in comparison to voters’ alarm at the possibility of Mr. Trump’s re-election.

There are few modern examples of a man of Mr. Biden’s age assuming the leadership of a Western democratic power. The precedents that exist have tended to arise from moments of military conflict or social turbulence: Georges Clemenceau becoming France’s premier during World War I at the age of 76, or Winston Churchill returning as prime minister in the 1950s, also at 76.

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**Mr. Biden would be 78 on Inauguration Day in 2021, and it remains to be seen whether voters will view him as a similar kind of political savior, or the times as equally dire.**

**The New York Times*****Kateryna Handziuk, Ukrainian Activist,  
Dies From Acid Attack***

By Iuliia Mendel

Nov. 5, 2018

KIEV, Ukraine — Three months ago, an attacker splashed a liter of sulfuric acid over Kateryna Handziuk's head, burning 30 percent of her body. But Ms. Handziuk, an anticorruption activist, continued to speak out from her hospital bed about unsolved attacks on dozens of civic activists in Ukraine this year.

On Sunday, after 11 surgeries and numerous skin grafts, she died from complications from her wounds.

Her scarred face had already become a rebuke of the foot-dragging of the government of President Petro O. Poroshenko on anti-corruption measures — a key demand of the protesters who ushered him to power in 2014.

“Yes, I know that I look bad, but at least I am being treated,” Ms. Handziuk told Hromadske Television from her hospital bed in September, two months after the attack. “And I’m sure that I look better than fairness and justice in Ukraine, because they are not being treated by anybody today.”

The attack on Ms. Handziuk has drawn attention to a recent rise in the number of assaults on anticorruption activists in Ukraine, something that she was working to publicize. Rights groups say that at least 50 activists have been attacked this year in Ukraine, most while tangling with corrupt officials.

The Western-backed government has pushed through overhauls of the police and military, but critics say that corruption in state-owned companies, the courts and local government remains rampant. The International Monetary Fund has delayed some aid disbursement, in part because Ukraine has failed to establish a specialized anticorruption court.

Supporters of Mr. Poroshenko say that progress has been made, but that not all of Ukraine's problems can be solved quickly. Criticism of his administration's shortcomings, they say, distracts from Russia's military intervention in Ukraine.

Ms. Handziuk was known as a vocal critic of corruption in law enforcement agencies, particularly the police in her city, Kherson, near the border with Russian-occupied Crimea. She had campaigned against pro-Russia separatism but had recently shifted her focus to corruption and attacks on civic activists, accusing the police of passiveness in investigations of the attacks.

Mr. Poroshenko expressed condolences on Sunday to Ms. Handziuk's family and called for a thorough investigation. “I appeal to law enforcement to do everything to find the murderers, to punish the murderers, and to put them on trial,” he said.

After the attack, the police detained five suspects and claimed to have detained the person who organized the assault. But local courts reportedly released two suspects to house arrest pending trial, despite the gravity of the assault.

Despite routine promises of robust investigations, high-profile killings have languished in Ukraine's courts. No suspects have been detained in the 2016 bombing that killed Pavel G. Sheremet, a journalist who had been critical of far-right paramilitary groups.

1/2/2020

Kateryna Handziuk, Ukrainian Activist, Dies From Acid Attack - The New York Times

Sunday evening, after news emerged of Ms. Handziuk's death, protesters gathered in five cities to demand a transparent investigation and justice. About 200 held a candlelight vigil at the main police department in Kiev, the capital.

"Those who ordered the murder of Handziuk now watch how society reacts," Mustafa Nayyem, a member of Parliament, said in a telephone interview. "Will we accept this murder, or will we fight?"

In her interview with the Ukrainian television station, Ms. Handziuk had also demanded answers about the attacks on activists. "Why do we encourage people to be socially active but we cannot protect them?" she said.

But Ukraine could change, she said, adding, "Each of us will be free, and there will be no fear in our hearts."

The New York Times

## Meet the Ukrainian Ex-Prosecutor Behind the Impeachment Furor

By Andrew E. Kramer, Andrew Higgins and Michael Schwartz

Published Oct. 5, 2019 Updated Oct. 8, 2019

KIEV, Ukraine — As soon as he got the invitation from Rudolph W. Giuliani, President Trump's personal lawyer, it was abundantly clear to him what Mr. Trump's allies were after.

**The Trump Impeachment** [Trump Impeached](#) [Senators' Reactions](#) [How Everyone Voted](#)  
 "I understood very well what would interest them," Yuriy Lutsenko, Ukraine's recently fired prosecutor general, said in an extensive interview in London. "I have 23 years in politics. I knew."

"I'm a political animal," he added.

When Mr. Lutsenko sat down with Mr. Giuliani in New York in January, he recalled, his expectations were confirmed: The president's lawyer wanted him to investigate former Vice President Joseph R. Biden Jr. and his son Hunter.

It was the start of what both sides hoped would be a mutually beneficial relationship — but one that is now central to the impeachment inquiry into Mr. Trump.

Mr. Trump and his allies have been fixated on Ukraine since the 2016 American election, convinced that the country holds the key to unlock what they view as a conspiracy to undermine Mr. Trump. Mr. Giuliani in particular has viewed Ukraine as a potentially rich source of information beneficial to Mr. Trump and harmful to his opponents, including Mr. Biden.

But a detailed look at Mr. Lutsenko's record shows how Mr. Trump and his allies embraced and relied on a Ukrainian prosecutor with no formal legal training and a long history of wielding the law as a weapon in his personal political battles, disregarding the concerns of senior diplomats who said he wasn't credible.

Mr. Trump praised him in a phone call with Ukraine's president. Mr. Giuliani aggressively promoted the news that Mr. Lutsenko's office had revived an investigation into the owner of a Ukrainian energy company that had hired Mr. Biden's son. And in an interview with Fox News in April, Mr. Trump described Mr. Lutsenko's claims as "big" and "incredible," worthy of attention from the American attorney general.

Mr. Trump's allies even seemed to favor Mr. Lutsenko over the American ambassador in Ukraine, who was recalled as the president's supporters stepped up pressure on the country to investigate the Bidens. There is no evidence of wrongdoing by Mr. Biden or his son in Ukraine.

In the impeachment debate, Ukraine has often seemed an innocent bystander, a poor and deeply troubled country on Europe's eastern fringe sideswiped by the raucous political battles of the world's most powerful nation.

But the scandal now roiling Washington underscores how Ukraine's own domestic struggles, feuds and dysfunctions have shaped the controversy — and shows how the pursuit of political advantage by actors in each country fed the other in ways that neither side foresaw.

1/2/2020

Meet the Ukrainian Ex-Prosecutor Behind the Impeachment Furor - The New York Times

Mr. Lutsenko's path to Mr. Giuliani began in this political morass, with a meeting so combative that it helped ignite the scandal in the first place.

Shortly after taking up her post in 2016, the American ambassador to Ukraine, Marie L. Yovanovitch, went to meet the new prosecutor general, Mr. Lutsenko, in his office — and complained that his deputies were stained by corruption, according to two Ukrainian officials familiar with the encounter.

The ambassador then pressed Mr. Lutsenko further, the officials said, asking him to stop investigating anti-corruption activists who were supported by the American Embassy and had criticized his work.

Mr. Lutsenko said he snapped at Ms. Yovanovitch that “no one is going to dictate to me” who should be investigated, prompting the ambassador to storm out of the meeting.

“This moment was, how shall we say, not very positive,” recalled Larisa Sargan, Mr. Lutsenko’s assistant at the time. “There were always difficult relations with the U.S. ambassador.”

In the months to come — as the ambassador stepped up her criticism of Ukraine’s faltering efforts to root out corruption — Mr. Lutsenko’s personal animus toward Ms. Yovanovitch grew. He concluded, he and his former colleagues say, that he needed to go around her and find a direct path to a more receptive audience: Mr. Trump’s inner circle.

When Mr. Giuliani learned that Mr. Lutsenko and other disgruntled Ukrainian officials were trying to reach out to the Americans, he welcomed the opportunity.

“Yeah, I probably called, I’m sure I called — Lutsenko didn’t have my number,” Mr. Giuliani said in an interview.

According to notes of their January meetings given to members of Congress last week, Mr. Lutsenko told Mr. Giuliani about what he called payments to Hunter Biden, who sat on the board of the Ukrainian energy company, Burisma.

The two also discussed the theory that Paul Manafort — Mr. Trump’s former campaign manager, who had been convicted in the United States of fraud for his work as a consultant in Ukraine — had been set up by supporters of Hillary Clinton. Ukrainian officials deny such claims, and no evidence supports this idea.

Mr. Lutsenko said he met Mr. Giuliani to seek help recovering billions of dollars he said were stolen from Ukraine under a previous government, a matter unrelated to the American election.

But veterans of Ukraine’s cutthroat politics say Mr. Lutsenko’s outreach to Mr. Trump’s inner circle was a clear attempt to win favor with a powerful ally at a time his own political future looked uncertain.

“Lutsenko was trying to save his political skin by pretending to be Trumpist at the end of his career,” said David Sakvarelidze, a former deputy prosecutor general.

Instead of finding salvation, Mr. Lutsenko was fired in late August by Ukraine’s new president, Volodymyr Zelensky.

Mr. Lutsenko left Ukraine for Britain last Sunday, saying he wanted to improve his English. On Tuesday, Ukrainian authorities announced that they had opened a criminal case against him over accusations that he had abused his power in dealings with politicians and others involved in illegal gambling.

Mr. Lutsenko dismissed the latest case as “a big fantasy.” But to many in Ukraine, it is a fitting coda to the career of an ambitious politician turned prosecutor who used his position to wage political battles.

Even his initial appointment caused controversy: He became prosecutor general in 2016 only after Ukraine’s president at the time, Petro O. Poroshenko, got Parliament to remove a requirement that the prosecutor be educated in the law.

A survivor in Ukraine's often treacherous politics, Mr. Lutsenko had spent time in jail as a political prisoner, won a seat in Ukraine's Parliament and served as interior minister, holding senior positions under three presidents.

He also showed himself an adept operator in the United States.

After his meetings with Mr. Giuliani, Mr. Lutsenko provided grist for a series of articles in The Hill, a Washington news portal. His remarks were pitch-perfect in their appeal to Mr. Trump and his supporters.

Mr. Trump tweeted the headline of one of the articles: "As Russia Collusion Fades, Ukrainian Plot to Help Clinton Emerges."

In another article, Mr. Lutsenko aired his feud with Ms. Yovanovitch, the American ambassador, asserting that she had given him a list of untouchables not to prosecute. The claim set off a storm of accusations that the ambassador belonged to a cabal working to hurt Mr. Trump and protect the Bidens.

The State Department dismissed Mr. Lutsenko's claim as "an outright fabrication," and he later acknowledged that the "don't prosecute list" never existed. In the interview, he blamed the misstep on a bad translation and insisted that Ms. Yovanovitch had, in fact, pressed him not to prosecute anti-corruption activists.

But the damage was done. Already under fire from some Republicans, who said she had disparaged Mr. Trump in private meetings, Ms. Yovanovitch was ordered in May to leave her post in Kiev and return to Washington.

When Mr. Lutsenko's name appeared in a whistle-blower complaint released last week — which accused Mr. Trump of soliciting foreign interference in the 2020 election — the former prosecutor dismissed the account as "filled with multiple lies."

But in private messages to a Ukrainian anti-corruption campaigner, Mr. Lutsenko gloated about one important part of the complaint: his role in ending Ms. Yovanovitch's career in Kiev.

In the exchange — with Daria Kaleniuk, the head of Ukraine's Anticorruption Action Center — Mr. Lutsenko used mafia slang to rejoice at how the American ambassador's removal had undercut activists campaigning against corruption in Ukraine. Mr. Lutsenko told Ms. Kaleniuk that he had "eliminated your roof."

"Roof," a term derived from Russian mafia slang, is used throughout the former Soviet Union to designate a protector or guardian. The "roof" in this instance, Ms. Kaleniuk said, was Ambassador Yovanovitch.

"Lutsenko hated Yovanovitch," Ms. Kaleniuk said.

To Western diplomats who have followed Ukraine's turbulent history since it broke free from the Soviet Union in 1991, Mr. Lutsenko was a familiar figure: a seemingly reform-minded politician who, once given power, deeply disappointed his former admirers by displaying many of the ills he had previously denounced.

He had helped organize the street protests that toppled Ukraine's deeply corrupt, pro-Russian president, Viktor F. Yanukovich, in 2014, meeting with journalists to explain his vision of a Western-oriented country ruled by laws instead of political diktats.

Soon after his appointment as prosecutor general in 2016, however, he began feuding with other law enforcement agencies, notably the National Anti-Corruption Bureau, a body set up in 2014 with strong support from the Obama administration.

The anti-corruption bureau investigated previously untouchable tycoons and politicians, including several of Mr. Lutsenko's subordinates. These actions — and the praise they received from Ms. Yovanovitch — infuriated Mr. Lutsenko, reinforcing his animosity toward the ambassador and his determination to put the rival agency in its place.

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Meet the Ukrainian Ex-Prosecutor Behind the Impeachment Furor - The New York Times

In one particularly high-profile clash, Mr. Lutsenko torpedoed a secret 2017 investigation by the anti-corruption bureau, which had been looking into a passport-for-sale racket run by immigration officials. Mr. Lutsenko posted pictures of undercover agents on the internet, and the case collapsed.

"For this alone he should go to jail," said Anatoly S. Hrytsenko, a former Ukrainian minister of defense.

Even before he found an ally in Mr. Giuliani, Mr. Lutsenko, his relations with American diplomats in Kiev in tatters, had sought to curry favor directly with the Trump administration.

The effort started in earnest in early 2018, when he tried to shelve criminal cases in Ukraine against Mr. Trump's former campaign manager, Mr. Manafort, who had made millions of dollars in Kiev as a consultant.

His decision to freeze the Manafort cases came as the Trump administration was completing plans to sell Ukraine a type of sophisticated anti-tank missile called the Javelin. The maneuver hinted at a dynamic now pivotal to the impeachment inquiry — whether the Trump administration, or the president himself, traded security aid for political favors.

Later in 2018, an official in Mr. Lutsenko's office, Kostiantyn Kulyk — one of the deputies Ms. Yovanovitch had asked Mr. Lutsenko to dismiss at their first meeting — came up with another idea, according to a senior Ukrainian law enforcement official.

Mr. Kulyk had compiled a seven-page dossier on Hunter Biden — a potential way of reaching officials in Washington who had been blocked by Mr. Lutsenko's testy relations with the American Embassy in Kiev, the official said.

In March, Mr. Kulyk moved to restart the criminal case against the owner of the gas company that had recruited Hunter Biden to sit on its board. But Mr. Kulyk was under a cloud himself: The anti-corruption bureau had investigated him on suspicion of illicit enrichment. Mr. Kulyk did not respond to requests for an interview.

Mr. Lutsenko was confronting a problem of his own. His political patron, President Poroshenko, got trounced in a presidential election in April.

The defeat meant Mr. Lutsenko risked losing his job. While largely discredited in Ukraine as a political operative who had put much of his energy into personal fights, like the one with Ms. Yovanovitch, Mr. Lutsenko still had one significant base of support: Mr. Giuliani and the American president himself.

When Mr. Trump spoke by phone on July 25 with Ukraine's new president, Mr. Trump complained about the expected departure of Ukraine's prosecutor, an apparent reference to Mr. Lutsenko.

"I heard you had a prosecutor who was very good and he was shut down and that's really unfair," Mr. Trump told Ukraine's new president, Mr. Zelensky. "A lot of people are talking about that."

Mr. Lutsenko lost his job anyway, leaving his post a month later.

Mr. Lutsenko "was a very big disappointment," said Ms. Kaleniuk, the anti-corruption activist. "He decided he couldn't change the system, or didn't want to change it."

His feud with the American ambassador and his outreach to the Trump administration, she added, were all part of a bigger problem — the mixing of politics and justice — that has afflicted Ukraine for years.

In a sign of how perilous this mix can be, even Mr. Giuliani is now shunning the former prosecutor, denouncing him as "corrupted."

In the interview in London, Mr. Lutsenko said that he told Mr. Giuliani from the start that there was no basis for a case against Mr. Biden or his son.

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Meet the Ukrainian Ex-Prosecutor Behind the Impeachment Furor - The New York Times

“Sometimes the mayor is very wise, but sometimes he gets carried away,” he said of Mr. Giuliani.

Asked about this on Friday, Mr. Giuliani had a simple retort: “Liar.”

## Common Questions About Impeachment

- **What is impeachment?**

Impeachment is charging a holder of public office with misconduct.

- **Why is the impeachment process happening now?**

A whistle-blower complaint filed in August said that White House officials believed they had witnessed Mr. Trump abuse his power for political gain.

- **Can you explain what President Trump is accused of doing?**

President Trump is accused of breaking the law by pressuring the president of Ukraine to look into former Vice President Joseph R. Biden Jr., a potential Democratic opponent in the 2020 election.

- **What did the President say to the president of Ukraine?**

Here is a reconstructed transcript of Mr. Trump's call to President Volodymyr Zelensky of Ukraine, released by The White House.

- **What is the impeachment process like?**

Here are answers to seven key questions about the process.

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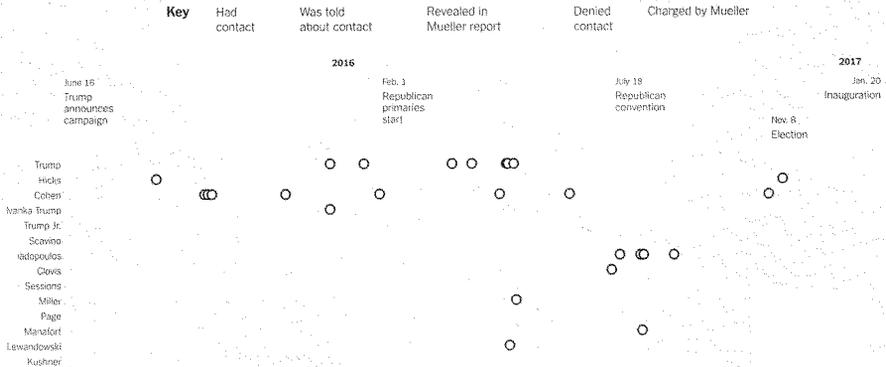
# Mueller Report Shows Depth of Connections Between Trump Campaign and Russians

By KAREN YOURISH and LARRY BUCHANAN UPDATED APRIL 19, 2019

Donald J. Trump and 18 of his associates had at least 140 contacts with Russian nationals and WikiLeaks, or their intermediaries, during the 2016 campaign and presidential transition, according to a New York Times analysis.

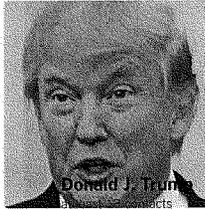
The report of Robert S. Mueller III, released to the public on Thursday, revealed at least 30 more contacts beyond those previously known. However, the special counsel said, “the evidence was not sufficient to support criminal charges.”

Very few, if any, of these interactions were publicly known before Mr. Trump took office.



- Gates
- DeBarbom
- Caputo
- Stone
- Gordan
- Conway
- Bannon
- Flynn
- Berkowitz
- McFauland
- Bossett
- Spicer
- Priestus
- Prence

In addition to Mr. Mueller's report, knowledge of these interactions is based on Times reporting, documents submitted to Congress and court records. Among the contacts are in-person meetings, phone calls, text messages, emails and private messages on social media platforms.



Invited to Moscow to attend party for Aras Agalarov and possibly meet Putin.

Signed letter of intent to develop Trump Tower in Moscow.

Received letter from Agalarov expressing "great interest" in campaign.

Tweeted: "I HAVE NOTHING TO DO WITH RUSSIA."

Aras Agalarov, a Russian billionaire who hosted a Miss Universe pageant with Mr. Trump in Moscow, and the billionaire's son, Emin, reached out to Mr. Trump several times. (Separately, both men helped arrange the June 2016 Trump Tower meeting with a Kremlin-linked lawyer about getting information that could be damaging to Hillary Clinton.)

Mr. Trump was also pursuing a plan to build a Trump Tower in Moscow and was repeatedly invited to an economic forum in St. Petersburg, Russia, that would be attended by President Vladimir V. Putin of Russia and other Russian government and business officials.



Continuing discussions about Trump Tower project in Moscow.

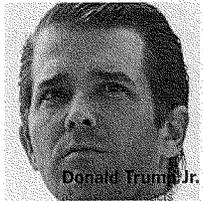
A Russian offered to introduce Trump to Putin and help with the Trump Tower project.

Had contacts with Kremlin about project.

Discussed possibility of Trump and Cohen traveling to Russia.

Met with Russian oligarch.

**Mr. Cohen**, Mr. Trump's lawyer at the time, had repeated contacts with Russians about a plan to build a Trump Tower in Moscow. In 2018, Mr. Cohen admitted lying to Congress about the duration of these discussions and Mr. Trump's involvement in them.



Contacted by a Russian social media executive about setting up a campaign page.

Arranged and attended Trump Tower Russia meeting.

Called it "disgusting" for Democrats to suggest Russia was helping Trump.

Exchanged direct messages with WikiLeaks.

**Mr. Trump Jr.** arranged the now-famous meeting at Trump Tower with Russians after being promised "dirt" on Hillary Clinton. He also exchanged private messages with WikiLeaks, which disseminated stolen Clinton campaign emails, and was aware of negotiations during the 2016 presidential campaign to develop a Trump Tower in Moscow.

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George Papadopoulos

Met with London-based professor who claimed to have ties to Russian government.

Told that the Russians had "dirt" on Clinton.

Had contact with a Russian who said his Foreign Ministry colleagues were "open for cooperation."

Mr. Papadopoulos, a campaign adviser, had frequent contacts with Russian operatives who said they wanted to arrange meetings between Mr. Trump and Mr. Putin. He frequently told campaign officials about these conversations.



Paul Manafort

Period of time Manafort was on Trump campaign

Offered Konstantin V. Kilimnik polling data.

Attended Trump Tower meeting.

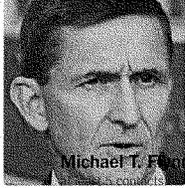
Said charges of ties between campaign and Russia were "absurd."

Offered to give private briefings to a Russian oligarch.

Met with Kilimnik to discuss a pro-Russian plan for Ukraine.

Mr. Manafort had multiple contacts with a business associate, Konstantin V. Kilimnik, believed to have ties to Russian intelligence. He had political polling data shared with Mr. Kilimnik and told him he could offer private campaign briefings

to a Russian oligarch. He also attended the June 2016 Trump Tower meeting.



Met with Kislyak at Trump Tower.

Multiple contacts with Kislyak about Russian sanctions.

During the transition, **Mr. Flynn** had several conversations with Sergey I. Kislyak, the Russian ambassador to the United States at the time, about Russian sanctions and about blocking an impending United Nations vote criticizing Israeli settlements.



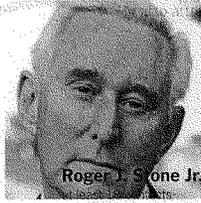
Introduced to Russian ambassador.

Was forwarded a proposal for a back-channel meeting with Russians, which he rebuffed.

Attended Trump Tower Russia meeting.

Met with Russian ambassador and the head of a Russian bank.

**Mr. Kushner** met at Trump Tower with the Russian ambassador and discussed setting up a way to communicate with Moscow during the presidential transition. He also met with a Russian banker with close ties to Mr. Putin in an attempt to establish a direct line of communication to the Russian president.



Ongoing discussions with Trump campaign about WikiLeaks.

Met with a Russian who offered dirt on Hillary Clinton in exchange for money.

Messaged with Guccifer 2.0.

Asked WikiLeaks intermediary for Clinton emails.

Received WikiLeaks message.

Mr. Stone convinced the campaign that he could be a conduit of inside information from WikiLeaks. In an indictment unsealed on Jan. 25, the special counsel disclosed evidence that a top campaign official dispatched Mr. Stone to get information from WikiLeaks about the thousands of hacked Democratic emails.

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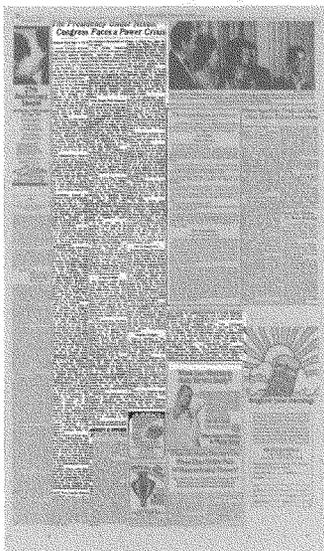
Nixon's Presidency: Crisis for Congress - The New York Times

**The New York Times** | <https://nyti.ms/1MNVST7>

## *Nixon's Presidency: Crisis for Congress*

By John Herbers Special to The New York Times

March 5, 1973



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WASHINGTON, March 4 —“You just think we're dumb,” Senator Clifford P. Case, Republican of New Jersey, told George P. Shultz, Secretary of the Treasury and Counselor to the President, during a recent hearing on Capitol Hill.

*This is the second of a series of articles on Richard M. Nixon's use of the powers of the Presidency and its effects on the Government and the national life.*

Senator Case was not only right about White House disdain of members of Congress, he was also understating it.

“Congress is lazy, too,” said a Presidential aide, pounding his fist on his desk for emphasis during a recent interview. “They work short hours. They don't know how to consult. They say they want to consult with the President, but then they come up here and don't say anything.”

“They criticize us for not advising or consulting them in military matters,” he continued. “But they cannot keep a secret. If we tell them anything it is out within 30 minutes after they have gone back to the Hill.”

That attitude toward Congress runs deep in the White House, and it underscores the seriousness of the constitution at struggle being waged between the executive and legislative branches of the Government as President Nixon, wielding perhaps more power than any President in history, moves into a second term with a landslide victory behind him.

At the heart of the contest is the President's recent move to reorder domestic priorities by impounding funds and liquidating some agencies despite Congressional mandates. But it also involves a general erosion of powers from the Congress to the Presidency, a process that has been under way for many years but has accelerated in the Nixon Administration.

A survey of a wide range of authorities on the Government during the last several weeks shows that, in the opinion of many, the struggle is so weighted to the side of the Presidency that if Mr. Nixon does not relax his demands—his aides insist that he will not Congress could be left far weaker than it already had become when Mr. Nixon took office in 1969.

“We are now in the midst of a grave and domestic constitutional crisis brought on by the Administration's unilateral efforts to reorder our domestic priorities,” said Senator Jacob K. Javits, Republican of New York, who actively supported Mr. Nixon's re-election. “This crisis covers every aspect of legislation pending in the Congress or which may be proposed.”

### Some Administration Concern

On the other hand, there is concern within the Administration that the fight will become so embittered and members of Congress so enraged that they will find ways to upset the President's goals and priorities.

"I agree 100 per cent with what the President is doing," said a high Administration official. "But I fear the spending fight with Congress may go too far."

Nevertheless, beyond the immediate issues and priorities, what is at stake is whether Congress survives as a strong and effective branch of the Government and whether more power continues to accumulate in the Presidency without accompanying restraints and means of accountability to the public, according to many students of government.

Some contend that the erosion of Congressional authority to the Presidency already has gone further under President Nixon than is generally recognized. Following are some of the developments:

¶ President Nixon broadened and institutionalized the war powers of his office by conducting the war in Southeast Asia at his pleasure under precedents and practices used by former President Johnson, but without as close consultation with Congress, which under the Constitution holds the authority to declare war. He also extended the practice of using executive agreements in foreign affairs in place of treaties, which require Senate approval. Thus, "an illegal war was ended by an illegal agreement," according to a Congressional staff member referring to the recent settlement of the war in Vietnam.

¶ While the nerve ends of many members of Congress were still raw from the long and bitter fight on war powers, President Nixon served notice in his recent budget message that in order to control inflation and carry out his campaign pledge not to seek a tax rise, he would not fund some programs enacted by Congress and would curtail others, with Great Society social programs enacted under Democrats in the nineteen-sixties bearing the brunt of the cuts. This went further than any other President had in moving against Congressional power to spend.

¶ Although his aides strongly deny it, it is the opinion of many, nonpartisan authorities on the subject that President Nixon has broadened the use of executive privilege to protect himself and members of his Administration from Congressional and public inquiry.

¶ Reorganization of the executive branch by the President has curtailed Congressional access and authority in some areas of the Government. For example, by increasing the budgetary controls by the executive branch over the regulatory agencies, a power that once

rested solely with Congress, the Administration forced the Federal Trade Commission, through a cut of funds, to cancel a planned investigation in hospital and medical practices, according to the testimony of the former commission chairman, Miles W. Kirkpatrick.

¶In a number of little ways, the Nixon Administration has defied Congress. When the Senate Finance Committee wanted to conduct its own study of the welfare situation, the Administration would not let the committee use its computers and would make only that information available for the computers that the Administration wanted it to have.

President Nixon, who terms himself an activist in the Presidency and views, the office as the chief representative of the public, said in his Jan. 31 press conference that Congress represented special interests while the President represented all of the people.

“The Interior Committee wants to have mote parks and the Agriculture Committee wants cheap R.E.A. [Rural Electrification Administration] loans and the Committee on Education and Labor wants more for education, and each of these wants we all sympathize with,” he said. “But there is only one place in this Government where somebody has got to speak not for the, special interests which the Congress represents but for the general interest.” That place, he said, is the White House.

### **Little Sought From Congress**

On the spending issue, President Nixon is in a unique position. He is the first President since the Federal budget became an important instrument in managing the economy—a development of the last two decades—to be caught in a position of having steadily rising Government costs collide head on with his policy for controlling inflation. That policy is to hold spending to a budget level of \$268-billion for the fiscal year, beginning July 1, rather than raising taxes.

The fight with Congress is essentially over which branch of the Government will decide which programs will be cut and by how much. Mr. Nixon has moved to do so by executive action while legislators contend that such power belongs to the Congress under the Constitution.

Further, according to sources both in and out of the Administration, there is not much Mr. Nixon wants from Congress this year. His program is for contracting many Government services, not expanding them.

Charles L. Schultze, who was budget director under President Johnson and is now with the Brookings Institution, a pointed but in an interview that other recent Presidents all wanted something from Congre'ss in legislation, usually quite a lot.

"In the past," said Mr. Schultze, "funds would be impounded for a time, as Mr. Nixon is doing now, but they became a matter of negotiations between the President and Congress and eventually most of them would be released."

"For at least 15 years," he continued, "Presidents have been trying to get rid of the Rural Environmental Assistance Program or have it reduced, but they always gave in to Congress in the end because there was something they wanted from Congress. Now Nixon has simply cut it off and there is no bargaining position."

### **A Test of Wills**

The program, called REAP, which helps farmers reclaim land, has been costing more than \$200-million a year. Congress, as a test of wills, is in the process of passing legislation that would force the President to spend the money, but White House sources say the President is confident that his opponents on the Hill can never muster the two-thirds vote in both houses needed to override his veto.

At the same time, the President's men are happily dismantling the Office of Economic Opportunity, the agency established by the Johnson Administration to help eradicate poverty, despite specific prohibitions in the law against doing so. White House lawyers say they are acting under other laws, delegations of power from Congress, that give the President authority to do so.

Nevertheless, Mr. Schultze and other experts agree that what Mr. Nixon is doing is boldly extending the power of the Presidency "in degree if not in kind." Mr. Schultze pointed out that the President's actions in impounding funds as Commander in Chief Of the armed forces have far more precedent than impounding funds to eliminate entire domestic programs.

Thus President Jefferson's refusal to buy gunboats and President Truman's order to impound \$700-million appropriated for the Air Force, examples cited by Mr. Nixon and his assistants, are not precedents at all for what is being done now, according to Mr. Schultze.

On the use of executive privilege, a debate has raged between the White House and Congress on whether Mr. Nixon has expanded that power, which most authorities agree is needed to protect the autonomy of the Presidency but is usually used to hide waste, corruption or other misdeeds from the legislative branch.

A recent example of its use was the refusal by Air Force Secretary Robert C. Seamans Jr. to disclose the conversations he had with members of the White House in regard to the dismissal of A. Ernest Fitzgerald, who exposed the \$2-billion overrun on the C-5A transport plane.

John D. Ehrlichman, assistant to the President for domestic affairs, said in an interview with U. S. News & World Report Feb. 18 that Mr. Nixon had adopted a procedure to minimize the use of executive privilege. He said that Mr. Nixon had invoked the privilege only three times in four years, whereas President Kennedy invoked it six times in three years.

“The President has been very openhanded in providing witnesses and documents to the Congress,” he said.

Clark R. Mollenhoff, a former Nixon aide who is now Washington bureau chief for The Des Moines Register, has made a detailed study of the issue over a period of years. He contends that Mr. Nixon has broadened the use of executive privilege in several respects over practices of the Kennedy and Johnson Administrations, especially extending it to officials lower down the line.

“The President now says that all actions by White House officials can be treated as confidential and not subject to the subpoena process of the Congress or the courts,” Mr. Mollenhoff wrote.

“The White House game plan has been to refuse initially all requests for information that are potentially embarrassing, and to clothe all members of the White House staff with the ‘executive privilege,’” he said. “If the issue becomes too hot to handle, as it did in the International Telephone and Telegraph case, the President will permit the White House officials to appear and answer questions in a manner as restricted as the practical political situation allows.”

### **Law Is Passed Over**

President Nixon has extended powers over Congress in ways that have received little attention. After Franklin D. Roosevelt devalued the dollar during the Depression, Congress passed a law in 1945 providing that only Congress could set the price of gold, the step involved, in devaluation. Despite the law's explicit provisions, however, Mr. Nixon has twice devalued the dollar by executive action, and it drew no protest because of Congressional recognition that the world money markets should not be tipped off in advance, as Congressional action would have done.

This is an example of how power has steadily accumulated in the Presidency. Over the years, Congress and the President have repeatedly waged war over constitutional authority, but most of the fights in the 19th century and well into the 20th involved Presidential revolt against Congressional dominance.

### **Congress Struggles**

James A. Garfield in 1881, in fighting that dominance by refusing the advice of friends to compromise with a Senator on the appointment of the Federal collector of the Port of New York, said:

“If it were a difference between individuals there could be some sense in such advice. But the one represents a whole independent function of the Government. The other is one-seventy-sixth of one-half of another independent branch of the Government with which compound vulgar fractions the President is asked to compromise.”

Today it is Congress struggling to find ways to resist Presidential dominance.

In the past, once a President gained new powers they remained for his successors. Clinton Rossiter, the historian, wrote during the Eisenhower Administration that “strong Presidents have been followed by weak ones; in the aftermath of every ‘dictator,’ Congress has exulted in the restoration of the balance wisely ordained by the fathers. Yet the ebbs have been more apparent than real, and each new strong President has picked up where the last one left off.”

Presidential scholars, who have educated millions of Americans on the need for strong Presidency and are now frightened by the Nixon phenomenon, still by and large advocate a strong Presidency but want to keep a vital Congress as a check on the executive office.

Henry Steel Commager, asked for an answer to the current struggle, said, “One answer would be impeachment if the Congress had any guts, but it doesn’t. The simple answer is to really assert the appropriation power.”

But the question is whether the country would support the Congress even in that endeavor. The Nixon White House is confident that it would not.

## The New York Times

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

2020  
Trump

Updated: Who's Running Polls Newsletter Debate Qualifiers Election Calendar

By Kenneth P. 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.

Mr. Giuliani said he plans to travel to Kiev, the Ukrainian capital, in the coming days and wants to meet with the nation's president-elect to urge him to pursue inquiries that allies of the White House contend could yield new information about two matters of intense interest to Mr. Trump.

One is the origin of the special counsel's investigation into Russia's interference in the 2016 election. The other is the involvement of former Vice President Joseph R. Biden Jr.'s son in a gas company owned by a Ukrainian oligarch.

Mr. Giuliani's plans create the remarkable scene of a lawyer for the president of the United States pressing a foreign government to pursue investigations that Mr. Trump's allies hope could help him in his re-election campaign. And it comes after Mr. Trump spent more than half of his term facing questions about whether his 2016 campaign conspired with a foreign power.

"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.

"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."

Mr. Giuliani's planned trip, which has not been previously reported, is part of a monthslong effort by the former New York mayor and a small group of Trump allies working to build interest in the Ukrainian inquiries. Their motivation is to try to discredit the special counsel's investigation; undermine the case against Paul Manafort, Mr. Trump's imprisoned former campaign chairman; and potentially to damage Mr. Biden, the early front-runner for the 2020 Democratic presidential nomination.

The investigations had been opened by Ukrainian prosecutors serving during the term of the country's current president, Petro O. Poroshenko. He lost his re-election bid last month to Volodymyr Zelensky, a comedian and political newcomer. Mr. Zelensky has said he would like to replace the prosecutor who oversaw some of the matters, Yuriy Lutsenko, who has met multiple times with Mr. Giuliani to discuss the issues.

Mr. Zelensky is set to take office on June 3.

Mr. Giuliani said he had been planning for several weeks to travel to Kiev to deliver a paid speech to a Jewish group about Middle East policy.

But intermediaries for Mr. Giuliani worked to organize meetings with people who they believed would have insights into the incoming Zelensky administration and the investigations in which Mr. Giuliani was interested. And in recent days, Mr. Giuliani reached out through intermediaries to request a meeting with Mr. Zelensky, he said, adding, "It's not confirmed yet."

If the meeting does occur, Mr. Giuliani said, "I am going to tell him what I know about the people that are surrounding him, and how important it is to do a full, complete and fair investigation."

He said his efforts in Ukraine have the full support of Mr. Trump. He declined to say specifically whether he had briefed him on the planned meeting with Mr. Zelensky, but added, "He basically knows what I'm doing, sure, as his lawyer."

The White House did not immediately respond to a request for comment on Thursday.

Mr. Trump has called attention to the scrutiny of Mr. Biden's son Hunter Biden, and to questions about the former vice president's involvement in the removal of a Ukrainian prosecutor whose office had authority over investigations of the oligarch whose company paid Hunter Biden.

Mr. Trump has also sought to stir up interest in claims that Ukrainian officials tried to benefit Hillary Clinton in 2016 by focusing attention on Mr. Manafort's business in Ukraine. The attention forced Mr. Manafort to resign from the Trump campaign, but allies of the Ukrainian officials involved have denied that they acted improperly to benefit Mrs. Clinton's campaign. Mr. Trump has recently suggested he would like Attorney General William P. Barr to look into the material gathered by the Ukrainian prosecutors.

Mr. Giuliani has been working on the effort with other allies of Mr. Trump whose involvement has not been previously reported, including Victoria Toensing, a lawyer who was named last year, along with her husband, as part of the legal team representing the president in the special

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counsel's investigation. The appointment was rescinded less than one week later amid concerns about conflicts of interest, but Mr. Trump's legal team suggested that Ms. Toensing and her husband, Joseph E. diGenova, would assist the president "in other legal matters."

On social media and in regular appearances on Fox News, the couple advanced the theory that the special counsel's investigation was the result of a Justice Department effort to frame Mr. Trump. They increasingly began pushing the claim that "the real collusion began in @Ukraine," as Ms. Toensing put it in a post on Twitter in March.

The tweet spotlighted a story in the conservative media in which Mr. Lutsenko, Ukraine's top prosecutor, announced he was opening an investigation into whether Ukrainian officials tried to help Mrs. Clinton during the 2016 presidential election by disseminating documents related to Mr. Manafort's work in Ukraine before 2014.

Ms. Toensing has also met with Mr. Lutsenko, the Ukrainian prosecutor who has pushed the investigations, Mr. Giuliani said. (Mr. Giuliani had previously said that Ms. Toensing was representing Mr. Lutsenko, but after this article published, he said that he had been mistaken.)

Ms. Toensing will accompany Mr. Giuliani to Ukraine, he said, explaining that she was "concerned" for Mr. Lutsenko and wanted the incoming president to "promptly understand what he's trying to do."

Asked about the trip and her interactions with of Mr. Lutsenko, which have not been previously disclosed, she responded, "I'm not going to talk to you about this matter."

Also involved in planning the trip and pushing the investigations is Lev Parnas, a Ukrainian-American businessman who knows Mr. Giuliani well.

Mr. Parnas turned up in Kiev, presenting himself as a representative of Mr. Giuliani seeking information about Mr. Lutsenko's claims, and about Hunter Biden's involvement in the Ukrainian gas company, according to people familiar with Mr. Parnas's activity.

He organized a phone call between Mr. Giuliani and Mr. Lutsenko, as well as a separate call between Mr. Giuliani and Mr. Lutsenko's predecessor in the Ukrainian prosecutor general's office, according to Mr. Giuliani. He said Mr. Parnas also helped arrange a trip to the United States for Mr. Lutsenko in January. During it, the prosecutor met for hours with Mr. Giuliani in New York.

Mr. Parnas is an executive of an energy company that donated \$325,000 to a pro-Trump super PAC last year, prompting a Federal Election Commission complaint by a nonpartisan campaign finance watchdog accusing Mr. Parnas, his business partner and the company of violating campaign finance laws.

A lawyer for Mr. Parnas, who had previously defended the contribution, did not respond to a request for comment about his client's work with Mr. Giuliani in Ukraine.

Mr. Giuliani has done work in Ukraine before, having been hired in 2017 by the Ukrainian-Russian developer Pavel Fuks.

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Mr. Giuliani described that work as related to emergency management consulting, but Mr. Fuks said in an interview that he hired Mr. Giuliani as “a lobbyist for Kharkiv and Ukraine” to lure American investors. “This is stated in the contract.”

Mr. Giuliani said that work had ended, and that Mr. Fuks had nothing to do with his current efforts.

“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.”

## Russians Hacked Ukrainian Gas Company at Center of Impeachment

[nytimes.com/2020/01/13/us/politics/russian-hackers-burisma-ukraine.html](https://www.nytimes.com/2020/01/13/us/politics/russian-hackers-burisma-ukraine.html)

Nicole Perloff

January 13, 2020



With President Trump facing an impeachment trial over his efforts to pressure Ukraine to investigate former Vice President Joseph R. Biden Jr. and his son Hunter Biden, Russian military hackers have been boring into the Ukrainian gas company at the center of the affair, according to security experts.

The hacking attempts against Burisma, the Ukrainian gas company on whose board Hunter Biden served, began in early November, as talk of the Bidens, Ukraine and impeachment was dominating the news in the United States.

It is not yet clear what the hackers found, or precisely what they were searching for. But the experts say the timing and scale of the attacks suggest that the Russians could be searching for potentially embarrassing material on the Bidens — the same kind of information that Mr. Trump wanted from Ukraine when he pressed for an investigation of the Bidens and Burisma, setting off a chain of events that led to his impeachment.

The Russian tactics are strikingly similar to what American intelligence agencies say was Russia's hacking of emails from Hillary Clinton's campaign chairman and the Democratic National Committee during the 2016 presidential campaign. In that case, once they had the emails, the Russians used trolls to spread and spin the material, and built an echo chamber to widen its effect.

Then, as now, the Russian hackers from a military intelligence unit known formerly as the G.R.U., and to private researchers by the alias “Fancy Bear,” used so-called phishing emails that appear designed to steal usernames and passwords, according to Area 1, the Silicon Valley security firm that detected the hacking. In this instance, the hackers set up fake websites that mimicked sign-in pages of Burisma subsidiaries, and have been blasting Burisma employees with emails meant to look like they are coming from inside the company.

The hackers fooled some of them into handing over their login credentials, and managed to get inside one of Burisma’s servers, Area 1 said.

“The attacks were successful,” said Oren Falkowitz, a co-founder of Area 1, who previously served at the National Security Agency. Mr. Falkowitz’s firm maintains a network of sensors on web servers around the globe — many known to be used by state-sponsored hackers — which gives the firm a front-row seat to phishing attacks, and allows them to block attacks on their customers.

“The timing of the Russian campaign mirrors the G.R.U. hacks we saw in 2016 against the D.N.C. and John Podesta,” the Clinton campaign chairman, Mr. Falkowitz said. “Once again, they are stealing email credentials, in what we can only assume is a repeat of Russian interference in the last election.”

The Justice Department indicted seven officers from the same military intelligence unit in 2018.

The Russian attacks on Burisma appear to be running parallel to an effort by Russian spies in Ukraine to dig up information in the analog world that could embarrass the Bidens, according to an American security official, who spoke on the condition of anonymity to discuss sensitive intelligence. The spies, the official said, are trying to penetrate Burisma and working sources in the Ukrainian government in search of emails, financial records and legal documents.

Neither the Russian government nor Burisma responded to requests for comment.

American officials are warning that the Russians have grown stealthier since 2016, and are again seeking to steal and spread damaging information and target vulnerable election systems ahead of the 2020 election.

*[Read: Even as American election defenses have improved, Russian hackers and trolls have become more sophisticated.]*

In the same vein, Russia has been working since the early days of Mr. Trump’s presidency to turn the focus away from its own election interference in 2016 by seeding conspiracy theories about Ukrainian meddling and Democratic complicity.

The result has been a muddy brew of conspiracy theories that mix facts, like the handful of Ukrainians who openly criticized Mr. Trump’s candidacy, with discredited claims that the D.N.C.’s email server is in Ukraine and that Mr. Biden, as vice president, had corrupt dealings with Ukrainian

officials to protect his son. Spread by bots and trolls on social media, and by Russian intelligence officers, the claims resonated with Mr. Trump, who views talk of Russian interference as an attack on his legitimacy.

With Mr. Biden's emergence as a front-runner for the Democratic nomination last spring, the president latched on to the corruption allegations, and asked that Ukraine investigate the Bidens on his July 25 call with President Volodymyr Zelensky of Ukraine. The call became central to Mr. Trump's impeachment last month.

The Biden campaign sought to cast the Russian effort to hack Burisma as an indication of Mr. Biden's political strength, and to highlight Mr. Trump's apparent willingness to let foreign powers boost his political fortunes.

"Donald Trump tried to coerce Ukraine into lying about Joe Biden and a major bipartisan, international anti-corruption victory because he recognized that he can't beat the vice president," said Andrew Bates, a spokesman for the Biden campaign.

"Now we know that Vladimir Putin also sees Joe Biden as a threat," Mr. Bates added. "Any American president who had not repeatedly encouraged foreign interventions of this kind would immediately condemn this attack on the sovereignty of our elections."

The corruption allegations hinge on Hunter Biden's work on the Burisma board. The company hired Mr. Biden while his father was vice president and leading the Obama administration's Ukraine policy, including a successful push to have Ukraine's top prosecutor fired for corruption. The effort was backed by European allies.

The story has since been recast by Mr. Trump and some of his staunchest defenders, who say Mr. Biden pushed out the prosecutor because Burisma was under investigation and his son could be implicated. Rudolph W. Giuliani, acting in what he says was his capacity as Mr. Trump's personal lawyer, has personally taken up investigating the Bidens and Burisma, and now regularly claims to have uncovered clear-cut evidence of wrongdoing.

The evidence, though, has yet to emerge, and now the Russians appear to have joined the hunt.

Area 1 researchers discovered a G.R.U. phishing campaign on Ukrainian companies on New Year's Eve. A week later, Area 1 determined what the Ukrainian targets had in common: They were all subsidiaries of Burisma Holdings, the company at the center of Mr. Trump's impeachment. Among the Burisma subsidiaries phished were KUB-Gas, Aldea, Esko-Pivnich, Nadragas, Tehnocom-Service and Pari. The targets also included Kwartal 95, a Ukrainian television production company founded by Mr. Zelensky. The phishing attack on Kwartal 95 appears to have been aimed at digging up email correspondence for the company's chief, Ivan Bakanov, whom Mr. Zelensky appointed as the head of Ukraine's Security Service last June.

To steal employees' credentials, the G.R.U. hackers directed Burisma to their fake login pages. Area 1 was able to trace the look-alike sites through a combination of internet service providers frequently used by G.R.U.'s hackers, rare web traffic patterns, and techniques that have been used in previous

attacks against a slew of other victims, including the 2016 hack of the D.N.C. and a more recent Russian hack of the World Anti-Doping Agency.

"The Burisma hack is a cookie-cutter G.R.U. campaign," Mr. Falkowitz said. "Russian hackers, as sophisticated as they are, also tend to be lazy. They use what works. And in this, they were successful."

## The New York Times

### *Text of Nixon's Statement*

April 18, 1973



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 April 18, 1973, Page 97 Buy Reprints

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WASHINGTON, April 17—Following is the text of President Nixon's announcement today concerning the Watergate investigation:

I have two announcements to make. Because of their technical nature, I shall read both of the announcements to the members of the press corps.

The first announcement relates to the appearance of White House people before the Senate Select Committee, better known as the Ervin Committee.

For several weeks, Senator Ervin and Senator Baker and their counsel have been in contact with White House representatives John Ehrlichman and Leonard Garment. They have been talking about ground rules which would preserve the separation of powers without suppressing the fact.

I believe now an agreement has been reached which is satisfactory to both sides. The committee ground rules as adopted totally preserve the doctrine of separation of powers. They provide that the appearance by a witness may, in the first instance, be in executive session, if appropriate.

Expressly Reserved

Second, executive privilege is expressly reserved and may be asserted during the course of the questioning as to any questions.

Now, much has been made of the issue as to whether the proceedings could be televised. To me, this has never been a central issue, especially if the separation of powers problem is otherwise solved, as I now think it is.

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.

I should point out that this arrangement is one that covers this hearing only in which wrongdoing has been charged. This kind of arrangement, of course, would not apply to other hearings. Each of them will be considered on its merits.

My second announcement concerns the Watergate case directly.

On March 21, as a result of serious charges which came to my attention, some of which were publicly reported, I began intensive new inquiries into this whole matter:

12/20/2019

Text of Nixon's Statement - The New York Times

Last Sunday afternoon, the Attorney General, Assistant Attorney General Petersen and I met at length in the E.O.B. [Executive Office Building] to review the facts which had come to me in my investigation and also to review the progress of the Department of Justice Investigation.

#### Major Developments

I can report today that there have been major developments in the case concerning which it would be improper to be more specific now, except to say that real progress has been made in finding the truth.

If any person in the executive branch or in the Government is indicted by the grand jury, my policy will be to immediately suspend him. If he is convicted, he will, of course, be automatically discharged.

I have expressed to the appropriate authorities my view that no individual holding, in the past or at present, a position of major importance in the Administration should be given immunity from prosecution.

The judicial process is moving ahead as it should; and I shall aid it in all appropriate ways and have so informed the appropriate authorities.

As I have said before and I have said throughout this entire matter, all Government employes and especially White House staff employes are expected fully to cooperate in this matter. I condemn any attempts to cover up in this case, no matter who is involved.

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# The Trump Lawyers' Confidential Memo to Mueller, Explained

By THE NEW YORK TIMES JUNE 2, 2018

*The Times obtained copies of a confidential letter sent by President Trump's lawyers to the special counsel, Robert S. Mueller III. Reporters added context in annotations. Below it is another letter from the president's lawyers sent last summer. Read the related article.*

## *The Trump Legal Team's Jan. 29, 2018, Confidential Memo to Mueller*

January 29, 2018

By Hand

Confidential

John M. Dowd  
Attorney at Law  
Washington, D.C. 20015

Robert S. Mueller  
Special Counsel  
United States Department of Justice  
Washington, D.C. 20024

Re: Request for Testimony on Alleged Obstruction of Justice

Gentlemen:

This letter will address the recent request by your office for an interview with the President and our discussions with you concerning the same on November 21, 2017, and January 8, 2018.

In our conversation of January 8, your office identified the following topics as areas you desired to address with the President in order to complete your investigation on the subjects of alleged collusion and obstruction of justice:

### A RESPONSE TO MUELLER

Mr. Trump's lawyers hand-delivered a 20-page confidential letter to Mr. Mueller in January. The letter was a response to his request that Mr. Trump agree to be questioned about allegations that he committed obstruction of justice. The lawyers argued that Mr. Mueller does not need to talk to the president and laid out a series of claims that foreshadow a potential fight over a subpoena, were the special counsel to try to force the president to testify.

The Times obtained a copy of the letter as well as an earlier one sent to Mr. Mueller in June 2017, a month after he was appointed, which argues that "there is no statutory or constitutional basis for any obstruction charge" based on Mr. Trump's firing of James B. Comey as F.B.I. director,

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## The Trump Lawyers' Confidential Memo to Mueller, Explained - The New York Times

1. Former National Security Advisor Lt. Gen. Michael Flynn — information regarding his contacts with Ambassador Kislyak about sanctions during the transition process;
2. Lt. Gen. Flynn's communications with Vice President Michael Pence regarding those contacts;
3. Lt. Gen. Flynn's interview with the FBI regarding the same;
4. Then-Acting Attorney General Sally Yates coming to the White House to discuss same;
5. The President's meeting on February 14, 2017, with then-Director James Comey;
6. Any other relevant information regarding former National Security Advisor Michael Flynn;
7. The President's awareness of and reaction to investigations by the FBI, the House and the Senate into possible collusion;
8. **The President's reaction to Attorney General Jeff Sessions' recusal from the Russia investigation;**
9. The President's reaction to Former FBI Director James Comey's testimony on March 20, 2017, before the House Intelligence Committee;
10. Information related to conversations with intelligence officials generally regarding ongoing investigations;
11. Information regarding who the President had had conversations with concerning Mr. Comey's performance;
12. Whether or not Mr. Comey's May 3, 2017, testimony lead to his termination;
13. Information regarding communications with Ambassador Kislyak, Minister Lavrov, and Lester Holt;
14. The President's reaction to the appointment of Robert Mueller as Special Counsel;
15. The President's interaction with Attorney General Sessions as it relates to the appointment of Special Counsel; and,
16. The statement of July 8, 2017, concerning Donald Trump, Jr.'s meeting in Trump Tower.

It is our understanding that the reason behind the request for the interview is to allow the Special Counsel's office to complete its report. After reviewing the list of topics you presented, it is abundantly clear to the undersigned that all of the answers to your inquiries are contained in the exhibits and testimony that have already been voluntarily provided to you by the White House and witnesses, all of which clearly show that there was no collusion with Russia, and that no FBI investigation was or even could have been obstructed.

It remains our position that the President's actions here, by virtue of his position as the chief law enforcement officer, could neither constitutionally nor legally constitute obstruction because that would amount to him obstructing himself, and that **he could, if he wished, terminate the inquiry, or even exercise his power to pardon if he so desired.** Nevertheless, the President's strong desire for transparency indicated the need to obtain an honest and complete factual report from the Special Counsel, which would sustain and even benefit the Office of the President and the national interest throughout his time in office. Thus, full cooperation was in order, and was in fact provided by all relevant parties.

We express again, as we have expressed before, that the Special Counsel's inquiry has been and remains a considerable burden for the President and his Office, has endangered the safety and security of our country, and has interfered with the President's ability to both govern domestically and conduct foreign affairs.

**QUERIES WITHOUT RESPONSE**

The letter does not address three of Mr. Mueller's topics of discussion: the president's reaction to the attorney general's recusal and to Mr. Mueller's appointment, as well as his discussions with Mr. Sessions about that appointment. The lawyers' view, according to people close to the case: Those subjects are covered by executive privilege.

Maggie Haberman

**THE POWER TO KILL CASES**

This is a striking line — and an ambiguous one. Mr. Trump's lawyers may be suggesting that he had the lawful power to shut down the investigation into the national security adviser at the time, Michael T. Flynn, or even to pardon Mr. Flynn if he wanted — so that whatever he said to Mr. Comey about that case could not have amounted to obstruction. But the sentence may also leave open the possibility that he could order the obstruction investigation into himself shut down or even pardon himself. No

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## The Trump Lawyers' Confidential Memo to Mueller, Explained - The New York Times

This encumbrance has been only compounded by the **astounding public revelations about the corruption within the FBI and Department of Justice which appears to have led to the alleged Russia collusion investigation** and the establishment of the Office of Special Counsel in the first place.

<sup>2</sup>The Special Counsel acknowledged that he was aware of and understands this burden and, accordingly, has committed to expedite his effort.

Counsel for both sides developed an informal, confidential, and cooperative relationship to expedite the conclusion of the inquiry. It was agreed that all conversations were confidential and "off the record" so as to encourage candor and engagement as opposed to adversarial hostility. It was agreed that each side could call or meet at any time to facilitate the exchange of information. **We agreed on the parameters of the inquiry and that if anything changed, the Special Counsel would notify us before proceeding.**

We all remain in agreement that your office has received unprecedented access and voluntary cooperation in the collection of all documents requested from the White House<sup>3</sup>, the Donald J. Trump For President, Inc. (the "Campaign")<sup>4</sup>, and individual witnesses<sup>5</sup>, and that our offices have developed a collegial and professional working relationship which encourages honesty and candor. Further, we all agree that your office and the Congressional Committees have received the full cooperation and testimony of both present and former White House staff members, including White House Counsel, as well as the President's most senior advisers and his most senior Campaign employees. The majority of that information could have been rightfully withheld on multiple privilege grounds, including but not limited to the presidential communications privilege<sup>6</sup>.

We cannot emphasize enough that *regardless of the fact that the executive privilege clearly applies to his senior staff*, in the interest of complete transparency, the President has allowed — in fact, has directed — the voluntary production of clearly protected documents. This is because the President's desire for transparency exceeded the policy purposes for the privilege under the circumstances. Without question, the privilege "attaches not only to direct communications with the President, but also to discussions between his senior advisors, who must be able to hold confidential meetings to discuss advice they secretly will render to the President."<sup>7</sup> The privilege applies and is available for the President to claim here because "restricting the presidential communications privilege to communications that directly involve the President will impede the President's ability to perform his constitutional duty."<sup>8</sup>

[C]ommunications made by presidential advisers in the course of preparing advice for the President come under the presidential communications privilege, even when these communications are not made directly to the President. Given the need to provide sufficient elbow room for advisers to obtain information from all knowledgeable sources, the privilege must apply both to communications which these

president has ever purported to pardon himself, and it is unclear whether he could.

Charlie Savage

**DELEGITIMIZING THE INVESTIGATION**

The letter briefly shifts in tone to an attack on law enforcement institutions and the legitimacy of the investigation. The president and his allies routinely use such language in the public relations arena. But his lawyers' use of it in a private missive to Mr. Mueller is striking; a reminder to the special counsel that he will face more than legal pushback if he subpoenas the president or accuses him of wrongdoing.

Charlie Savage

**MUTUAL UNDERSTANDING**

This is why defense lawyers have been so confident in saying that Mr. Mueller is not investigating Mr. Trump's personal finances or his family's real estate dealings.

Michael S. Schmidt

advisers solicited and received from others as well as those they authored themselves. The privilege must also extend to communications authored or received in response to a solicitation by members of a presidential adviser's staff, since in many instances advisers must rely on their staff to investigate an issue and formulate the advice to be given to the President.<sup>2</sup>

The privilege applies to communications authored or solicited and received by members of an immediate White House adviser's staff who are responsible for advising the President.<sup>10</sup>

As you know, **under our system of government, the President is not readily available to be interviewed.** Ample academic and jurisprudential material supports this important principle. Moreover, as we have indicated in our meetings, we are reminded of our duty to protect the President and his Office. **Thus, in deciding whether to advise the President to be interviewed, we are guided by the controlling law in this Circuit, *In re Sealed Case (Espy)*, 121 F.3d 729 (D.C. Cir. 1997) (the "*Espy*" case), that those seeking information from the President must "demonstrate with specificity why it is likely that the subpoenaed materials [here, his testimony] contain important evidence and why this evidence, or equivalent evidence, is not practically available from another source."<sup>11</sup>**

Although there is not a lot of case law directly on point concerning the issue at hand, scholars have noted that the law here is clear, being that the "*Espy*" two prong analysis developed as the D.C. Circuit construed the meaning of a 'demonstrated, specific need' over the course of two decades," and that while "the first requirement is essentially the equivalent of Federal Rule of Criminal Procedure 17(c) .... [t]he second requirement entails detailed documentation of efforts to obtain the needed information from other sources."<sup>12</sup>

In an effort to provide complete transparency, the President waived the obviously applicable privileges where appropriate in order to allow both the Congress and the Special Counsel to see all relevant documents.<sup>13</sup> The documents provided include notes from and concerning advisors at the highest level. They reflect contemporaneous corroboration, which is an inherently and fundamentally weightier type of evidence — unlike former FBI Director James Comey's (Mr. Comey's) testimony. Perhaps most notably, your office has already been given access to conversations with the President himself. Case law in this district teaches that for the presumptive privilege to possibly be overcome and the requisite need and specificity sufficiently demonstrated, the need for the exact "content of a conversation" involving high-level White House advisers must be "undeniable" and "the only sources of that testimony are those persons participating in the conversations."<sup>14</sup> **The records and testimony we have, pursuant to the President's directive, already voluntarily provided to your office allow you to delve into the conversations and actions that occurred in a significant and exhaustive manner, including but not limited to the testimony of the President's interlocutors themselves. In light of these voluntary offerings, your office clearly lacks the**

#### PREVIEWING A SUBPOENA FIGHT

While styled as a letter about whether the president will voluntarily sit for an interview, it is essentially a warning to Mr. Mueller about the array of legal pushback he will face if he tries to subpoena Mr. Trump.

Charlie Savage

#### A CLINTON-ERA PRECEDENT

In arguing that the president need not talk to investigators, his lawyers invoked [a 1997 appeals court ruling](#) involving Mike Espy, a secretary of agriculture under President Clinton who was accused of improperly accepting gifts from businesses. (Mr. Espy was charged but acquitted.) An independent counsel prosecuting Mr. Espy subpoenaed for notes from the White House counsel's own investigation into the matter, prompting a fight over the scope of executive privilege. An appeals court ruled that the White House counsel's materials were covered by executive privilege, so the prosecutor could only get them if they were important and he could not obtain the information another way.

Charlie Savage

#### LIMITS OF EXECUTIVE PRIVILEGE

The president's lawyers are arguing that because they have turned over so many documents and made other witnesses available for depositions, Mr. Mueller has already obtained the same information

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requisite need to personally interview the President. The information you seek is "practically available from another source,"<sup>15</sup> and your office, in fact, has already been given that other source.

We have, pursuant to the standard set forth in the *Espy* case, carefully reviewed your list of questions and the topics you have identified, and we have concluded that your office **has already received the answers from the documents and testimony which have been voluntarily and expeditiously** provided by the President, the White House, his staff, the Trump campaign and the Trump organization. This letter will respond to your inquiries, and direct your attention to the evidence and testimony that is already in your possession.

**RESIGNATION OF LT. GEN. FLYNN**

In our most recent meeting, you mentioned the possibility of obstruction in connection with the case of former National Security Advisor and Lt. Gen. Michael Flynn (Ret.) "Lt. Gen. Flynn", and that you desired to speak with the President specifically regarding his conversation with then-Director Comey one day after the President fired Lt. Gen. Flynn for lying to the Vice President. You have already been provided the testimony of White House Counsel and his extensive internal file memo as well as the testimony and notes of the President's Chief of Staff, Reince Priebus "Mr. Priebus", and other members of the White House Counsel's office. According to former Mr. Comey, the following occurred at a February 14, 2017, meeting between him and the President:

The President then returned to the topic of Mike Flynn, saying, "He is a good guy and has been through a lot." He repeated that Flynn hadn't done anything wrong on his calls with the Russians, but had misled the Vice President. He then said, "I hope you can see your way clear to letting this go, to letting Flynn go. He is a good guy. I hope you can let this go." I replied only that "he is a good guy." ... I did not say I would "let this go."<sup>16</sup>

The White House denied and refuted that the President said these words to Mr. Comey.<sup>17</sup> We decline to recommend to the President that he be interviewed on this subject for many reasons.

What follows is a non-exhaustive list:

- First, the President was not under investigation by the FBI;
- Second, there was no obvious investigation to obstruct since the FBI had concluded on January 24, 2017, that Lt. Gen. Flynn had not lied, but was merely confused.<sup>18</sup> Director Comey confirmed this in his closed-door Congressional testimony on March 2, 2017.<sup>19</sup>
- Third, as a matter of law, even if there had been an FBI investigation there could have been no actionable obstruction of said investigation under 18 U.S.C. § 1505, since an FBI investigation is not a "proceeding" under that statute. Since there is no cognizable offense, no testimony is required;
- Fourth, both Mr. Comey and Mr. McCabe subsequently testified under oath that there was "no effort to impede" the

he would get from an interview with Mr. Trump. But if a subpoena fight does arise, Mr. Mueller will almost certainly argue that only by questioning Mr. Trump directly about what he was thinking can investigators determine his intent.

Charlie Savage

**FULL COOPERATION MODE**

The White House has been saying for months that it is in "full cooperation mode" with the special counsel. This is the payoff for that strategy. The president's lawyers are signaling here that, if subpoenaed, Mr. Trump would argue that the many documents the White House has turned over and the hours of interviews with staff members have made his testimony unnecessary.

Matt Apuzzo

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investigation.<sup>20</sup> Mr. McCabe's testimony followed Mr. Comey's testimony on May 3, 2017, just six days before his termination, that "it would be a big deal to tell the FBI to stop doing something . . . for a political reason. That would be a very big deal. It's not happened in my experience."<sup>21</sup>

- Fifth, the investigation of Lt. Gen. Flynn proceeded unimpeded and actually resulted in a charge and a plea;
- Sixth, assuming, . . . that the President had made a comment to Mr. Comey that Mr. Comey claimed to be a direction, as the chief law enforcement official pursuant to Article II of the United States Constitution, the President had every right to express his view of the case;
- Seventh, your office already has an ample record upon which to base your findings of no obstruction. As such there is no demonstrated, specific need for the President's responses; and,
- Eighth, by firing Lt. Gen. Flynn, the President actually facilitated the pursuit of justice. He removed a senior public official from office within seventeen days, in the absence of any action by the FBI and well before any action taken by your office.

**To briefly review the relevant law and facts, § 1505 of Title 18, United States Code, as amended by the Victim and Witness Protection Act of 1982, forbids anyone from corruptly, or by threats of force or by any threatening communication, influencing, obstructing, or impeding any pending proceeding before a department or agency of the United States, or Congress.**

<sup>22</sup>Under § 1505, a "pending proceeding" is limited only to agencies with rule-making or adjudicative authority. The investigation of Lt. Gen. Flynn was being conducted by the FBI, which possesses only investigative authority, not adjudicative; it cannot conduct "proceedings" within the cognizance of § 1505.

<sup>23</sup>No court has ever held that an FBI investigation constitutes a § 1505 proceeding, and the U.S. Attorney's Manual makes clear that "investigations by the Federal Bureau of Investigation (FBI) are not § 1505 proceedings."<sup>24</sup> The DOJ has even expressly acknowledged as much to the United States Court of Appeals for the Fourth Circuit.<sup>25</sup> As a matter of law, then, the FBI's investigation of Lt. Gen. Flynn was not, at the time of the President's comments as recalled by Mr. Comey, within the scope of § 1505.

The following facts are taken from information voluntarily provided to your office or from information that is publicly available. These facts further demonstrate that the President did not obstruct justice in any manner concerning Lt. Gen. Flynn.

According to Acting Attorney General Sally Yates ("Ms. Yates"), on January 24, 2017, Lt. Gen. Flynn was interviewed by the FBI. According to reports, "The FBI interviewers believed Flynn was cooperative and provided truthful answers. Although Flynn didn't remember all of what he talked about, they don't believe he was intentionally misleading them, the officials say."<sup>26</sup>

This account of the FBI's interview and subsequent conclusions was later confirmed by the closed-door congressional testimony of Mr. Comey.<sup>27</sup> Mr. Comey also confirmed in his May 3, 2017, Senate Intelligence Committee testimony that he "did participate in conversations about that matter" with Ms. Yates, referring to the FBI's interview of Lt. Gen. Flynn, before she

#### AN OUTDATED UNDERSTANDING OF THE LAW

Mr. Trump's lawyers are making a legalistic argument that he could not have violated an obstruction statute because F.B.I. investigations are not considered to be covered by it. But a different obstruction statute is relevant here, legal experts say. Enacted in 2002, it criminalizes the corrupt impeding of proceedings even if they have not yet started — like the potential grand jury investigation an F.B.I. case can prompt. The president's lawyers do not mention this statute, whose existence appears to render several of their arguments beside the point.

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conveyed the information to the White House in the days that followed.<sup>28</sup>

On January 26, 2017, Ms. Yates met with White House Counsel Don McGahn ("Mr. McGahn"). As outlined by Mr. McGahn in his White House Counsel's Office memo dated February 15, 2017,<sup>29</sup> "Yates expressed two principal concerns during the meeting: (1) that Flynn may have made false representations to others in the Administration regarding the content of the calls; and (2) that Flynn's potentially false statements could make him susceptible to foreign influence or blackmail because the Russians would know he had lied." "Yates further indicated that on January 24, 2017, FBI agents had questioned Flynn about his contacts with Kislyak. Yates claimed that Flynn's statements to the FBI were similar to those she understood he had made to Spicer and the Vice President."<sup>30</sup>

On January 26, 2017, Mr. McGahn briefed the President concerning the information conveyed by Ms. Yates. Additional advisors were brought in, including White House Chief of Staff Mr. Priebus. It was agreed that additional information would be needed before any action was taken. As recorded by Mr. McGahn, "Part of this concern was a recognition by McGahn that it was unclear from the meeting with Yates whether an action could be taken *without jeopardizing an ongoing investigation.*" At that time "President Trump asked McGahn to further look into the issue as well as finding out more about the calls."

On January 27, 2017, at Mr. McGahn's request, Ms. Yates and Mr. McGahn had another meeting. *Importantly, DOJ leadership declined to confirm to the White House that Lt. Gen. Flynn was under any type of investigation. According to Mr. McGahn's memo:*

During the meeting, McGahn sought clarification regarding Yates's prior statements regarding Flynn's contact with Ambassador Kislyak. Among the issues discussed was whether dismissal of Flynn by the President would compromise any ongoing investigations. Yates was unwilling to confirm or deny that there was an ongoing investigation but did indicate that the DOJ would not object to the White House taking action against Flynn. (Emphasis added.)

Further supporting the White House's understanding that there was no FBI investigation that could conceivably have been impeded, "**Yates also indicated that the DOJ would not object to the White House disclosing how the DOJ obtained the information relayed to the White House regarding Flynn's calls with Ambassador Kislyak.**" In other words, the DOJ expressed that the White House could make public that Lt. Gen. Flynn's calls with Ambassador Kislyak had been surveilled. It seems quite unlikely that if an ongoing DOJ investigation of Lt. Gen. Flynn was underway, the DOJ would approve its key investigation methods and sources being publicized.

Your office is also aware that, in the week leading up to Lt. Gen. Flynn's termination and the President's alleged comments to Mr. Comey, Lt. Gen. Flynn had told both White House Counsel and

#### NO OBJECTIONS TO DISCLOSING WIRETAP

This is new, though uncorroborated, information: By Jan. 27, 2017, the president's lawyers say, the Justice Department had told the White House that it had no objections to the public disclosure of its wiretapping of the Russian ambassador. While the existence of that surveillance had already been reported, the contents of what the wiretaps picked

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the Chief of Staff at least twice that the FBI agents had told him he would *not* be charged. The first instance occurred during a discussion at the White House on February 8, 2017, between Mr. McGahn, Mr. Priebus, Mr. John Eisenberg and Lt. Gen. Flynn. "Priebus led the questioning" and "asked Flynn whether Flynn spoke about sanctions on his call with Ambassador Kislyak." Lt. Gen. Flynn's "recollection was inconclusive" and he responded that "he either was not sure whether he discussed sanctions, or did not remember doing so." "Priebus specifically asked Flynn whether he was interviewed by the FBI. Flynn stated that FBI agents met with him to inform him that their investigation was over." The second occurred on a telephone call on February 10, 2017, wherein Mr. McGahn, Mr. Priebus, and the Vice President confronted Lt. Gen. Flynn concerning his discussions with Ambassador Kislyak. As recorded in Mr. McGahn's memo, "**On the phone, Flynn is asked about the FBI investigation to which he says that the FBI told him they were closing it out.**"

On February 10, 2017, upon confirming the true content and nature of Lt. Gen. Flynn's three telephone calls with Ambassador Kislyak, and in light of his statements to them and the Vice President, White House Counsel Don McGahn and Chief of Staff Reince Priebus advised the President that Lt. Gen. Flynn "had to be let go." As a result, on February 13, 2017, the President accepted Lt. Gen. Flynn's resignation.

According to Mr. Comey's testimony, the next day, on February 14, 2017, the President made comments expressing his "hope" that Mr. Comey "could see [his] way to letting this go" in reference to the situation with Lt. Gen. Flynn. The White House disputed Mr. Comey's recollection of that conversation. Regardless, the White House Counsel and Chief of Staff, as well as others surrounding the President, had every reason to believe at that time that the FBI was not investigating Lt. Gen. Flynn, especially in light of the fact that Lt. Gen. Flynn was allowed to keep his active security clearance.

For all intents, purposes, and appearances, the FBI had accepted Flynn's account; concluded that he was confused but truthful; decided not to investigate him further; and let him retain his clearance. As far as he could tell, the President was the *only one* who decided to continue gathering and reviewing the facts in order to ascertain whether Lt. Gen. Flynn's actions necessitated severe and consequential action — removal from office. The President ordered his White House Counsel to continue its review of the situation, which ultimately concluded that Lt. Gen. Flynn had misled the Vice President. The President did not obstruct justice. To the contrary, he facilitated it.

We emphasize these points because even if an FBI investigation constituted a "proceeding" under the statute, which it does not, the statute also requires *intent* to obstruct. There could not possibly have been intent to obstruct an "investigation" that had been neither confirmed nor denied to White House Counsel, and that they had every reason (based on Lt. Gen. Flynn's statements and his continued security clearance) to assume was not ongoing. Further, by insisting on and accepting Lt. Gen. Flynn's public resignation as national security adviser, the

up — Mr. Flynn discussing sanctions — came to light more than a week later in [The Washington Post](#). Mr. Trump fired Mr. Flynn shortly after, [denouncing](#) the leaks about the surveillance. Charlie Savage

**FLYNN'S INVESTIGATION**

We learn here for the first time that Mr. Flynn told top White House officials that the F.B.I. investigation into him was nearly complete. Mr. Trump's lawyers go on to say this is important because the president could not have tried to obstruct an investigation he believed was over.

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President expedited the pursuit of justice while the DOJ and the FBI were apparently taking no action.

So, to reiterate, within seventeen days of first being advised by DOJ leadership concerning Lt. Gen. Flynn, and within just three days of the President's senior team confirming the requisite facts, the President took decisive action and directed Lt. Gen. Flynn, his highest ranking national security advisor, to resign. The President did so in spite of the fact that the FBI had, apparently, decided not to pursue the case further. The President did so in spite of the great political cost to himself. **Far, far, from obstructing justice, the only individual in the entire Flynn story that ensured swift justice was the President.** His actions speak louder than any words.

**While Mr. Comey may or may not have misunderstood, misinterpreted or misremembered the President's alleged comments,** the "hard" evidence already voluntarily provided to your office shows not only that the President most certainly did not obstruct justice, *but that at the time, Mr. Comey certainly did not believe that he had in any way obstructed justice.* If Mr. Comey had believed otherwise, he would have opened an obstruction investigation and directed his investigators accordingly. He did not do so.

What the entire allegation of obstruction amounts to, then, is a critical examination of the conversation that occurred between the President and then-Director Comey on the night of February 14, 2017, in light of Mr. Comey's self-serving testimony and leaked memos. Again, according to Mr. Comey's prepared testimony, the following occurred during that February 14 meeting:

The President then returned to the topic of Mike Flynn, saying, "He is a good guy and has been through a lot." He repeated that Flynn hadn't done anything wrong on his calls with the Russians, but had misled the Vice President. He then said, "I hope you can see your way clear to letting this go, to letting Flynn go. He is a good guy. I hope you can let this go." I replied only that "he is a good guy." (In fact, I had a positive experience dealing with Mike Flynn when he was a colleague as Director of the Defense Intelligence Agency at the beginning of my term at FBI.) I did not say I would "let this go."<sup>31</sup>

On June 8, 2017, Mr. Comey was asked about that conversation in great detail. While acknowledging that the President only said "hope," Mr. Comey said he took it as a direction. However in his Senate Judiciary Committee testimony he responded as follows:

RISCH: He did not direct you to let it go.

COMEY: Not in his words. no.

RISCH: He did not order you to let it go.

COMEY: Again, those words are not an order.

RISCH: He said "I hope." Now, like me you probably did hundreds of cases, maybe thousands of cases charging people with criminal offenses, and, of course, you have

#### DON'T THANK ME

Mr. Trump's lawyers say he should get credit for his handling of Mr. Flynn's case because he ultimately fired him.

Michael S. Schmidt

#### MORE SHOTS AT COMEY

Mr. Comey's contemporaneous memos paint an unflattering portrait of Mr. Trump and are key evidence in the case. Here, Mr. Trump's lawyers assail their credibility, saying perhaps Mr. Comey misunderstood the president's comments.

Matt Apuzzo

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knowledge of the thousands of cases out there that where people have been charged. Do you know of any case where a person has been charged for obstruction of justice, or for that matter, any other criminal offense, where . . . they said or thought they "hoped" for an outcome?

COMEY: I don't know well enough to answer. And the reason I keep saying his words is I took it as a direction. It is the president of the United States with me, alone, saying "I hope" this. I took it as this is what he wants me to do. I didn't obey that, but that's the way I took it.

RISCH: You may have taken it as a direction, but that's not what he said. He said — he said "I hope."

COMEY: Those are the exact words, correct.

RISCH: You don't know of anyone that has ever been charged for hoping something, is that a fair statement?

COMEY: I don't, as I sit here.<sup>32</sup>

The White House refuted Mr. Comey's account in a statement:

"While the president has repeatedly expressed his view that General Flynn is a decent man who served and protected our country, the president has never asked Mr. Comey or anyone else to end any investigation, including any investigation involving General Flynn. The president has the utmost respect for our law enforcement agencies, and all investigations. This is not a truthful or accurate portrayal of the conversation between the president and Mr. Comey."<sup>33</sup>

Even if we were to ignore the White House's version of events and take Comey's "understanding" at face value, Mr. Comey did not confront the President, nor did he report the "attempted obstruction." He also did not "let this go," and he received no further communication from the President or any other person from the White House on the matter.

Mr. Comey himself, very significantly, admitted that he did nothing in response to the so-called "direction" except make self-serving notes. He admitted he did not raise an objection with the President to what he "understood." He did not open an obstruction investigation of the President. *To the contrary, he told the President in their subsequent March 30, 2017, phone call "that we were not personally investigating the President."* Had he really understood the President to be attempting to obstruct justice, undoubtedly he would not have made that would-be false statement.

In his testimony Mr. Comey admitted that not only did he fail to confront the President, at the time **he also never told the Attorney General, the Deputy Attorney General or even the FBI agents** then conducting the counterintelligence investigation on collusion that he believed he had received any such direction from the President. Instead, he claimed he only told his senior FBI leadership, but did nothing to act on it. Interestingly, Mr. Comey claimed he did not tell the Attorney General because he thought that the Attorney General was going to recuse himself. While this is certainly a significant assumption by Mr. Comey and raises significant questions, it still does not justify failing to tell the DOJ about the alleged

#### A HIGHER LOYALTY

Mr. Comey relishes his reputation as a fiercely independent lawman. But in this instance, he might have benefited from sharing his concerns about Mr. Trump with someone at the Justice Department, Matt Apuzzo

conversation — if Mr. Comey truly perceived it the way he now claims he did. And, two days after Mr. Comey was removed, the most senior member of his FBI leadership, Deputy FBI Director Andrew McCabe, *contradicted Mr. Comey's account* by testifying that, “**there has been no effort to impede our investigation to date.**”<sup>324</sup> Again, the contemporaneous testimony of his senior colleague, and the inaction of Mr. Comey himself, all make clear that at the time of the conversation in question Mr. Comey did not really understand the President to be attempting an obstruction of justice. Recall that Mr. Comey's June 8, 2017 testimony (after his termination) about the conversation followed both Mr. McCabe's testimony and *Mr. Comey's own earlier testimony* on May 3, 2017, just six days before his termination, that “it would be a big deal to tell the FBI to stop doing something ... for a political reason. That would be a very big deal. It's not happened in my experience.”<sup>325</sup>

In addition, the New York Times reported that following a March 30, 2017, telephone call with the President, Mr. Comey said “that his relationship with the president and the White House staff was now in the right place. ‘I think we've kind of got them trained,’ Mr. Wittes said, paraphrasing what Mr. Comey told him.”<sup>326</sup> On March 8, 2017, Mr. Comey told an audience at a cybersecurity conference, ‘You're stuck with me for another 6-1/2 years,’ indicating he expects to serve the remainder of his 10-year term” — and also belying any sentiment that he was suffering under the pressure of a Presidential directive he was refusing to execute.<sup>327</sup>

All of these facts refute the novel account Mr. Comey articulated only *after* he was fired and after he had, by his own admission, leaked information *in order* to “prompt the appointment of a special counsel”<sup>328</sup> — despite never suggesting, while in his position as FBI Director, that a special counsel was necessary or that obstruction had occurred.

#### FIRING OF FBI DIRECTOR COMEY

You have asked for evidence related to the firing of Mr. Comey, including information on with whom the President consulted in advance of the decision to let Mr. Comey go, in an attempt to see if this firing, in and of itself, might constitute obstruction of justice. Again, we note that you have been voluntarily provided with abundant materials and possess all of the answers to your questions, including how the President evaluated Mr. Comey's performance. As such, and pursuant to *Espy*, we respectfully decline to allow our client to testify. As is now apparent with the benefit of subsequent developments, the firing of Mr. Comey has led to the discovery of corruption within the FBI at the highest levels.

**As you know, and as Mr. Comey himself has acknowledged, a President can fire an FBI Director at any time and for any reason.** To the extent that such an action has an impact on any investigation pending before the FBI, that impact is simply an effect of the President's lawful exercise of his constitutional power and cannot constitute obstruction of justice here. **No**

#### MCCABE AS CREDIBLE WITNESS

Mr. Trump has relentlessly portrayed the former F.B.I. deputy director, Andrew G. McCabe, as untrustworthy. But here, he embraces Mr. McCabe's congressional testimony. The context matters, though. Mr. McCabe was asked whether Mr. Comey's termination had, in fact, impeded the Russia investigation. “The work of the men and women of the F.B.I. continues despite any changes in circumstance, any decisions,” he replied. “So there has been no effort to impede our investigation today.”

Matt Apuzzo

#### WHAT ABOUT A BAD REASON?

For the most part, executive branch officials serve at the pleasure of the president, who can fire them at his discretion. But the Supreme Court has ruled that Congress can create limits, **upholding** statutes that forbid the firing of certain officials without good cause. The novel legal question, which this

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**President has ever faced charges of obstruction merely for exercising his constitutional authority.<sup>32</sup>**

**A President can also order the termination of an investigation by the Justice Department or FBI at any time and for any reason.** Such an action obviously has an impact on the investigation, but that is simply an effect of the President's lawful exercise of his constitutional power and cannot constitute obstruction of justice. **We remind you of these facts simply because even assuming, *arguendo*, that the President did order the termination of an investigation (and the President, along with Mr. Comey in his testimony and in his actions, have made it clear that he did not) this could not constitute obstruction of justice.**

The following facts are based on Mr. Comey's June 8, 2017, testimony before the Senate Intelligence Committee as well as Attorney General Jeff Sessions' June 13, 2017, testimony.

Based on this testimony, the President did not commit obstruction of justice.<sup>40</sup> The only possible evidence, taken in the light most favorable to your office, is the single memo from Mr. Comey.<sup>41</sup> **The circumstance in which this memo arose — several months after the conversation and only after Mr. Comey was fired in disgrace — raises serious doubts about its veracity, if indeed it even exists.**<sup>42</sup> In addition, Mr. Comey could possibly face legal action for the unauthorized leaking of conversations with the President to the media,<sup>43</sup> an admission especially noteworthy given his refusal to comment on conversations with the President in, for example, his March 20, 2017, congressional testimony, during which he refused to answer questions about conversations with the President, indicating that such information should not be shared publicly.<sup>44</sup>

There is no other evidence to validate Mr. Comey's claims since Attorney General Sessions never substantiated any of the allegations that the President fired Mr. Comey because of the Russian investigation.<sup>45</sup> To the contrary, Attorney General Sessions stated that his recommendation to the President was that Mr. Comey be fired because of the way he handled the Clinton email investigation and refusal to admit his mistakes.<sup>46</sup>

It is also worth responding to the popular suggestion that the President's public criticism of the FBI either constitutes obstruction or serves as evidence of obstruction. Such criticism ignores the sacred responsibility of the President to hold his subordinates accountable — a function not unlike public Congressional oversight hearings. After all, the FBI is not above the law and we are now learning of the disappointing results of a lack of accountability in both the DOJ and FBI.

The fact is that Deputy Attorney General Rod Rosenstein "Mr. Rosenstein" expressed precisely the same concerns as the President regarding Mr. Comey in his May 9, 2017, Memorandum to Attorney General Jeff Sessions:

statement evades, is whether statutes outlawing obstruction of justice implicitly constitute such a limit on when a president can fire an F.B.I. director. If so, it would be unlawful to fire an F.B.I. director for a corrupt reason — even though it would still be legal to fire him or her for a good reason or even for no particular reason..

Charlie Savage

#### EVERYTHING IS UNPRECEDENTED

No president has ever faced criminal charges about anything. Under Richard Nixon and Bill Clinton, the Justice Department opined that presidents are immune from prosecution while in office, and neither was prosecuted afterward because Gerald Ford pardoned Nixon and Mr. Clinton struck a deal with prosecutors on his last day in office. This is one of many ways that the Trump era is potentially taking the country into uncharted waters.

Charlie Savage

#### LAW ENFORCEMENT INDEPENDENCE

Presidents generally respect prosecutorial independence and do not become involved in decisions about individual cases, a norm that was further entrenched after the Watergate scandal. Still, the Constitution does not expressly prohibit a president from telling the attorney general to close a case, and a president can fire the attorney general. The safeguard against abuse of such power would be potential impeachment by Congress.

Charlie Savage

#### A BROAD VIEW OF POWER

This is the most sweeping legal claim in the letter: Even if Mr. Trump did order an investigation shut down and fire the F.B.I. director as part of a cover-up of wrongdoing, his lawyers say he still did not violate the law because he was exercising powers the Constitution has granted exclusively to him. Under this view, it would be unconstitutional to apply obstruction-of-justice statutes enacted by Congress to limit how a president chooses to use his power to supervise the executive branch.

Charlie Savage

#### ATTACKING COMEY'S CREDIBILITY

The president's lawyers devote much of the letter to attacking Mr. Comey as a potential witness, suggesting here that his memo documenting his conversation with Mr. Trump about Mr. Flynn may not exist. Three months after this letter was written, the memo was made public. They also appear to suggest that Mr. Comey may have

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The Federal Bureau of Investigation has long been regarded as our nation's premier federal investigative agency. Over the past year, however, the FBI's reputation and credibility have suffered substantial damage, and it has affected the entire Department of Justice. That is deeply troubling to many Department employees and veterans, legislators and citizens.

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To summarize, the Deputy Attorney General and the Attorney General both agreed, in writing, that Mr. Comey should be fired, for reasons unrelated to any investigation about Russian interference. To quote again from Mr. Rosenstein's May 9, 2017, memo:

Although the president has the power to remove an FBI director, the decision should not be taken lightly. I agree with the nearly unanimous opinions of former department officials. The way the director handled the conclusion of the email investigation was wrong. As a result, the FBI is unlikely to regain public and congressional trust until it has a Director who understands the gravity of the mistakes and pledges never to repeat them. Having refused to admit his errors, the Director cannot be expected to implement the necessary corrective actions.

As you also know, far from merely signing off on a Presidential decision or taking a weak or indirect action indicating a tacit or pressured approval, **Mr. Rosenstein actually helped to edit Mr. Comey's termination letter and actively advised the President accordingly.** It is unthinkable that a President acting (1) under his Constitutional authority; (2) on the written recommendation and with the overt participation of his Deputy Attorney General; and (3) consistent with the advice of his Attorney General, to fire a subordinate who has been universally condemned by bipartisan leadership<sup>48</sup> could then be accused of obstruction for doing so.

Many in the media have relied on mischaracterizations of the President's remarks in a May 11, 2017, interview with Mr. Lester Holt of NBC News, to claim or suggest that in that interview, the President stated that the real reason he fired Comey is the Russia investigation.<sup>49</sup> Unfortunately, so has Mr. Comey. He testified that: "I [take] the president, at his word, that I was fired because of the Russia investigation."<sup>50</sup> Regrettably, no one asked Mr. Comey when he thought the President had actually said any such thing because, in fact, **the President did not ever say such a thing.**

Because it has been so widely misreported and mischaracterized, we believe it is important to present the exchange in its entirety. What the President actually said was this: "I was going to fire Comey knowing there was no good time to do it. And in fact, when I decided to just do it, I said to myself — I said, you know, this Russia thing with Trump and Russia is a made-up story."<sup>51</sup> The President and Mr. Holt then talk over each other for approximately a minute, before the President completed his original thought by saying,

written the memo after Mr. Trump fired him, rather than documenting the conversation immediately after it happened, as Mr. Comey has said he did; there is no evidence no support that insinuation.

Charlie Savage

**ROD ROSENSTEIN, WITNESS FOR THE DEFENSE**

Mr. Trump is pointing to the involvement of the deputy attorney general, Rod J. Rosenstein, in the Comey firing to argue that Mr. Trump could not possibly have tried to obstruct justice. This puts Mr. Rosenstein in a peculiar spot: His own actions are key to the president's defense. And as the supervisor of the special counsel investigation, he may ultimately have to decide whether the president's argument has merit.

Matt Apuzzo

**THE LESTER HOLT INTERVIEW**

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As far as I'm concerned, I want that thing [the Russia investigation] to be absolutely done properly. When I did this now, I said I probably maybe will confuse people. Maybe I'll expand that- you know, I'll lengthen the time because it should be over with. It should — in my opinion, should've been over with a long time ago because it — all it is an excuse. But I said to myself I might even lengthen out the investigation. But I have to do the right thing for the American people. He's the wrong man for that position.<sup>52</sup>

Later in the interview, the following exchange took place:

PRESIDENT: I want very simply a great FBI director.

HOLT: And will you expect if they would — they would continue on with this investigation ....

PRESIDENT: *Oh, yeah, sure. I expect that.*<sup>53</sup>

Reading the entire interview, the fair reading of the President's remarks demonstrates that the President:

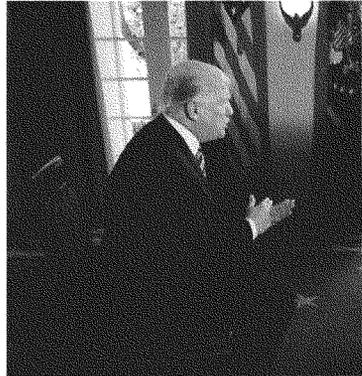
1. Fired Mr. Comey for incompetence;
2. Knew, based on the timing of the firing, that his action could actually lengthen the Russian investigation and in any event would not terminate it;
3. Demonstrated, with his comments to Mr. Holt about the Russia investigation, that he was not concerned about the continuation of any current investigation, even a now-lengthier investigation, because he knows there is no "collusion" to uncover; and
4. Made it clear that he was willing, even expecting, to let the investigation take more time, though he thinks it is ridiculous, because he believes that the American people deserve to have a competent leader of the FBI.

#### LAVROV MEETING OF MAY 9, 2017

There have also been press reports — *citing anonymous sources* — about comments the President allegedly made during a May 9, 2017, meeting with Russian government officials that Comey was a "real nut job" and that "great pressure because of Russia" has been "taken off" him.<sup>54</sup> **Assuming arguendo the President said any such things, it (i) does not establish that the termination was because of the Russia investigation** (regardless of the validity of such an opinion, presumably any President would not want someone he considered a "nut job" running the FBI); and (ii) in any event would be irrelevant to the constitutional analysis. A short, separate, classified response addressing this subject will be submitted to the Office of Special Counsel.

#### INTELLIGENCE CHIEFS

On a related note, you had expressed a desire for information related to conversations with intelligence officials generally regarding ongoing investigations. The intelligence chiefs themselves have already very clearly testified on the subject before Congress. In the words of Director Rogers, "In the three-plus years that I have been the director of the National Security Agency, to the best of my recollection, I have never been directed to do anything I believe to be illegal, immoral, unethical or inappropriate, and to the best of my recollection



Mr. Trump's lawyers are arguing that this **excerpt from the interview** stream-of-consciousness speaking style, and that the president got that he fired Mr. Comey because of the Russia investigation, but that the prolong the investigation.

Charlie Savage

#### PRESSURE'S OFF

Mr. Trump's lawyers do not concede that he said this — though the **Times' account** was based on an official document summarizing the meeting — but they say it does not matter even if he did. Most interesting is the reference to a confidential memo, suggesting a more expansive response could not be made in this letter without compromising classified information.

Matt Apuzzo and Maggie Haberman

during that same period of service I do not recall ever feeling pressured to do so." Director Coats testified in a very similar vein: "In my time of service, which is interacting with the President of the United States or anybody in his administration, I have never been pressured — I have never felt pressured — to intervene or interfere in any way with shaping intelligence in a political way or in relation to an ongoing investigation."<sup>55</sup>

**STATEMENT OF JULY 8, 2017, TO THE NEW YORK TIMES**

You have received all of the notes, communications and testimony indicating that the President dictated a short but accurate response to the *New York Times* article on behalf of his son, Donald Trump, Jr. His son then followed up by making a full public disclosure regarding the meeting, including his public testimony that there was nothing to the meeting and certainly no evidence of collusion.<sup>56</sup>

This subject is a private matter with the *New York Times*. The President is not required to answer to the Office of the Special Counsel, or anyone else, for his private affairs with his children. In any event, the President's son, son-in-law, and White House advisors and staff have made a full disclosure on these events to both your office and the congressional committees.<sup>57</sup>

**CONCLUSION**

Accordingly, based upon the foregoing, we have advised the President that, pursuant to the standard clearly set forth in *Espy* and its progeny, your inquiry thus far demonstrates that no obstruction of the Flynn investigation or Russian collusion investigation appears to have occurred, and that your office has already been provided the voluminous testimony and documentation from which this conclusion is clearly drawn. Therefore, your office lacks "a focused demonstration of need" for the President's responses, which is required by law "even when there are allegations of misconduct by high-level officials."<sup>58</sup>

Again, the only statute implicated here is 18 U.S.C. § 1505, but its application to the President is a constitutional and legal impossibility, and even if it were applicable the elements for obstruction simply cannot be satisfied. For further detail and analysis on this point, we respectfully refer you to our letter to your office of June 23, 2017.

What all of the foregoing demonstrates is that, as to the questions that you desire to ask the President, absent any cognizable obstruction offense, and in light of the extraordinary cooperation by the President and all relevant parties, you have been provided with full responses to each of the topics you presented, obviating any need for an interview with the President. As all of the evidence demonstrates, every action that the President took was taken with full constitutional authority pursuant to Article II of the United States Constitution. As such, these actions cannot constitute obstruction, whether viewed separately or even as a totality. As recognized by the Framers in Article II and as articulated in jurisprudence, the President's

**TRUMP'S CENTRAL ROLE IN A MISLEADING STATEMENT**

This is the first time that representatives of Mr. Trump concede that he dictated a "short but accurate" statement issued by his son to the *New York Times* about a meeting in June 2016 the younger Mr. Trump had with a Russian lawyer who an intermediary claimed had "dirt" on Hillary Clinton. Mr. Trump's advisers have tried to muddy this point, suggesting several people were involved, so the clarity of the sentence is striking. The response about the statement from Mr. Trump's lawyers also quickly shifts to Mr. Trump's son, saying he soon after made a "full public disclosure" about how the meeting was arranged.

Maggie Haberman

**LYING TO THE MEDIA IS NOT A CRIME**

It is not a crime for a politician to lie to *The Times* and, by extension, to the public. But there are at least two reasons that Mr. Trump's role in drafting a misleading statement may be of interest. First, it could be evidence of his mind-set when he undertook other actions that may have impeded the investigation. Secondly, a Watergate-era precedent exists for Congress to consider lies to the public to be obstruction of justice in the looser context of impeachment proceedings. An article of impeachment that lawmakers approved against Nixon before he resigned included "making or causing to be made false or misleading public statements for the purpose of deceiving the people of the United States into believing" there had been no misconduct.

Charlie Savage

**INTERVIEW AS DISTRACTION**

Whether Mr. Trump can be forced, via subpoena, to submit to an interview is an open question. During Watergate, the Supreme Court ruled that Nixon had to turn over tapes of his Oval Office

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**prime function as the Chief Executive ought not be hampered by requests for interview.** Having him testify demeans the Office of the President before the world. The imposition on the time and attention of the President caused by this inquiry has already inflicted unwarranted damage on the President and his Office. This imposition is one reason why the President directed the most extensive and transparent cooperation with the numerous requests of the Special Counsel. The time and attention that would be required to prepare for an interview is significant and would represent a continued imposition that would directly impact the nation.

More is at stake here than just this inquiry, more even than just the Presidency of Donald J. Trump. This inquiry, and the precedents set herein, will also impact the Office of the President of the United States of America in perpetuity. Ensuring that the Office remains sacred and above the fray of shifting political winds and gamesmanship is of critical importance. Of course, the President of the United States is not above the law, but just as obvious and equally as true is the fact that the President should not be subjected to strained readings and forced applications of clearly irrelevant statutes.<sup>52</sup>

In order to facilitate a fair process, as a practical solution, without waiver of the President's constitutional and statutory privileges or objections, and in exchange for a rapid conclusion, we are willing to receive any further questions and **provide you the answers** to help you complete your report and resolve any other remaining questions you might have. We are prepared to meet to discuss a final list of questions that you need to be answered so that the Nation may move forward, and so that we may preserve the dignity of the Office of the President of the United States.

Thank you for your courtesy and cooperation,

Very Respectfully,

John M. Dowd

Jay A. Sekulow

Counsel to the President

conversations, but that did not involve testifying. When Paula Jones sued Mr. Clinton, his lawyers fought to the Supreme Court to freeze the lawsuit, making many similar arguments about the distraction it would create. But the court let the case proceed, and he gave a deposition. That eventually led the independent counsel, Kenneth W. Starr, to subpoena Mr. Clinton to testify before a grand jury. But Mr. Clinton's legal team negotiated a deal for voluntary testimony and Mr. Starr dropped the subpoena, avoiding a definitive court fight.

Charlie Savage

#### HAPPY TO HELP

The president's lawyers say they will answer questions on the president's behalf, a strategy that allows Mr. Trump the ability to say he has offered answers to every question — without the risk of actually having to sit for an interview. While prosecutors often take information (known as a proffer) from defense lawyers, most experienced investigators would say there is no substitute for having someone in the witness chair.

Matt Apuzzo

#### OUTDATED THEORIES

This footnote cites theories already debunked by the time this letter was sent. For example, the footnote cites a claim made on Jan. 23 by Senator Ron Johnson, Republican of Wisconsin, that the F.B.I. had a "secret society" devoted to bringing Mr. Trump down, as an excerpt from a F.B.I. text message suggested. But by Jan. 25 — four days before Mr. Trump's legal team sent the letter — it had become clear that phrase was a joke, and Mr. Johnson walked back his alarmist assertion. Similarly, the letter claims that the F.B.I. opened the investigation based on a politically funded dossier of alleged Trump-Russia ties. But The Times had reported in December that the F.B.I.

<sup>1</sup> We respectfully refer you to our correspondence to your office of June 23, 2017, on the subject of Governing Constitutional Principles. See also Constitutionality of Legislation Extending the Term of the F.B.I. Director. Op.

<sup>2</sup> See, e.g., Adam Shaw, FBI's Strozok and Page spoke of 'Secret Society After Trump Election, Lawmakers Say, FoxNEWS.COM (Jan. 23, 2018); Brooke Singman, FBI's Strozok Allegedly Dismissed Mueller Probe: 'No Big There There', FoxNEWS.COM (Jan. 23, 2018); Jonathan Easley, GOP News Demand Release of 'Shocking' Surveillance Memo, THE HILL (Jan. 19, 2018). The genesis of the entire investigation was apparently the Fusion GPS dossier, which was paid for by the President's political opponent, given to (and possibly paid for by) the FBI, and almost certainly used to obtain wiretaps of the Trump Campaign, notwithstanding that Mr. Comey himself admitted that much of the dossier was unverified and unreliable.

<sup>3</sup> Records voluntarily produced to your office by the White House total over 20,000 pages. These records include, but are not limited to:

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- FBI interview of Michael Flynn at the White House on January 24, 2017 (SCRO01), 9 documents, 66 pages;
- Communications of DAG Sally Yates, DOJ, FBI, & WH regarding Michael Flynn (SCRO02), 28 documents, 64 pages;
- The resignation of Michael Flynn (SCRO04), 311 documents, 762 pages;
- White House communications regarding campaign and transition communications between Michael Flynn and Sergey Kislyak or other Russian Federation officials (SCRO07), 303 documents, 912 pages;
- Communications between White House staff regarding the FBI's investigation into Russian interference or James Comey (SCRO03), 53 documents, 248 pages;
- Sean Spicer's May 3, 2017, statements to the press regarding James Comey (SCRO05), 445 documents, 2,572 pages;
- Meetings between the President and James Comey (SCRO12), 109 documents, 725 pages;
- The decision to terminate James Comey (SCRO13), 442 documents, 1,455 pages;
- May 10, 2017, White House meeting with Russian Federation officials (SCRO08), 808 documents, 2,960 pages;
- June 9, 2016, meeting between Donald Trump, Jr., and Natalia Veselnitskaya (SCRO09), 117 documents, 1,821 pages;
- July 8, 2017, Air Force One participants regarding Donald Trump, Jr., press statements concerning Veselnitskaya meeting (SCRO10), 1 document, 1 page;
- White House communications concerning campaign and transition communications between Manafort, Gates, Gordon, Kellogg, Page, Papadopoulos, Phares, Clovis, and Schmitz (SCRO06), 75 documents, 978 pages; and,
- Communications of individuals identified in category number 10 (SCRO11), 141 documents, 284 pages.

instead opened the investigation based on information from an Australian diplomat.  
Charlie Savage

<sup>4</sup> By letter dated May 17, 2017, the Campaign received a request for documents from the Senate Select Committee on Intelligence (SSCI). By letter dated June 7, 2017, the Campaign received a request for documents from the House Permanent Select Committee on Intelligence (HPSCI). The records requested included records generated from June 16, 2015, to 12pm on January 20, 2017, and hence, included the transition period. The Campaign voluntarily responded to these requests by providing 840 documents on July 21, 2017, and another set of 4,800 documents on July 31, 2017. By letter dated July 19, 2017, the Campaign received a request for documents from the Senate Judiciary Committee (SJC). The Campaign voluntarily responded to these requests by providing 840 documents on July 21, 2017, and another set of 4,800 documents on July 31, 2017. By letter dated July 19, 2017, the Campaign received a request for documents from the Senate Judiciary Committee (SJC). The Campaign responded by providing the requested documents, totaling 4,800, on August 2, 2017. By letter dated August 9, 2017, the Campaign sent all three committees a letter identifying the search terms used to identify the responsive documents. And on September 15, 2017, the Campaign provided all three committees with an additional set of responsive documents, totaling 2,100, which included an attached list of all record custodians whose records were searched along with a complete list of the search terms used. Finally, on September 29, 2017, the Campaign sent all three committees its final set of documents, which included 19 documents and 113 documents now provided with revised or removed privilege redactions. This production was accompanied with a privilege log. In all, the Campaign produced well over 28,000 pages of records to the committees in response their requests. And as you know, copies of all documents provided to the committees by the Campaign, and all search term lists and the privilege log, were also provided to the Special Counsel. And, the Campaign produced well over 1.4 million pages of records to your office.

<sup>5</sup> To our knowledge, over twenty White House personnel voluntarily gave interviews, including eight individuals from the White House Counsel's office. In addition, seventeen Campaign employees and an addition eleven individuals affiliated in some way or another with the Campaign gave interviews to your office, congressional committees, or both.

<sup>6</sup> The presidential communications privilege "is a governmental privilege intended to promote candid conversations between the President and his advisors concerning the exercise of his Article II duties." *Blumenthal v. Drudge*, 186 F.R.236, 242 (D.D.C. 1999) (quoting *In re Grand Jury Proceedings*, 5 F. Supp. 2d 21, 25 (D.D.C. 1998)). Courts have "recognized a 'great public interest' in preserving the confidentiality of conversations that take place in the President's performance of his official duties" because such confidentiality is needed to protect "the effectiveness of the executive decision-making process." *In re Sealed Case* (Egyp), 121 F.3d at 742 (quoting *Nixon v. Sirica*, 487 F.2d 700, 716 (D.C. Cir. 1973)). The Supreme Court "found such a privilege necessary to guarantee the candor of presidential advisers and to provide 'a President and those who assist him with freedom to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately.'" *Id.* at 742 (internal brackets and ellipses omitted) (quoting *United States v. Nixon*, 418 U.S. 683, 708 (1974)). For these reasons, "presidential conversations are presumptively

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- privileged." *Id.* (emphasis added) (quoting *Surice*, 487 F.2d at 717). The Supreme Court has also recognized "a presumptive privilege for Presidential communications founded on a President's generalized interest in confidentiality," *id.* at 743 (quoting *United States v. Nixon*, 418 U.S. at 708, 711).
- 7 In re Sealed Case (Espy), 121 F.3d at 748 (brackets and ellipses omitted) (quoting Ass'n of Am. Physicians & Surgeons v. Clinton, 997 F.2d 898,909 (D.C. Cir. 1993)).
- 8 *Id.* at 753 (internal quotation marks and citation omitted).
- 9 *Id.* at 752.
- 10 *Id.*
- 11 In re Sealed Case (Espy), 121 F.3d at 756.
- 12 James M. Popson, In Re Grand Jury Proceedings: The Semantics of "Presumption" and "Held," 32 AIRRON L. REV. 155, 177-79 (1999) (discussing In re Grand Jury Proceedings, 5 F. Supp. 2d 21 (D.D.C.), *aff'd sub nom.*, In re Lindsey, 148 F.3d 1100 (D.C. Cir. 1998) and *aff'd in part, rev'd in part sub nom.*, In re Lindsey, 158 F.3d 1263 (D.C. Cir. 1998)).
- 13 The presidential communication executive privilege applies to records "to their entirety, and covers final and post-decisional materials as well as pre-deliberative ones." In re Sealed Case (Espy), 121 F.3d 726, 745 (D.C. Cir. 1997).
- 14 In re Grand Jury Proceedings 5 F. Supp. 2d 21, 29 (D.D.C. 1999)
- 15 In re Sealed Case (Espy), 121 F.3d at 756
- 16 We note that you have declined our request on several occasions to share the classified notes of Mr. Comey, which have been leaked to the press and given to members of Congress and publicly disclosed. As Chief Executive Officer, the President has every right to have them, you provided them to White House Counsel. In addition, we note that Mr. Comey has had to correct his testimony on multiple occasions.
- 17 See *infra* p. 11 end n. 50.
- 18 Egan Perez, [Flynn Changed Story to FBI: No Charges Expected](#), CNN (Feb. 17, 2017).
- 19 The Editorial Board, [The Flynn Information](#), WALL STREET JOURNAL (Dec. 1, 2017). "A Congressional source also tells us that former FBI director James Comey told the House Intelligence Committee on March 2 that his agents had concluded that Mr. Flynn hadn't lied but had forgotten that had been discussed."
- 20 Full Transcript: [Acting FBI Director McCabe and Others Testify Before the Senate Intelligence Committee](#), WASH. POST (May 11, 2017).
- 21 [Read the Full Testimony of FBI James Comey in Which He Discusses Clinton Email Investigation](#), WASH. POST (May 3, 2017).
- 22 In 1996, Congress enacted a clarifying amendment to 18 U.S.C. § 1515, which defines the term "corruptly" as used in § 1505 to mean "acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information." False Statements Accountability Act of 1996, Pub. L. No. 104-292, § 3, 110 Stat. 3459, 3460.
- 23 Courts have explained it this way:
- 24 U.S. DEPT OF JUSTICE, U.S. ATTORNEYS' MANUAL: CRIMINAL RESOURCE MANUAL § 1727, PROTECTION OF GOVERNMENT PROCESS - OMNIBUS CLAUSE - 18 U.S.C. § 1505
- 25 *United States v. Adams*, 395 Fed. Appx. 336, 342 (4th Cir. 2009) (Government conceded that criminal investigation by FBI or DEA was not pending proceeding within the scope of 18 U.S.C. § 1505, and requested defendant's conviction on that count be vacated).
- 26 Perez, [Flynn Changed Story to FBI: No Charges Expected](#), *supra* n. 18.
- 27 "A Congressional source also tells us that former FBI director James Comey told the House Intelligence Committee on March 2 that his agents had concluded that Mr. Flynn hadn't lied, but had forgotten what had been discussed." The Editorial Board, [The Flynn Information](#), WALL STREET JOURNAL (Dec. 1, 2017).
- 28 Read the Full Testimony of FBI James Comey in Which He Discusses Clinton Email Investigation, *supra* n.21.
- 29 This confidential and privileged memorandum was provided to your office as part of the White House's voluntary production, and is identified as SCR000c\_SCR002b000000001.
- 30 Recall that Lt. Gen. Flynn had previously been asked questions by other transition team personnel concerning his conversations with Ambassador Kislyak via an email chain of January 12, 2017. See DJTFF00027478. The response provided by Lt. Gen. Flynn was vague, and appears to imply that sanctions were not discussed. DOJ leadership would not advise the White House that transcripts of the calls existed, and of concerns about the content of those transcripts, until January 25, 2017, and even then, when asked by the White House, the DOJ refused to confirm that an investigation was underway.

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- <sup>31</sup> [Read James Comey's Prepared Testimony](#), CNN (June 8, 2017).
- <sup>32</sup> [Full Transcript and Video: James Comey's Testimony on Capitol Hill](#), N.Y.T. (June 8, 2017), (hereinafter, "June 8 Comey Transcript"). Mr. Comey also testified that he took the President's remarks as only related to "any investigation connected to Flynn's account of his conversations with the Russians," and not any other aspect of any possible investigation. *Id.*
- <sup>33</sup> Michael S. Schmidt, [Comey Memo Says Trump Asked Him to End Flynn Investigation](#), N.Y.T. (May 16, 2017).
- <sup>34</sup> [Full Transcript: Acting FBI Director McCabe and Others Testify Before the Senate Intelligence Committee](#), *supra* n. 20.
- <sup>35</sup> [Read the Full Testimony of FBI Director James Comey in Which He Discusses Clinton Email Investigation](#), Wash. Post (May 3, 2017), (emphasis added).
- <sup>36</sup> Michael S. Schmidt, [Comey, Unsettled by Trump, Is Said to Have Wanted to Keep Him at a Distance](#), N.Y.T. (May 18, 2017).
- <sup>37</sup> Jim Finkle, [FBI Director at Cyber Conference: 'You're Shook With Me'](#), REUTERS (Mar. 8, 2017).
- <sup>38</sup> June 8 Comey Transcript, *supra* n. 32.
- <sup>39</sup> Mallory Shelbourne, [Trump, Darshowitz Interview on "Witch Hunt" a "Must Watch"](#), The Hill (Dec. 4, 2017).
- <sup>40</sup> Schmidt, [Comey Memo Says Trump Asked Him to End Flynn Investigation](#), *supra* n. 33; Politico Staff, [Transcript: Jeff Sessions' Testimony on Trump and Russia](#), POLITICO, June 13, 2017.
- <sup>41</sup> Schmidt, [Comey Memo Says Trump Asked Him to End Flynn Investigation](#), *supra* n. 33.
- <sup>42</sup> *Id.*
- <sup>43</sup> Dan Boylan, [Comey the Criminal? Leak Admission Puts Ex-FBI boss in Legal Jeopardy](#), WASH. TIMES (June 12, 2017).
- <sup>44</sup> [Full Transcript: FBI Director James Comey Testifies on Russian Interference in 2016 Election](#), Wash Post (Mar. 20, 2017) ("I'm not gonna get into either that particular case that matter, or any conversations I had with the president. So I can't answer that.")
- <sup>45</sup> Politico Staff, [Transcript: Jeff Sessions' Testimony on Trump and Russia](#), *supra* n. 40.
- <sup>46</sup> *Id.*
- <sup>47</sup> [Annotated Memorandum from Rod J. Rosenstein, Deputy Attorney Gen. for the U.S. Dept. of Justice, to the U.S. Attorney Gen.](#) (May 9, 2017).
- <sup>48</sup> *Id.*
- <sup>49</sup> Devin Barrett & Philip Rucker, [Trump Said He Was Thinking of Russia Controversy When He Decided to Fire Comey](#), WASH POST (May 11, 2017); Andrew Pukod, [Trump has now Admitted He Fired Comey Because of the Russia Investigation](#), VOX.COM (May 11, 2017); Abigail Abrams, [President Trump Links His Decision to Fire James Comey to Frustration With Russia Investigation](#), TIME.COM (May 11, 2017).
- <sup>50</sup> June 8 Comey Transcript, *supra* n. 32.
- <sup>51</sup> Tim Hairs, [President Trump's Full Interview with Lester Holt: Firing of James Comey](#), REAL CLEAR POLITICS.
- <sup>52</sup> *Id.*
- <sup>53</sup> (emphasis added). The fact that President understood that terminating Mr. Comey would not halt the Russia investigation contradicts a finding of corrupt intent and precludes an obstruction of justice violation. Under multiple Supreme Court rulings, conviction for obstruction under the "harmful clause" requires a showing that the defendant believed the act in question would have the "natural and probable effect of interfering with" a pending judicial proceeding (18 U.S.C. § 1503) or a proceeding before an adjudicative government agency or Congressional inquiry (18 U.S.C. § 1505); *United States v. Aguilar*, 515 U.S. 593, 599-600 (1995); see also *Pellibeane v. United States*, 148 U.S. 197, 207 (1893). The President's firing of Mr. Comey would not — and could not have been intended to — have the natural and probable effect of interfering with the FBI's investigation (assuming for the moment that an FBI investigation is a "proceeding" under § 1503, which it is not) or the Congressional inquiry. Acting Director McCabe's testimony makes clear — as the President understood and as would be obvious to anyone — that Mr. Comey's termination had no impact on the investigation. Full Transcript: Acting FBI Director McCabe and Others Testify Before the Senate Intelligence Committee, *supra* n. 20. Mr. Comey testified that it would not make sense to fire the FBI Director to try to stop an investigation. June 8 Comey Transcript, *supra* n. 32. Moreover, Mr. Comey testified that the President never asked him to stop the FBI investigation into Russian involvement in the 2016 election, but to the contrary, the President agreed it would be important for the FBI to conduct a thorough investigation and if anyone around him had done anything wrong it would be good to find that out. *Id.*

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- <sup>54</sup> Matt Apuzzo, Maggie Haberman, & Matthew Rosenberg, [Trump Told Russians that Firing 'Not Job,' Comey Eased Pressure from Investigation](#), N.Y.T. (May 19, 2017).
- <sup>55</sup> Dana Bash, Evan Perez and Mario Razo, [Intel Chiefs Tell Investigators Trump Suspected They Refute Conclusion With Russians](#), CNN (June 22, 2017).
- <sup>56</sup> See also Catherine Herridge, Pamela K. Shroyne & Cyd Upton, [Russian Lawyer at Center of Trump Tower Meeting Dismisses Coaxer, Shared with FBI](#), FOX NEWS (Jan. 19, 2017) (sic - correct year is 2018).
- <sup>57</sup> Karoun Demirjian, [More Than 20 White House Employees Talked to Mueller; Senate Panel to Release Trump Jr. Transcripts](#), CHICAGO TRIBUNE (Jan. 26, 2018).
- <sup>58</sup> In re Sealed Case, 121 F.3d at 746.
- <sup>59</sup> Andrew C. McCarthy, [Donald Trump Should Refuse a Mueller Interview](#), NATIONAL REVIEW (Jan. 27, 2018).

*The Trump Legal Team's June 23, 2017, Confidential Memo to Mueller*

JUNE 23, 2017

BY HAND

Kasowitz Benson Torres LLP  
1633 Broadway  
New York, N.Y. 10019

Robert S. Mueller  
Special Counsel  
United States Department of Justice  
Washington, D.C. 20004

Re: Governing Constitutional Principles

Dear Mr. Mueller:

This firm is personal counsel to President Donald J. Trump. We write to address news reports, purportedly based on leaks, indicating that you may have begun a preliminary inquiry into whether the President's termination of former FBI Director James Comey constituted obstruction of justice. According to these recent stories, Mr. Comey's testimony, and his prior assurances to the President, there was no investigation into the President prior to the termination of Mr. Comey. Nevertheless, in the interest of completeness, we will address certain events and issues related to the period before Mr. Comey was terminated as well.

It is clear that there is no statutory or Constitutional basis for any obstruction charge based on Mr. Comey's termination. As Mr. Comey himself stated in the first sentence of his farewell letter to the FBI, "the President can fire the FBI Director for any reason, or no reason at all." Indeed, the President not only has unfettered statutory and Constitutional authority to terminate the FBI Director, he also has Constitutional authority to direct the Justice Department to open or close an investigation, and, of course, the power to pardon any person before, during, or

Mr. Trump's legal team sent this 11-page memo to Mr. Mueller in June 2017, amid mounting speculation that the special counsel, appointed a month earlier, would examine not only the Trump campaign's contacts with Russia during its interference in the 2016 election, but also whether Mr. Trump's actions as president — including firing Mr. Comey as the F.B.I. director — amounted to obstruction of justice.

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after an investigation and/or conviction. Put simply, the Constitution leaves no question that the President has exclusive authority over the ultimate conduct and disposition of all criminal investigations and over those executive branch officials responsible for conducting those investigations. Thus, as set forth more fully below, as a matter of law and common sense, the President cannot obstruct himself or subordinates acting on his behalf by simply exercising these inherent Constitutional powers.

This is particularly the case where, as here, the Department of Justice, through the Attorney General and Deputy Attorney General, unequivocally advised the President that the "FBI is unlikely to regain public and congressional trust" unless Director Comey was replaced. That recommendation was supported by, among other things, the almost universal rebukes Mr. Comey's unprecedented conduct as director had generated from, among many others, President Obama, dozens of Democratic members of Congress, and numerous former senior DOJ officials, including President Clinton's former Deputy Attorney General Jamie Gorelick, who described Director Comey's conduct as "a kind of reality TV ... antithetical to the interest of justice." Plainly, removing a director under these circumstances is well within the President's Constitutional power, and the proposition that he could obstruct a Department of Justice investigation by taking action the Department of Justice said needed to be taken is patently nonsensical. The same is true with respect to the exercise of the President's Constitutional authority to direct or terminate investigations, which is addressed more fully below.<sup>1</sup>

As we have previously expressed, our goal is to facilitate a swift conclusion of any preliminary inquiry into the termination of Mr. Comey, or any other conduct concerning Mr. Comey. For months, the President has suffered under a public and international cloud generated by unsubstantiated stories based on law enforcement leaks, and an unwillingness by Mr. Comey to state publicly what he repeatedly told the President privately about not being under investigation. Almost immediately after Mr. Comey finally informed the public of this fact in his testimony this month, new leaks generated stories that the President was nevertheless now under investigation for firing Mr. Comey. To the extent any inquiry or consideration is being given to this issue, it can be promptly resolved as a matter of law, and we respectfully submit doing so is necessary for important United States' interests. Continuing uncertainty about whether the sitting President of the United States is being investigated for exercising his inherent Constitutional powers is detrimental to the President's ability to effectively govern.

While we have confidence that you will come to the same conclusions set forth below, if you conclude a further investigation is warranted, we respectfully request to be advised and be provided the opportunity to raise our statutory and Constitutional objections with the Acting Attorney General.

**A. The President Cannot Obstruct Merely By Exercising His Constitutional Authority to Terminate the FBI Director.**

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Under the Appointments Clause of Article II of the Constitution, the President has the exclusive authority to appoint federal officials, including the FBI Director. That Constitutional power to appoint federal officials carries with it the power to remove those officials for any reason, except in limited circumstances. No such restrictions have been imposed on the President's power to remove the FBI Director.

As the Office of Legal Counsel (OLC) explained in an opinion binding on your office, there is *no* Congressionally imposed limitation on the President's power to remove an FBI Director and it is dubious that Congress could Constitutionally impose any such restriction:

As we have previously concluded, the FBI Director is removable at the will of the President. ... No statute purports to restrict the President's power to remove the Director. Specification of a term of office does not create such a restriction. See *Parsons v. United States*, 167 U.S. 324, 342 (1897). Nor is there any ground for inferring a restriction. Indeed, tenure protection for an officer with the FBI Director's broad investigative, administrative, and policymaking responsibilities would raise a serious constitutional question whether Congress had "impede[d] the President's ability to perform his constitutional duty" to take care that the laws be faithfully executed. *Morrison v. Olson*, 487 U.S. 654, 691 (1988). The legislative history of the statute specifying the Director's term, moreover, refutes any idea that Congress intended to limit the President's removal power. See 122 Cong. Rec. 23,809 (1976) "Under the provisions of my amendment, there is no limitation on the constitutional power of the President to remove the FBI Director from office within the 10-year term." (statement of Sen. Byrd); *id.* at 23,811 "The FBI Director is a highly placed figure in the executive branch and he can be removed by the President at any time, and for any reason that the President sees fit." (statement of Sen. Byrd). Constitutionality of Legislation Extending the Term of the F.B.I. Director, Op. O.L.C. at \*3 (June 20, 2011), available at <http://www.justice.gov/file/18356/download>.

This is a long-standing principle. And Director Comey elected to open his farewell to the FBI staff acknowledging this same Constitutional principle: "I have always believed the President can fire the F.B.I. Director for any reason, or no reason at all." This view is supported by historical precedent. President Clinton fired FBI Director Sessions in July 1993 at a time when the FBI had multiple open investigations implicating the Clintons, including the Whitewater and the Travel Office investigations, yet there were no claims and certainly no investigations into whether President Clinton's exercise of his Constitutional power constituted obstruction.

It is obvious that the President's mere exercise of this explicit Constitutional power to appoint and remove officials cannot itself constitute obstruction of justice. And this is certainly clear where, as here, there were ample and notorious reasons to replace Mr. Comey even though the President needed none. Mr. Comey's high-profile leadership of the FBI during the 2016 Presidential election was controversial and generated widespread bi-partisan criticism from, among others, President

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Obama and numerous Congressional Democrats and Republicans.

Most important, Deputy Attorney General Rosenstein and Attorney General Sessions recommended that Director Comey be removed based on a detailed, three-page memorandum setting forth multiple instances of improper conduct and criticisms from six former Attorneys General and Deputy Attorneys General from both parties. That memorandum concluded "the FBI is unlikely to regain public and congressional trust until it has a Director who understands the gravity of the mistakes and pledges never to repeat them. Having refused to admit his errors, the Director cannot be expected to implement the necessary corrective actions." In a letter to the President forwarding DAG Rosenstein's letter, the Attorney General also concluded "that a fresh start is needed at the leadership of the FBI" and that the Director should be one who "follows faithfully the rules and principles of the Department of Justice." As he explained in his termination letter to Director Comey, the President concurred that Director Comey was "not able to effectively lead the Bureau. It is essential that we find new leadership for the FBI that restores public trust and confidence in its vital law enforcement mission." Based on this record, although not required, to the extent the President required a basis for removing Mr. Comey, there was ample basis for him to do so.

Although irrelevant to the Constitutional issues addressed herein, it is worth noting that many in the media have relied on mischaracterizations of the President's remarks in a May 11, 2017 interview with Lester Holt, to suggest the President admitted he removed Mr. Comey because of the Russian investigation.<sup>3</sup> Relying on that interview, Director Comey also testified that: "I [take] the president at his word that I was fired because of the Russia investigation."<sup>4</sup> However, the President never said any such thing.

What the President actually said was: "I was going to fire Comey knowing there was no good time to do it. And in fact, when I decided to just do it, I said to myself - I said, you know, this Russia thing with Trump and Russia is a made-up story."<sup>5</sup> The President and Mr. Holt then talk over each other for approximately a minute, before the President completes his original thought, making clear that he: (a) wanted the Russian investigation to go forward and "to be absolutely done properly"; (b) removed Mr. Comey in spite of the fact he understood doing so might prolong the investigation; and (c) did so because "I have to do the right thing for the American People. He's the wrong man for that position":

As far as I'm concerned, I want that thing [the Russia investigation] to be absolutely done properly. When I did this now, I said I probably maybe will confuse people. Maybe I'll expand that — you know, I'll lengthen the time because it should be over with. It should — in my opinion, should've been over with a long time ago because it — all it is an excuse. But I said to myself I might even lengthen out the investigation. But I have to do the right thing for the American people. He's the wrong man for that position.

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*Id.* (emphasis added). Later in the interview, he further noted that he wanted a "simply great FBI director" and fully "expect[ed]" the investigation to continue even without Director Comey.<sup>8</sup>

Put simply, there is no Constitutionally permissible or factually supportable view under which the President's removal of Director Comey could constitute obstruction.

**B. The President Cannot Obstruct By Exercising His Constitutional Authority to Terminate or Direct an Investigation.**

As a Constitutional matter, the President also possesses the indisputable authority to direct that any executive branch investigation be open or closed because the Constitution provides for a unitary executive with all executive power resting with the President:

As head of a unitary executive, the President controls all subordinate officers within the executive branch. The Constitution vests in the President of the United States "The Executive Power," which means the whole executive power. Because no one individual could personally carry out all executive functions, the President delegates many of these functions to his subordinates in the executive branch. But because the Constitution vests this power in him alone, it follows that he is solely responsible for supervising and directing the activities of his subordinates in carrying out executive functions.

*Statute Limiting the President's Auth. to Supervise the Dir. of the Centers for Disease Control in the Distribution of an AIDS Pamphlet*, 12 Op. O.L.C. 47, 48 (1988).

Without question, the investigation and prosecution of criminal cases are core executive functions committed to the sole discretion of the executive branch (and thus ultimately the President). The Executive Branch "has exclusive authority and absolute discretion to decide whether to prosecute a case." *United States v. Nixon*, 418 U.S. 683, 693 (1974); see also *United States v. Goodwin*, 457 U.S. 368, 380 n.11 (1982) (Prosecutorial discretion is a "special province" of the Executive Branch.). "The power to decide when to investigate, and when to prosecute, lies at the core of the Executive's duty to see to the faithful execution of the laws." *Community for Creative Non-Violence v. Pierce*, 786 F.2d 1199, 1201 (D.C. Cir. 1986) (citations omitted). Thus, the President has exclusive authority to direct that a matter be investigated, or that an investigation be closed without prosecution, or that the subject of an investigation or conviction be pardoned. As the United States Court of Appeals for the D.C. Circuit succinctly explained:

The President may decline to prosecute certain violators of federal law just as the President may pardon certain violators of federal law. The President may decline to prosecute or may pardon because of the President's own constitutional concerns about a law or because of policy objections to the law, among other reasons.

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*In re Aiken Cty.*, 725 F.3d 255, 262-66 (D.C. Cir. 2013) (citations omitted).

Again, while there are various political checks and balances that would inform the President's exercise of this authority as a prudential matter, and various norms have developed over the years as a result of those checks and balances, none of these diminish the President's ultimate Constitutional authority over investigations and prosecutions. This has been borne out time and time again in our history. As one outspoken critic of the President, Professor Alan Dershowitz, has explained:

Throughout United States history — from Presidents Adams to Jefferson to Lincoln to Roosevelt to Kennedy to Obama — presidents have directed (not merely requested) the Justice Department to investigate, prosecute (or not prosecute) specific individuals or categories of individuals. It is only recently that the tradition of an independent Justice Department and FBI has emerged. But traditions, even salutary ones, cannot form the basis of a criminal charge.<sup>7</sup>

Again, Mr. Comey agreed in his testimony: "I think as a legal matter, president is the head of the executive branch and could direct, in theory, we have important norms against this, but direct that anybody be investigated or anybody not be investigated. I think he has the legal authority because all of us ultimately report in the executive branch up to the president."<sup>8</sup>

Thus, as with the removal of the FBI Director, the President cannot obstruct merely by exercising his Constitutional authority to terminate an investigation, and he certainly cannot obstruct by merely expressing a view about an investigation (which the President disputes occurred) instead of terminating it. Again, historical precedent bears this out. No special counsel was appointed and no obstruction investigation was conducted in response to President Obama's public comments about the FBI investigation into Secretary Clinton's email server, including his statements in October 2015 that Secretary Clinton "hasn't jeopardized" classified information; in January 2016, that Secretary Clinton "is not a target" and the investigation was "not headed in the direction of an indictment;" and in April 2016, that Secretary Clinton "has not jeopardized national security" and "would never intentionally put America in any kind of jeopardy." Of course, a short time after President Obama's April comments about the lack of intent, Director Comey used that exact basis for unilaterally announcing that "no reasonable prosecutor" would charge Secretary Clinton even though the relevant statute did not even require intent. Yet, no special counsel was appointed and no obstruction investigation was launched.

### **C. There is No Statutory Basis for An Obstruction Charge.**

Even ignoring the President's Constitutional authority, it is nevertheless clear that none of the subject conduct constitutes obstruction even accepting Director Comey's account of events, which the President does not. The only statute that could even theoretically be implicated on the alleged facts is 18 U.S.C. § 1505, and the elements for obstruction simply cannot be met.

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First, there was no "pending proceeding" within the meaning of § 1505 regarding the investigation of Gen. Flynn. Under § 1505, a "pending proceeding" is limited only to agencies with rulemaking or adjudicative authority.<sup>9</sup> The investigation of Gen. Flynn is being conducted by the FBI, which possesses only investigative authority, not adjudicative; it cannot conduct "proceedings" within the meaning of § 1505.<sup>10</sup> Courts have explained it this way:

[T]he meaning of "proceeding" in § 1505 must be limited to actions of an agency which relate to some matter within the scope of the rulemaking or adjudicative power vested in the agency by law. Since the F.B.I. has no rulemaking or adjudicative powers regarding the subject matter of this indictment, its investigation was not a "proceeding" within the meaning of the statute.

*United States v. Higgins*, 511 F. Supp. 453, 455 (W.D. Ky. 1981) (noting government's lack of precedent or legal support for assertion to the contrary).<sup>11</sup>

Some have picked up on the language in the DOJ manual and cited other sources for the proposition that a "pending proceeding" could include an informal investigation by an executive agency.<sup>12</sup> But, as constitutional law professor Elizabeth Price Foley notes:

In the almost 120 years since Section 1505 and its predecessor have been on the books, no court appears to have ever held that an ongoing F.B.I. investigation qualifies as a "pending proceeding" within the meaning of the statute. Instead, Section 1505 applies to court or court-like proceedings to enforce federal law.<sup>13</sup>

The House Judiciary Committee reports affirm this reading, noting that attempts to obstruct a criminal investigation "before a proceeding has been initiated" do not fall within the scope of the statute.<sup>14</sup> Furthermore, the U.S. Attorneys' Manual makes clear that "investigations by the Federal Bureau of Investigation (FBI) are not section 1505 proceedings."<sup>15</sup> And the Justice Department itself has acknowledged as much to the United States Court of Appeals for the Fourth Circuit. See *United States v. Adams*, 335 Fed. Appx. 338, 342 (4th Cir. 2009) (Government conceded that criminal investigation by FBI or DEA was not pending proceeding within the scope of 18 U.S.C. § 1505, and requested defendant's conviction on that count be vacated). The FBI's investigation of Gen. Flynn is therefore not within the scope of § 1505. As the *Higgins* Court explained, "[u]nder our system of separation of powers, a criminal investigatory agency, in contradistinction to an administrative or regulatory agency, has no power to engage in rulemaking or adjudication." *Higgins*, 511 F. Supp. at 455.

Not only is it clear that an FBI investigation is not a "pending proceeding" for purposes of § 1505, under the statute, the President would have had to have knowledge that there was a pending proceeding. Since the FBI's investigation at issue is not a "pending proceeding" under § 1505,<sup>16</sup> it is therefore

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impossible for the President to have been made aware of said pending proceeding. For this reason alone, § 1505 *does not and cannot apply* to the President's conduct or statements. Culpability under § 1505 is a legal impossibility. The President should not be investigated for violating a criminal statute that cannot apply to the alleged (albeit disputed) facts. We trust your office would have no desire to do so.

Second, even assuming § 1505 could apply to the President, Comey's own characterization of the President's comments fail to show that the President possessed the intent to obstruct the proceedings which is required by the statute.<sup>17</sup> Under § 1505, intent to obstruct requires the defendant to "act purposefully," meaning that he must know his actions are likely to influence the proceedings.<sup>18</sup> Most courts agree that this "knowledge" element is satisfied by acting with the knowledge that his actions would have the "natural and probable" effect of interfering with the proceedings.<sup>19</sup> Moreover, these actions must also be done "corruptly," meaning they must be conducted with an improper purpose.<sup>20</sup>

In this case, the only evidence of relevant Presidential action alleged by Comey is that the President expressed to Comey that General Flynn "is a good guy" and "I hope you can see your way clear to letting this go, to letting Flynn go."<sup>21</sup> The President, of course, has categorically denied saying "I hope you can see your way clear to letting this go, to letting Flynn go." Of course, even assuming, *arguendo*, that he used such words, it still is merely a deliberative statement by the President that, in its proper and obvious context, cannot be reasonably construed as a threat. Moreover, the fact that Comey remained in his position after this alleged conversation, continued the investigation otherwise unimpeded, and brought this particular statement up *only after* he was terminated in disgrace refutes any suggestion that he viewed the President's statement as a threat.

**D. The Facts Establish the President Did Not Direct Any Investigation Be Closed.**

Again, while not relevant to the constitutional and statutory arguments discussed in this letter, we briefly discuss these facts as they have also been the subject of much misrepresentation.

According to Director Comey, the President said the following at a February 14, 2017, meeting:

The President then returned to the topic of Mike Flynn, saying, "He is a good guy and has been through a lot." He repeated that Flynn hadn't done anything wrong on his calls with the Russians, but had misled the Vice President. He then said, "I hope you can see your way clear to letting this go, to letting Flynn go. He is a good guy. I hope you can let this go." I replied only that "he is a good guy." (In fact, I had a positive experience dealing with Mike Flynn when he was a colleague as Director of the Defense Intelligence Agency at the beginning of my term at FBI.) I did not say I would "let this go."

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While acknowledging that the President only said "hope," Director Comey said he took it as a direction:

RISCH: He did not direct you to let it go?

COMNEY: Not in his words, no.

RISCH: He did not order you to let it go?

COMNEY: Again, those words are not an order. ... The reason I keep saying his words is I took it as a direction.

RISCH: Right.

COMNEY: I mean, this is a president of the United States with me alone saying I hope this. I took it as, this is what he wants me to do. I didn't obey that, but that's the way I took it.

RISCH: You may have taken it as a direction but that's not what he said.

COMNEY: Correct.<sup>22</sup>

Moreover, according to Director Comey's testimony, although Director Comey did not agree "to let this go," and although the investigation of Mr. Flynn continued, he does not contend that the President ever raised the matter with him again, and the President denies he ever said he "hoped" Comey could "let it go" in words or substance. Nor did anyone from the White House, or anyone else acting on the President's behalf, ever contact him about the Flynn investigation.<sup>23</sup>

While Director Comey testified that the President pressed him several times, according to his testimony that "pressing" had nothing to do with the Flynn investigation, but rather with the President's completely proper and reasonable request that the Director say publicly what he had said privately three times, namely, that the President was not himself under investigation. The President made clear his reason for this request: according to Director Comey, the President explained "the cloud" was getting in the way of his ability to do his job.<sup>24</sup> As Director Comey himself testified in a discussion with Senator Reed, there would have been nothing improper about Director Comey publicly making the factually accurate statement he had repeatedly made privately to the President and Congress — namely, that the President was not under investigation.<sup>25</sup> Indeed, Director Comey testified publicly to precisely this fact less than two months later. Yet, Director Comey declined to do so at the time despite the President's repeated requests.

It is also clear that at the time of their conversations, Director Comey did not construe the President's alleged remarks as an effort to obstruct justice. He did not at any time direct the FBI to commence an obstruction investigation. Although the comments were allegedly made on February 14, 2017, according to Director Comey, the President was still not under investigation when the Director was removed from office almost two months later. Deputy Director McCabe also testified that he was not aware of any pressure on the FBI regarding any investigation.<sup>26</sup> All of this indicates that Comey did not report his currently post-termination view to his Deputy at the time, nor did Director Comey report any concerns of alleged obstruction to his superiors at the Justice Department.<sup>27</sup>

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We appreciate the opportunity to address these matters. We remain committed to working with your office to facilitate a swift and thorough review which we hope will lead to the conclusion we have clearly demonstrated, *i.e.*, that constitutionally and as a matter of law, there is no basis for any investigation to include the conduct of the President of the United States.

Respectfully submitted,

Marc E. Kasowitz

Counsel to the President

<sup>1</sup> It is not necessary to go so far as to contend that no conduct by a President could ever amount to obstruction of justice. All that is necessary here is to understand that the set of facts alleged in this situation cannot amount to obstruction of justice. We also note that, a President has no constitutional authority to bribe witnesses or suborn perjury and any such conduct would of course be subject to the relevant statutes. But such conduct has not even remotely been alleged against the President. And, we leave aside for now the well-established rule that a sitting President cannot be indicted, as opposed to impeached, for any crime (A. Siting President's Amenability to Indictment and Criminal Prosecution, Op. O.L.C. (Oct. 16, 2000)). In sum, it remains clear that the President's exercise of his constitutional authority of issue here — to terminate an FBI Director and to close investigations — cannot constitutionally constitute obstruction of justice.

<sup>3</sup> Devin Barrett & Philip Rucker, Trump Said He Was Thinking of Russia Controversy When He Decided to Fire Comey, WASH. POST (May 11, 2017); Andrew Prokop, Trump has now Admitted He Fired Comey Because of the Russia Investigation, VOX.COM (May 11, 2017); Abigail Abrams, President Trump Links His Decision to Fire James Comey to Frustration With Russia Investigation, TIME.COM (May 11, 2017).

Full Transcript and Video: James Comey's Testimony on Capitol Hill.

NEWYORKTIMES.COM (June 8, 2017), (hereinafter, "Comey Transcript").

Tim Hains, President Trump's Full Interview with Lester Holt: Firing of James Comey.

REAL CLEAR POLITICS (May

11, 2017).

<sup>6</sup> There have also been press reports — citing anonymous sources — about comments the President allegedly made during a May 20, 2017 meeting with Russian government officials that Comey was a "hoor-nail job" and that "great pressure because of Russia" has been "taken off" him. Matt Auzza, Maggie Haberman, & Matthew Rosenberg, Trump Told Russians that Firing 'Not Job,' Comey Faced Pressure from Investigation, N. Y. TIMES (May 19, 2017). Assuming arguendo the President said any such things, it reflects nothing other than that President Trump has utterly lost confidence in Director Comey and believed that the highly public and sensational manner in which he handled the investigation was over.

<sup>7</sup> Alan Dershowitz, Alan Dershowitz: History, Precedent and James Comey's Opening Statement Show that Trump Did Not Obstruct Justice, WASH. EXAMINER (June 8, 2017, 9:21 AM).

<sup>8</sup> Comey Transcript, *supra* note 7.

<sup>9</sup> See United States v. Adams, 472 F. Supp. 2d 811, 817 n.5 (W.D. Va. 2007); United States v. Kelley, 36 F.3d 1118, 1127 (D.C. Cir. 1994) ("For an investigation to be considered a proceeding, then, it must be more than a 'mere police investigation. . .'); United States v. Technic Servs., Inc., 314 F.3d 1031, 1044 (9th Cir. 2002); United States v. Leo, 941 F.2d 181, 199 (3rd Cir. 1991); 10 United States v. Wright, 704 F.

<sup>10</sup> United States v. Wright, 704 F. Supp. 613, 614-15 (D. Md. 1989) ("[A] 'false statement made to a purely investigative agency, such as the F.B.I., is not within the scope of 1505'"); United States v. Higgins, 511 F. Supp. 453, 455 (W.D. Ky. 1981).

<sup>11</sup> See also Higgins, 511 F.Supp. at 455-56 (quoting H.R. Rep. No. 658, 90th Cong., 1st Sess., 1967 U.S. Code Cong. & Admin. News, p. 1790, for proposition that "attempts to obstruct a criminal investigation or inquiry before a proceeding has been initiated are not within the scope of the proscription of those sections," *i.e.*, §§ 1503 and 1505); see United States v. Edgemon, 1997 U.S. Dist. LEXIS 23620, \*\*13-14 (E.D. Tenn. Aug. 18, 1997) ("Mere criminal investigations, according to the legislative history, are not within the scope of the proscriptions of § 1505. . ."); United

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States v. Wright, 704 F. Supp. 613 (D. Md., 1989) (criminal investigation of defendant by U.S. Attorney General for the District of Maryland was not a § 1505 proceeding as this agency lacked rule-making or adjudicative authority); United States v. Purdick, 530 F. Supp. 96, 101 (E.D.N.Y. 1981) (accepting relevance of Higgins and that FBI has no rulemaking powers, but distinguishing IRS, which does have rulemaking powers and was conducting an administrative investigation).

**12** Domenico Montanaro, [Is Trump Guilty Of Obstruction Of Justice? Comey Laid Out The Case](#), NPR (June 10, 2017, 7:01 AM), citing to Cornell Law School's Legal Information Institute, [https://www.law.cornell.edu/obstruction\\_of\\_justice/](https://www.law.cornell.edu/obstruction_of_justice/) (emphasis added). The Congressional Research Service has also noted that United States v. Kelley, from the D.C. Circuit, has rejected the claim that "§ 1505 applies only to adjudicatory or rule-making activities, and does not apply to wholly investigatory activity," Charles Doyle.

Obstruction of Justice: An Overview of Some of the Federal Statutes That Prohibit Interference with Judicial,

Executive, or Legislative Activities. CONGRESSIONAL RESEARCH SERVICE, at 24 (Apr. 17, 2014), available at

**13** Elizabeth Price, Foley, [Trump's Statements Are Not an Obstruction of Justice](#), NY Times (May 17, 2017)

**14** Id. ("legislative history...confirms that Congress did not intend Section 1505 to reach F.B.I. investigators").

**15** U.S. DEPT OF JUSTICE, U.S. ATTORNEY'S MANUAL: CRIMINAL RESOURCE MANUAL § 1727, PROTECTION OF GOVERNMENT PROCESS — OMNIBUS CLAUSE — 18 U.S.C. § 1501. <https://www.justice.gov/usam/criminal-resource-manual-1727-protection-government-processes-omnibus-clause-18-usc-1505> (last visited June 22, 2017)

**16** U.S. DEPT OF JUSTICE, U.S. ATTORNEY'S MANUAL: CRIMINAL RESOURCE MANUAL MANUALS 1725, PROTECTION OF GOVERNMENT PROCESSES — OBSTRUCTION OF PENDING PROCEEDING — 18 U.S.C. § 1505. <https://www.justice.gov/usam/criminal-resource-manual-1725-protection-government-processes-obstruction-pending-proceeding-18>. (last visited June 22, 2017).

**17** See 18 U.S.C. § 1505; United States v. Price, 951 F.2d 1028, 1031 (9th Cir. 1991) (citing United States v. Sutton, 732 F.2d 1483, 1490 (10th Cir. 1984) and United States v. Laurns, 857 F.2d 529, 536-37 (9th Cir. 1988)); see also United States v. Wlaskak, 631 F.3d 266, 325 (6th Cir. 2010); United States v. Blackwell, 459 F.3d 750, 761, 62 (6th Cir. 2008); United States v. Quattrone, 441 F.3d 153, 174 (2d Cir. 2006); United States v. Bhagat, 436 F.3d 1140, 1147 (9th Cir. 2006); United States v. Kay, 513 F.3d 432, 454 (5th Cir. 2007).

**18** Quattrone, 441 F. 3d at 178- 79; Price, 951 F. 2d at 1031.

**19** Quattrone, 441 F.3d at 174; United States v. Senfner, 280 F.3d 755, 762 (7th Cir. 2002) (citing United States v. Aguilar, 515 U.S. 593, 599 (1995)); of Bhagat, 426 F.3d at 1147-48 (6th Cir. 2006) (declining to extend the natural and probable effects test from § 1503).

**20** 18 U.S.C. § 1505(d) (2012) "As used in § 1505, the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.")

**21** Comey Transcript, supra note 7.

**22** Comey Transcript, supra note 7. Director Comey also testified that he took the President's remarks as only related to "any investigation connected to Flynn's account of his conversations with the Russians" and not any other aspect of any possible investigation. Id.

**23** Comey Transcript, supra note 7 (exchange with Senator Lankford). Press reports claim — as always, citing anonymous sources — that the President also asked DNI Coats to approach Comey to try to persuade him to close the Flynn investigation. But, Mr. Comey testified in exchanges with Senators Lankford and Read that no such contacts occurred. Id. Regardless, even if such requests were made, for the same reasons stated above, this cannot constitute obstruction of justice.

**24** [Statement for the Record, Before the S. Select Comm. on Intelligence](#), 115th Cong. 7 (June 8, 2017) (statement of James B. Comey, Former Director of the Federal Bureau of Investigation)

**25** Comey Transcript, supra note 7.

**26** [Full Transcript: Acting FBI Director McCabe and Others Testify Before the Senate Intelligence Committee](#), WASH. POST (May 11, 2017)

**27** While some have made much of the fact that the President spoke to Director Comey privately about General Flynn, the President has made essentially identical public statements (including the day after meeting with Director Comey) that has thought General Flynn was a good guy who was being treated unfairly, hardly indicia of a secret, corrupt attempt to obstruct an investigation.

Emily Cochrane contributed reporting.

<https://www.nytimes.com/interactive/2018/06/02/us/politics/trump-legal-documents.html>

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The Trump Lawyers' Confidential Memo to Mueller, Explained - The New York Times

Produced by Jon Huang/The New York Times

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## Trump Calls Representative Justin Amash a 'Loser' Over Impeachment Talk

By Glenn Thrush

May 19, 2019

WASHINGTON — President Trump attacked Representative Justin Amash as a “total lightweight” and “loser” on Sunday, a day after the Michigan Republican said Mr. Trump’s behavior as president had reached the “threshold for impeachment.”

The president’s attacks reinforced Mr. Amash’s isolation within his party, as even the Republican lawmakers who might be most sympathetic to his position avoided stepping forward to join him.

Earlier on Sunday, Senator Mitt Romney, a Utah Republican who has been one of the few members of his party to even mildly chastise Mr. Trump in public after the release of the Mueller report, described Mr. Amash’s statement as “courageous.” But Mr. Romney, the 2012 Republican presidential nominee, dismissed the idea of impeachment, saying on CNN’s “State of the Union” that the evidence lacked “the full element that you need to prove an obstruction-of-justice case.”

Mr. Trump — who has stonewalled requests by House Democrats for documents and has commanded current and former aides to turn down requests to testify before investigative committees — was not so circumspect.

“Never a fan of @justinamash, a total lightweight who opposes me and some of our great Republican ideas and policies just for the sake of getting his name out there through controversy,” Mr. Trump wrote in a midmorning Twitter riff that included, among other things, criticism of the “Fake News Sunday Political Shows” and boasts about his judicial appointments and health care policies.

“Justin is a loser who sadly plays right into our opponents hands!” he added.

On Saturday, Mr. Amash, 39, became the first sitting Republican member of Congress to suggest that Mr. Trump’s actions, as described in the report of the special counsel, Robert S. Mueller III, met the constitutional threshold of high crimes and misdemeanors.

“President Trump has engaged in impeachable conduct,” Mr. Amash wrote in a series of Twitter messages after reading the redacted version of the 448-page report.

Contrary to the public statements and summaries offered by Attorney General William P. Barr, “Mueller’s report reveals that President Trump engaged in specific actions and a pattern of behavior that meet the threshold for impeachment,” wrote Mr. Amash, a self-described strict constitutionalist who has considered running against Mr. Trump in the 2020 Republican primary.

It is a judgment not publicly shared by any other Republican member of Congress.

“Justin Amash has reached a different conclusion than I have,” said Mr. Romney, who has said he was “sickened” and “appalled” by Mr. Mueller’s report.

Mr. Trump and his team have successfully cowed Republican critics through sheer political force: The president is overwhelmingly popular among the Republican base — and the White House and national Republican organizations controlled by Trump loyalists have threatened anyone who opposes them with supporting potential primary opponents.

“It’s sad to see Congressman Amash parroting the Democrats’ talking points on Russia,” Ronna McDaniel, the Republican National Committee chairwoman, said in a statement. “The only people still fixated on the Russia collusion hoax are political foes of President Trump hoping to defeat him in 2020 by any desperate means possible.”

“Voters in Amash’s district strongly support this president, and would rather their congressman work to support the president’s policies,” she said.

On Saturday, State Representative Jim Lower, an outspoken Trump supporter who lives in Mr. Amash’s Grand Rapids-area district, suggested he would challenge the five-term congressman next year.

“This cannot go unchallenged! I support @realDonaldTrump, I support West Michigan values, I support our party’s values,” Mr. Lower tweeted. He promised a major announcement on his potential challenge in the coming week.

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Trump Calls Representative Justin Amash a 'Loser' Over Impeachment Talk - The New York Times

Mr. Amash's conclusions track closely with those of many Democrats. While Speaker Nancy Pelosi has sought to block attempts to impeach Mr. Trump based on the findings of the Mueller report, she declared her openness last week to initiating an impeachment inquiry as a means of forcing administration officials to comply with the subpoenas of the six House committees investigating Mr. Trump's conduct.

Mr. Amash was one of 14 Republicans to side with Democrats in their unsuccessful attempt to override the president's first veto, which upheld an emergency declaration to divert funding from other federal projects to build a wall along the southwestern border.

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Impeachment is charging a holder of public office with misconduct.
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Trump Knew of Whistle-Blower Complaint When He Released Aid to Ukraine - The New York Times

**The New York Times** <https://nvti.ms/2XPZgkx>

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

White House lawyers briefed President Trump in late August about the complaint, people familiar with the matter said.

By Michael S. Schmidt, Julian E. Barnes and Maggie Haberman

Nov. 26, 2019

WASHINGTON — President Trump had already been briefed on a whistle-blower's complaint about his dealings with Ukraine when he unfroze military aid for the country in September, according to two people familiar with the matter.

Lawyers from the White House counsel's office told Mr. Trump in late August about the complaint, explaining that they were trying to determine whether they were legally required to give it to Congress, the people said.

The revelation could shed light on Mr. Trump's thinking at two critical points under scrutiny by impeachment investigators: his decision in early September to release \$391 million in security assistance to Ukraine and his denial to a key ambassador around the same time that there was a "quid pro quo" with Kyiv. Mr. Trump used the phrase before it had entered the public lexicon in the Ukraine affair.

Mr. Trump faced bipartisan pressure from Congress when he released the aid. But the new timing detail shows that he was also aware at the time that the whistle-blower had accused him of wrongdoing in withholding the aid and in his broader campaign to pressure Ukraine's new president, Volodymyr Zelensky, to conduct investigations that could benefit Mr. Trump's re-election chances.

The complaint from the whistle-blower, a C.I.A. officer who submitted it to the inspector general for the intelligence community in mid-August, put at the center of that pressure campaign a July 25 phone call between the presidents, which came at a time when Mr. Trump had already frozen the aid to the Ukrainian government. Mr. Trump asked that Mr. Zelensky "do us a favor," then brought up the investigations he sought, alarming White House aides who conveyed their concerns to the whistle-blower.

The White House declined to comment.

The whistle-blower complaint, which would typically be submitted to lawmakers who have oversight of the intelligence agencies, first came to light as the subject of an administration tug of war. In late August, the inspector general for the intelligence community, Michael Atkinson, concluded that the administration needed to send it to Congress.

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.

A week later, the Office of Legal Counsel concluded that the administration did not have to hand over the complaint.

It is unclear how much detail the lawyers provided Mr. Trump about the complaint. The New York Times reported in September that White House advisers — namely, Mr. Cipollone and Mr. Eisenberg — knew about the whistle-blower complaint in August. But the specifics of when and how Mr. Trump learned of it have not previously been reported.

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Trump Knew of Whistle-Blower Complaint When He Released Aid to Ukraine - The New York Times

The whistle-blower, whose identity has not been made public, accused Mr. Trump of abusing his power by inviting a foreign power to interfere on his behalf in the 2020 election. He described the pressure campaign to get Mr. Zelensky to publicly commit to investigations of Democrats that could potentially benefit Mr. Trump and suggested that a temporary hold that the administration had placed on assistance to Ukraine, which is fighting a war against Russian proxy forces, might be related to the effort.

New details also emerged on Tuesday about that decision to freeze the security assistance to Ukraine. An official from the White House budget office, Mark Sandy, testified that on July 12, he received an email from the office of the acting White House chief of staff, Mick Mulvaney, notifying him that Mr. Trump had directed that administration officials freeze Ukraine's military aid.

Mr. Trump had enthusiastically sought the investigations for much of the summer. But in early September, he told one of his top diplomats — Gordon D. Sondland, the United States ambassador to the European Union, who helped carry out the shadow policy toward Ukraine — that he was not seeking “a quid pro quo” with the Ukrainian government by withholding the aid.

Mr. Sondland said that when he called Mr. Trump to inquire about why the aid had been withheld, an irritated Mr. Trump insisted he was not seeking anything from the Ukrainians. But the president said that he wanted Mr. Zelensky “to do the right thing.” Mr. Sondland testified to Congress last week, suggesting that he was still seeking the investigations into Democrats that could help his political fortunes.

There are discrepancies about whether Mr. Sondland spoke to the president on Sept. 7 or 9. The administration lifted the freeze on aid to Ukraine on Sept. 11, as lawmakers' demands grew. Two days earlier, three Democratic-led House committees had opened an investigation into Mr. Trump's dealings with Ukraine.

Only days after the president learned of the whistle-blower complaint, he spoke with Senator Ron Johnson, Republican of Wisconsin, about the aid holdup. Mr. Johnson sought permission to tell Mr. Zelensky at an upcoming meeting in Ukraine that Mr. Trump had decided to release the security assistance, according to Mr. Johnson.

Mr. Trump replied that he was not ready, Mr. Johnson said. He said he asked later on the call whether the aid was linked to some action that the president wanted the Ukrainians to take.

“Without hesitation, President Trump immediately denied such an arrangement existed,” Mr. Johnson wrote in a letter this month to House Republicans.

Mr. Trump erupted in anger and began cursing, he wrote.

“No way,” Mr. Trump said, according to Mr. Johnson. “I would never do that. Who told you that?”

The White House has kept a tight hold on details about the actions of Mr. Trump and his senior aides in the Ukraine affair.

The president has refused to let top advisers testify in the impeachment inquiry, leaving a void that Republicans have exploited. They argue that the evidence that Democrats have gathered is insufficient because it contains few firsthand accounts linking the president to wrongdoing.

But Democrats have not only the transcript of Mr. Trump's July 25 call but also the testimony of Mr. Sondland, who said Mr. Trump directed him and other top administration officials to maintain pressure on Ukraine.

Both Mr. Cipollone and Mr. Eisenberg, who briefed Mr. Trump in late August about the whistle-blower complaint, had been following up on other complaints by administration officials about the Ukraine matter since early July.

Mr. Cipollone had suggested to Mr. Eisenberg in July that he tell Mr. Trump that White House staff members had raised concerns about a shadow Ukraine policy. Mr. Eisenberg, who does not typically brief Mr. Trump, never followed up on the suggestion.

Michael S. Schmidt and Julian E. Barnes reported from Washington, and Maggie Haberman from New York. Katie Benner contributed reporting from Washington.

<https://www.nytimes.com/2019/11/26/us/politics/trump-whistle-blower-complaint-ukraine.html>

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## Common Questions About Impeachment

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## ***Trump Vows Stonewall of 'All' House Subpoenas, Setting Up Fight Over Powers***

By Charlie Savage

April 24, 2019

WASHINGTON — The Trump administration escalated its defiance of Congress on Wednesday, as the Justice Department refused to let an official testify on Capitol Hill and President Trump vowed to fight what he called a “ridiculous” subpoena ordering a former top aide to appear before lawmakers.

“We’re fighting all the subpoenas,” Mr. Trump told reporters outside the White House. “These aren’t, like, impartial people. The Democrats are trying to win 2020.”

The moves added to an already remarkable week of stonewalling by the Trump administration after the release of the report by the special counsel, Robert S. Mueller III, that revealed the scope of the Russian operation to help Mr. Trump win the 2016 election and detailed his attempts to impede an investigation he saw as imperiling his presidency.

Mr. Trump’s flurry of moves this week to block multiple congressional investigations signaled a new phase of constitutional friction that could redefine long-murky boundaries of Congress’s power to conduct oversight of the executive branch — and the power of presidents to keep government affairs secret from lawmakers.

*[President Trump is definitely building a wall — but it is between the White House and the House of Representatives.]*

As a matter of politics, Mr. Trump’s strategy sets the stage for open warfare with House Democrats heading into the 2020 election. The results could be unpredictable at a time when Speaker Nancy Pelosi has tried to keep a lid on liberal demands for impeachment proceedings — which are unlikely to succeed in removing Mr. Trump because substantial numbers of Senate Republicans would have to vote for it — by channeling their energies into vigorous oversight investigations of the administration.

As a matter of law, Mr. Trump’s declared tactic of fighting every subpoena faces steep obstacles, legal experts said. The House can vote to hold in contempt officials who refuse to show up in response to subpoenas and ask judges for orders requiring compliance with them.

Litigation over whether those subpoenas were legitimate will turn on precedents that require both branches to make good-faith efforts to accommodate each other’s needs. It will also delve into whether executive privilege is waived in instances in which the Trump administration has already disclosed some of the information that the president is trying to keep from Congress.

But ultimately, prevailing in court may not be the goal. By essentially forcing Democrats to keep filing lawsuits to try to enforce their subpoenas, Mr. Trump will be fighting what he can portray as “presidential harassment” and to stall the inquiries themselves.

On Wednesday, the Justice Department said a civil rights division official, John Gore, would defy a subpoena to testify on Thursday about its addition of a citizenship question to the census. This week, White House lawyers indicated that they would tell the former White House counsel Donald F. McGahn II and other former officials not to comply with subpoenas for their testimony, a person familiar with the legal strategy said.

Mr. Trump has also sued to block a congressional subpoena of his accounting firm, Treasury Secretary Steven Mnuchin missed a deadline to turn over Mr. Trump’s tax returns to lawmakers and the former head of White House personnel security, Carl Kline, ignored a subpoena ordering him to appear for a deposition about overriding recommendations to deny security clearances.

Together, the events of the week made clear that Mr. Trump has adopted a strategy of unabashed resistance to oversight efforts by the House — reveling in abandoning even the pretense of trying to negotiate accommodations and compromise with the institution controlled by his political opponents.

“The president is attempting to repeal a congressional power of oversight that goes back to the administration of George Washington,” said Charles Tiefer, a former longtime House lawyer who is now a University of Baltimore law professor. He said “the comprehensiveness and intensity of this presidential stonewalling” exceeded anything he had seen in his 40-year career.

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Trump Vows Stonewall of 'All' House Subpoenas, Setting Up Fight Over Powers - The New York Times

He added: "Congress can call witnesses about problems with the executive branch anytime. Otherwise there is no check on whether the executive branch is doing the public's work or just exercising raw power."

Speaking with reporters on Wednesday, Mr. Trump cited the end of the special counsel investigation to declare he had been investigated enough. "I thought after two years we'd be finished with it," he said. "No. Now the House goes and starts subpoenas." He added, "I say it's enough."

He also falsely stated that Mr. Mueller's investigators "came up with no obstruction." In fact, they laid out extensive evidence that he committed that crime several times but stopped short of deciding whether to accuse him of it only because the Justice Department considers sitting presidents temporarily immune from indictment.

And on Twitter, Mr. Trump offered a novel idea for pushing back against any impeachment proceedings if House Democrats tried to move forward with them: He would get the Supreme Court to order them to stop.

"If the partisan Dems ever tried to impeach, I would first head to the U.S. Supreme Court," Mr. Trump wrote over two posts. "Not only are there no 'High Crimes and Misdemeanors,' there are no Crimes by me at all."

Nothing in the Constitution or American legal history gives the Supreme Court a role in deciding whether Congress has misidentified what counts as a high crime or misdemeanor for the purpose of impeachment.

Notwithstanding Mr. Trump's denunciation of the subpoena to Mr. McGahn, his administration's legal team has not put forward any legal theory for why executive privilege — the president's power to keep secret certain internal executive branch information — would ban the kind of testimony the House Judiciary Committee is seeking from the former White House lawyer: essentially, to go over what he already told Mr. Mueller.

Mr. Trump waived executive privilege to let Mr. Mueller freely question Mr. McGahn about their conversations, and Attorney General William P. Barr made Mr. McGahn's accounts public by disclosing most of the special counsel's report — likely a further waiver of the privilege.

Mr. McGahn has expressed frustration about the situation, according to a person close to him. He advised the president in 2017 against cooperating with Mr. Mueller and believes that if Mr. Trump had followed his advice, he would have a far stronger argument that their conversations are protected by executive privilege, the person said.

Mr. McGahn was the main witness to several of Mr. Trump's actions that appear to most clearly meet the criteria Mr. Mueller laid out for attempted obstruction of justice. Among those was an episode last year when Mr. Trump pressured Mr. McGahn to create an internal White House document that would falsely deny that the president had ordered him to have Mr. Mueller fired.

Several legal experts said Mr. Trump's vow to fight every subpoena is a departure from how past presidents confronted congressional oversight investigations run by their adversaries. The White House and lawmakers have generally resolved fights over internal information about the executive branch through negotiation and accommodation — a practice that courts have repeatedly said they want to see.

By contrast, Mr. Trump's scorched-earth strategy appears meant to prompt a lengthy fight for each subpoena, by giving the House a choice between seeing its subpoenas ignored or going to court to ask a judge to order the administration to comply with them. Such lawsuits would then prompt wrangling in the courts over whether Mr. Trump had the authority to block the subpoena.

While relatively few definitive judicial precedents exist about where the executive branch's power to keep private internal information stops and Congress's power to gain access to it begins, a few cases may be notable for the emerging fights, specialists said.

In a 1997 appeals court ruling involving internal White House documents the Clinton administration wanted to keep from Congress, a panel of judges ruled that the administration had waived its ability to claim executive privilege over certain files because it had permitted a personal lawyer for an executive branch official to see them. Personal lawyers for current and former Trump administration officials reviewed many documents involving their clients during the special counsel investigation.

In a 2008 district court ruling involving whether a former White House counsel to President George W. Bush, Harriet Miers, could be compelled to testify before Congress, a judge said she had to show up and decide whether to decline to answer potentially privileged questions one by one. That could suggest that Mr. McGahn must similarly appear before the House Judiciary Committee.

And in a 2016 district court ruling involving internal Justice Department documents the Obama administration wanted to keep secret from Congress, a judge ruled that executive privilege no longer protected materials that had been disclosed in an inspector general report. Because Mr. Barr made most of Mr. Mueller's report public, that principle may limit Mr. Trump's success in asserting the privilege to block Congress from receiving testimony and documents about events described in the report.

But each of the emerging fights raises somewhat different legal questions that courts would have to sort through.

The fight over testimony on the 2020 census turns on the Trump administration's insistence that an executive branch lawyer accompany Mr. Gore to instruct him not to answer certain questions that may be subject to executive privilege.

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Trump Vows Stonewall of 'All' House Subpoenas, Setting Up Fight Over Powers - The New York Times

The House Oversight and Reform Committee is invoking a longstanding House rule that witnesses may be accompanied in depositions by personal lawyers but not by government ones, though it has offered to let Mr. Gore leave the room to consult a department lawyer.

The Trump administration objected, saying in the letter on Wednesday that the rule would “unconstitutionally infringe on the prerogatives of the executive branch.” It did not address the fact the Constitution explicitly empowers the House to set the rules for its own proceedings.

Mr. Gore still had a legal obligation to show up on Thursday, Representative Elijah E. Cummings of Maryland, the Democratic chairman of the oversight committee, said in a statement.

“Both President Trump and Attorney General Barr are now openly ordering federal employees to ignore congressional subpoenas and simply not show up — without any assertion of a valid legal privilege,” Mr. Cummings said. “These employees and their personal attorneys should think very carefully about their own legal interests rather than being swept up in the obstruction schemes of the Trump administration.”

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1/3/2020

Trump Was Repeatedly Warned That Ukraine Conspiracy Theory Was 'Completely Debunked' - The New York Times

**The New York Times** <https://nyti.ms/2mUMP99>

## ***Trump Was Repeatedly Warned That Ukraine Conspiracy Theory Was 'Completely Debunked'***

Thomas P. Bossert, President Trump's first homeland security adviser, said he was "deeply disturbed" that Mr. Trump had urged Ukraine to investigate Democrats.



**By Sheryl Gay Stolberg, Maggie Haberman and Peter Baker**

Published Sept. 29, 2019 Updated Sept. 30, 2019

WASHINGTON — President Trump was repeatedly warned by his own staff that the Ukraine conspiracy theory that he and his lawyer were pursuing was "completely debunked" long before the president pressed Ukraine this summer to investigate his Democratic rivals, a former top adviser said on Sunday.

Thomas P. Bossert, who served as Mr. Trump's first homeland security adviser, said he told the president there was no basis to the theory that Ukraine, not Russia, intervened in the 2016 election and did so on behalf of the Democrats. Speaking out for the first time, Mr. Bossert said he was "deeply disturbed" that Mr. Trump nonetheless tried to get Ukraine's president to produce damaging information about Democrats.

Mr. Bossert's comments, on the ABC program "This Week" and in a subsequent telephone interview, underscored the danger to the president as the House moves ahead with an inquiry into whether he abused his power for political gain. Other former aides to Mr. Trump said on Sunday that he refused to accept reassurances about Ukraine no matter how many times it was explained to him, instead subscribing to an unsubstantiated narrative that has now brought him to the brink of impeachment.

The latest revelations came as the impeachment inquiry rushed ahead at a brisk pace. The House chairman taking the lead said that the whistle-blower who brought the matter to light would testify soon and that a subpoena for documents would be issued early this week to Rudolph W. Giuliani, the president's personal lawyer who spearheaded the effort to find dirt on Democrats in Ukraine. In a letter to the acting director of national intelligence, lawyers for the whistle-blower requested stepped-up efforts to ensure his safety, citing "serious concerns we have regarding our client's personal safety."

As Democrats pressed forward, a new CBS News poll showed that 55 percent of Americans supported an impeachment inquiry, the first time it has had majority backing, a worrying development for a White House that until now has been able to make the argument that the public opposed impeaching Mr. Trump. A senior White House aide tried to turn the tables by arguing that Mr. Trump was the real whistle-blower because he was uncovering Democratic corruption.

As Republicans struggled to defend the president on Sunday, Mr. Bossert's remarks offered a hint of cracks in the Republicans' armor. While Mr. Bossert was forced out in 2018 when John R. Bolton became national security adviser, he has remained publicly loyal until now to a president who prizes fealty above all else.

1/3/2020

Trump Was Repeatedly Warned That Ukraine Conspiracy Theory Was 'Completely Debunked' - The New York Times

"It is completely debunked," Mr. Bossert said of the Ukraine theory on ABC. Speaking with George Stephanopoulos, Mr. Bossert blamed Mr. Giuliani for filling the president's head with misinformation. "I am deeply frustrated with what he and the legal team is doing and repeating that debunked theory to the president. It sticks in his mind when he hears it over and over again, and for clarity here, George, let me just again repeat that it has no validity."

He added that pressing Ukraine's president was disturbing, but noted that it remained unproven whether Mr. Trump's decision to withhold aid to Ukraine was tied to the demand for investigations into former Vice President Joseph R. Biden Jr. and other Democrats.

"It is a bad day and a bad week for this president and for this country if he is asking for political dirt on an opponent," Mr. Bossert said. "But it looks to me like the other matter that's far from proven is whether he was doing anything to abuse his power and withhold aid in order to solicit such a thing." On Twitter later on Sunday, he added that he did "not see evidence of an impeachable offense."

Other former aides said separately on Sunday that the president had a particular weakness for conspiracy theories involving Ukraine, which in the past three years has become the focus of far-right media outlets and political figures. Mr. Trump was more willing to listen to outside advisers like Mr. Giuliani than his own national security team.

Mr. Trump has known Mr. Giuliani, the former New York mayor, for years and likes his pugnacious approach and the fact that he never pushes back, said one former aide, who like others asked not to be identified discussing internal matters. Mr. Giuliani would "feed Trump all kinds of garbage" that created "a real problem for all of us," said the former aide.

House Democrats may try to explore that as they move expeditiously in their inquiry. Representative Adam B. Schiff, the chairman of the House Intelligence Committee, said on Sunday that the whistle-blower whose complaint rocked Washington last week would testify "very soon" and that Mr. Giuliani would be ordered to turn over documents.

Mr. Schiff, a former prosecutor who is the de facto chief of the inquiry, also issued a pointed warning to Mr. Trump and White House aides, who have a history of blocking congressional requests for witnesses and records. "If they're going to obstruct, then they are going to increase the likelihood that Congress may feel it necessary to move forward with an article of obstruction," he said on "This Week."

Mr. Trump continued his bellicose attacks on his accusers. "I want Schiff questioned at the highest level for Fraud & Treason," he wrote on Twitter. And he threatened the whistle-blower, who is protected by law from retribution. "Was this person SPYING on the U.S. President? Big Consequences!"

Republicans have had a tough time defending Mr. Trump and have mostly tried to redirect the conversation to suggest that Mr. Biden engaged in wrongdoing. Representative Steve Scalise of Louisiana, the No. 2 Republican in the House, repeatedly changed the subject on Sunday when Chuck Todd, the moderator of NBC's "Meet the Press," pressed him on whether he believed a summary transcript of the Ukraine call merited further investigation.

"Well, they've been investigating President Trump for two years, making way for baseless allegations," Mr. Scalise finally said. "They're investigating everything."

Senator Lindsey Graham, Republican of South Carolina, suggested that Mr. Trump appoint a special prosecutor to look into Mr. Biden's role in the firing of a former prosecutor in Ukraine, and said he had no problem with the president's phone call.

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Trump Was Repeatedly Warned That Ukraine Conspiracy Theory Was 'Completely Debunked' - The New York Times

"I'm openly telling everybody in the country I have the president's back because I think this is a setup," he said on CBS's "Face the Nation."

One of the few Republicans to express concern over the allegations was Representative Will Hurd of Texas, a former C.I.A. officer who is not seeking re-election. "There are troubling issues within the whistle-blower's report," he said on "Face the Nation" on CBS. "But they are allegations. And I think that's why we should explore these allegations through hearings."

The White House put out Stephen Miller, the president's senior adviser, to offer his defense on the Sunday talk show circuit. Appearing on "Fox News Sunday," Mr. Miller denounced the whistle-blower as a "deep-state operative" who is part of a cabal of "unelected bureaucrats who think they need to take down this president."

Mr. Trump, he added, was the one searching for wrongdoing by pursuing corruption allegations against Mr. Biden and Democrats. "The president is the whistle-blower here," Mr. Miller said. "The president of the United States is the whistle-blower. And this individual is a saboteur trying to undermine a democratically elected government."

Central to the complaint by the whistle-blower was a July 25 telephone call in which Mr. Trump pressed President Volodymyr Zelensky of Ukraine to "do us a favor" and investigate Democrats at a time when the president had just ordered \$391 million in aid to Ukraine frozen.

While his focus on Mr. Biden has drawn the most attention, Mr. Trump also urged Mr. Zelensky to look into a theory about the 2016 election that holds that Ukraine hacked the Democratic National Committee and then framed Moscow, possibly at the behest of Democratic operatives.

He specifically cited an American cybersecurity firm, CrowdStrike, that did work for the Democratic National Committee in 2016 and that he seemed to believe was a Ukrainian company, and also brought up a D.N.C. computer server that he suggested might be hidden in Ukraine.

While serving Mr. Trump, Mr. Bossert repeatedly told him that his questions about the server were without merit, according to a former senior administration official. In fact, the main server for the committee was in the party's headquarters in Washington, and was later displayed there, next to a file cabinet that was broken into by the Watergate burglars nearly a half-century ago.

The first time Mr. Bossert and other aides refuted the server theory came before the inauguration when intelligence agency directors briefed him on Russia's election interference operation. Mr. Trump may not have absorbed it because he was thrown off guard when told about a Democratic-financed dossier that included unproven allegations about his ties to Russia.

Shortly before Valentine's Day in 2017, Mr. Bossert brought in Mike Rogers, the director of the National Security Agency, to brief Mr. Trump not only on the summary about the conclusion that it was Russia, but with the technical mechanics that led to the conclusion. At that point, Trump appeared to register that it was Russia. But periodically after that, he would say at rallies that he wondered about the server. Mr. Bossert would not re-educate him each time.

Another former senior official said it was a constant struggle to convince Mr. Trump that Russia, not Ukraine, had interfered in the election. The president would accept it after speaking with his more grounded aides, this official said, but then revert to believing it was a plot by Democrats or Ukrainians or others after speaking with associates outside the administration like Mr. Giuliani.

1/3/2020

Trump Was Repeatedly Warned That Ukraine Conspiracy Theory Was 'Completely Debunked' - The New York Times

But even as his role in the controversy was debated over the weekend, Mr. Giuliani had the endorsement of Mr. Trump to continue appearing on television on Sunday defending himself and the president, according to two Trump advisers.

"I am defending my client the best way I know how," Mr. Giuliani said on "This Week," appearing shortly after Mr. Bossert did.

In a brief telephone interview after his ABC appearance, Mr. Bossert allowed for the possibility that it was someone other than Mr. Giuliani who had gotten in Mr. Trump's head.

"In fairness, I don't know that it was Rudy Giuliani that put that conspiracy theory into the president's head," he said. "I know somebody did and I was under the impression it was Mayor Giuliani. If Mayor Giuliani wasn't promoting the D.N.C. server conspiracy theory, then I apologize."

But in his television interview, Mr. Bossert made clear how serious the issue was, suggesting it could end Mr. Trump's presidency. "The D.N.C. server and that conspiracy theory has got to go; they have to stop with that," he said. He noted that the president "has not gotten his pound of flesh yet" from the investigation into his own ties to Russia. "But George, if he continues to focus on that white whale, it's going to bring him down."

Reporting was contributed by Chris Cameron, Matthew Rosenberg, David E. Sanger, Julian E. Barnes and Michael S. Schmidt.

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## Ukraine Knew of Aid Freeze in July, Says Ex-Top Official in Kyiv

Ukraine's government learned of the military aid freeze during the Trump administration's pressure campaign — and tried to keep that knowledge from going public, an ex-deputy foreign minister said.



By Andrew E. Kramer

Dec. 3, 2019

KYIV, Ukraine — As deputy foreign minister, it was Olena Zerkal's job to read incoming diplomatic cables from embassies around the world. One from Washington caught her eye back in July, she recalled: It said the Trump administration had frozen military aid for Ukraine.

"We had this information," Ms. Zerkal said in an interview. "It was definitely mentioned there were some issues."

The timing of when Ukraine knew of the hold on the military aid is a critical question in the impeachment hearings in Congress. Democrats are trying to build a case that President Trump pressured President Volodymyr Zelensky by withholding the aid and a White House meeting — at the same time he was pressing for a public announcement that Ukraine would investigate his political rivals.

Mr. Trump and his allies have also made the timing issue part of his defense. How could Ukrainian officials feel the pressure of the aid freeze, they ask, if they did not know about it when the White House was pushing them to investigate Vice President Joseph R. Biden Jr., one of Mr. Trump's biggest challengers in the 2020 American presidential election?

"They didn't even know the money wasn't paid," Mr. Trump wrote on Twitter last month.

Ms. Zerkal's account is the first public acknowledgment by a Ukrainian official that senior figures in Kyiv knew about the aid freeze during the Trump administration's pressure campaign — and that the Zelensky administration sought to keep that fact from surfacing to avoid getting drawn into the American impeachment debate.

She said her own government blocked a trip she had planned to Washington to meet members of Congress in October, worried she would discuss matters related to impeachment and drag its president into an inquiry he has been eager to avoid.

"They worried about this," she said of Mr. Zelensky's advisers. "They said, 'This is not the time for you to travel to D.C.'" The cancellation of her trip was confirmed by Congressional aides.

Mr. Zelensky, whose government is still dependent on the Trump administration for aid and diplomatic backing, has said he did not learn of the aid freeze until before a meeting with Vice President Mike Pence on Sept. 1, though he has been vague about exactly when.

But according to testimony in the impeachment inquiry, Ukrainian diplomats in Washington knew there was a problem with the aid as early as July 25, the day Mr. Trump spoke with the Ukrainian president by phone and asked him to investigate his rivals.

In the interview, Ms. Zerkal, who said she resigned from her post last week to protest her government's back channel diplomacy with both the Trump administration last summer and Russia this fall, provided an insider's account of when senior officials in Kyiv learned of the freeze, and how they tried to keep the information from becoming public.

Her account is backed by Laura K. Cooper, the American deputy assistant secretary of defense for Russia, Ukraine and Eurasia, who said in Congressional testimony during the impeachment inquiry that Ukrainian diplomats knew about the aid freeze at least by July 25, when they began to question United States officials about it.

That was the same day Mr. Trump spoke by phone with Mr. Zelensky and asked the Ukrainian leader to do him the “favor” of investigating the activities of Mr. Biden and his son, Hunter Biden, as well as a discredited theory that Ukraine, not Russia, hacked into Democratic servers during the 2016 presidential election.

Ms. Zerkal says she became aware of the hold by July 30, a few days after Mr. Trump’s phone call with Mr. Zelensky.

She said she read a diplomatic cable from Ukrainian officials in Washington about the hold and asked for a meeting with a senior aide to Mr. Zelensky to discuss it on July 30. The cable had been sent the previous week, she said, but she could not confirm the precise date it had been transmitted.

The Ukrainian presidential administration was copied as a recipient of the cable from the embassy in Washington, she said, adding: “We received it simultaneously.”

Whether senior Ukrainian officials knew of the aid freeze before the July 25 phone call or not, the accounts of Ms. Zerkal and Ms. Cooper show that the Ukrainian government was aware of the hold on aid through several critical weeks in August as United States diplomats pressed Mr. Zelensky to make a public statement on the investigations.

Later, as the impeachment inquiry ramped up in the United States, Mr. Zelensky’s administration tried to squelch information that could embarrass or undercut Mr. Trump, Ms. Zerkal said.

At a meeting in September, Ms. Zerkal said, a senior aide to Mr. Zelensky told her to “keep silent” and avoid news media inquiries on any topic.

The foreign minister appointed by Mr. Zelensky, Vadym Prystaiko, later blocked a planned visit to Washington by Ms. Zerkal in October, she said. His concern, she said, was that she would discuss information relevant to the impeachment proceedings — like when Ukraine learned military aid had been put on hold — with members of Congress.

Ms. Zerkal says she had arranged meetings with politicians from both parties, including Democratic Senators Robert Menendez of New Jersey and Chuck Schumer of New York, and Republican Senators Ron Johnson of Wisconsin and Ted Cruz of Texas, as well as with staff members of Speaker Nancy Pelosi.

The stated purpose of the meetings was to discuss American sanctions on Russia, but questions of when Ukraine became aware of the freeze on American aid could have come up.

“His main message to me was to keep silent, to not comment without permission,” Ms. Zerkal said of the aide to Mr. Zelensky, Andriy Yermak, who asked that she keep a low profile on all matters, not just those related to the United States. “They are in a very tricky situation and they understand this.”

Mr. Zelensky’s press office did not respond to questions about Ms. Zerkal’s account of how the government learned of the aid freeze or the reasons for canceling her trip to meet with members of Congress.

But Mr. Zelensky has insisted he wants to steer clear of the impeachment process and has signaled a desire for good relations with the Trump administration. Speaking in New York in September, he said he had not been pressured by Mr. Trump.

Later, at a news conference in October, Mr. Zelensky said he was not aware, at the time of his phone call with Mr. Trump on July 25, that military aid was frozen. On Saturday, he told journalists from Time magazine and three European publications, “look, I never talked to the president from the position of quid pro quo.”

But he also had pointed comments on the hold on aid. “We’re at war,” he said. “If you’re our strategic partner, then you can’t go blocking anything for us. I think that’s just about fairness. It’s not about quid pro quo.”

Ms. Zerkal’s account demonstrates just how hard, bordering on impossible, it is for Mr. Zelensky to avoid taking sides in the impeachment inquiry. If he is misleading people about his knowledge of the aid freeze, then he is damaging the Democrats’ case against Mr. Trump. If he admits knowing, he damages Mr. Trump’s case.

The Zelensky administration, Ms. Zerkal said, is most concerned about placating Mr. Trump, having decided that the impeachment inquiry will fail in the Senate and that Mr. Trump could be re-elected.

Indications had already been stacking up that Ukrainian officials knew well before the hold became public in August, first in a blog posted by the Atlantic Council on Aug. 14 and then in an article published by Politico on Aug. 28.

An associate of Mr. Trump's personal lawyer Rudolph W. Giuliani, Lev Parnas, has said he warned of a possible aid freeze as early as May, though others who attended the same meeting have contested his account.

Army Lt. Col. Alexander Vindman, the top Ukraine specialist in the National Security Council, testified that he learned of a hold in early July. More United States officials became aware during a conference call on July 18, and the Office of Management and Budget put the hold in writing on July 25, shortly after Mr. Trump's call with Mr. Zelensky.

Ms. Zerkal said she was alarmed to read of the freeze in late July. Ukraine is at war with Russian-backed separatists in two eastern provinces and considers the United States an ally.

"This information caught my attention," she said. "Without your clear support and stance against Russian aggression we won't be able, alone, to protect ourselves."

Kenneth P. Vogel contributed reporting from Washington.

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## Ukraine's Leader, Wiser to Washington, Seeks New Outreach to Trump

President Volodymyr Zelensky still needs backing from the administration. He is proposing a new ambassador and weighing hiring lobbyists to build better ties.



By Kenneth P. Vogel and Andrew E. Kramer

Dec. 13, 2019

WASHINGTON — Eager to repair their country's fraught relationship with Washington, allies of President Volodymyr Zelensky of Ukraine have met with lobbyists with close ties to the Trump administration, hopeful of creating new channels of communication.

After more than two months of anxious waiting, Mr. Zelensky finally appears to have won support from the White House for a candidate to fill Ukraine's vacant ambassadorship to the United States.

And Mr. Zelensky, still deeply dependent on American assistance, has been signaling, in hardly subtle fashion, that he and his officials will not assist in the impeachment process, keeping quiet in particular about the fact that his government knew weeks earlier than it has publicly acknowledged that Mr. Trump had frozen nearly \$400 million in military aid to Ukraine.

Nearly every world leader has struggled to figure out how to deal with Mr. Trump. But few face greater pressure to find the answer — or more hurdles to doing so — than Mr. Zelensky.

Wiser now to the ways of Washington, he and his team are carefully trying to reestablish themselves in a variety of ways as an important ally with a substantive agenda deserving of Washington's attention and support.

They have a long ways to go. Mr. Zelensky's team has been discouraged by the absence of expected support from Mr. Trump for Ukraine's peace talks with Russia, as well as the lack of follow-through from the White House on a promised Oval Office meeting with Mr. Zelensky that the administration had quietly signaled might happen in late January.

Mr. Zelensky's allies were frustrated further by Mr. Trump's meeting in the Oval Office on Tuesday with Sergey V. Lavrov, the Russian foreign minister. And when the president's personal lawyer Rudolph W. Giuliani paid an unexpected visit to Kyiv last week in a continued effort to dig up dirt on Mr. Trump's political opponents, no Ukrainian government officials met him.

Asked by an official at the German Marshall Fund on Friday what the Zelensky administration wants from Washington, Dmytro Kuleba, Ukraine's deputy prime minister, who has been in Washington this week meeting with administration and congressional officials, said "all we are asking from our colleagues in the U.S. administration is fair treatment."

He added, "We don't want to be shamed and blamed."

The continued push to try to overcome Mr. Trump's grudge against Ukraine suggests Zelensky administration officials have concluded that impeachment will fail in the Senate and that they will almost certainly need to work with Mr. Trump for at least another year, and possibly another five years if Mr. Trump is re-elected.

"Our relations are not in good shape," said Olena Zerkal, a former deputy foreign minister under Mr. Zelensky. "I don't believe in any chemistry between our leaders."

Mr. Zelensky's willingness to accommodate the Trump administration has hardly gone unnoticed in Kyiv.

After the White House released a rough transcript of a July 25 call between the American and Ukrainian presidents, Mr. Zelensky was panned in Ukraine on social media for seeming too eager to please Mr. Trump. That included signaling a willingness to pursue the investigations sought by Mr. Trump into political targets like the family of former Vice President Joseph R. Biden Jr.

"Monica Zelensky," the Ukrainian president was called on social media in Kyiv, in a reference to the intern whose sexual relations with Bill Clinton led to the last impeachment proceedings of an American president.

Even a White House visit, if it happens, risks being seen not so much as a triumph for Mr. Zelensky as more kowtowing to Mr. Trump, who could cite it as evidence he never linked such a visit, or American military assistance for Ukraine, to investigations that would benefit him politically.

"In Kyiv, we have to place bets on the current power in Washington," said Nikolay Kapitonenko, professor at the Institute of International Relations. But outreach to the Republican administration is not risk free, he said, adding, "Zelensky understands that taking any side is dangerous."

The importance of American support for Ukraine — and the desire for more of it from Mr. Trump — has been on display in recent days.

An American diplomat traveled to Kyiv to express support for the Ukrainians headed into Mr. Zelensky's first face-to-face meeting with President Vladimir V. Putin of Russia on Monday in Paris.

But Trump administration officials privately told the Ukrainians that Mr. Trump himself would signal support, according to Americans and Ukrainians familiar with the matter, either via Twitter, as first reported by The Daily Beast, or possibly even an invitation for Mr. Zelensky to visit the White House next month. While Mr. Trump posted more than 100 tweets on Sunday, none expressed support for the Ukrainians headed into the peace talks.

The Trump administration had also resisted calls to levy sanctions against a Russian gas pipeline that would circumvent Ukraine. The White House reportedly worked to undermine congressional efforts to block the pipeline, though sanctions language was added to a \$738 billion military policy bill that passed the House on Wednesday. And the military assistance that Democrats accuse Mr. Trump of using as leverage to force the investigations reportedly still has not fully reached Ukraine.

Those are among the issues that may help explain why the Ukrainians are considering stepping up their lobbying in Washington, despite potential political and financial costs.

During his campaign and early in his presidency, Mr. Zelensky proclaimed that he had no need to hire lobbyists like the government of his predecessor. "I never met a single lobbyist," he said. "I don't need this. I never paid a coin and I never will."

Yet, in the weeks before Mr. Zelensky was elected in April, his advisers quietly worked with a Washington lobbying firm, Signal Group, to arrange meetings in Washington with Trump administration officials, as well as congressional offices and think tanks that focus on Ukraine-United States relations.

Mr. Zelensky distanced himself from the arrangement, even though Signal Group reported in a filing under the Foreign Agents Registration Act, or FARA, that it was paid nearly \$70,000 by Mr. Zelensky's party through a lawyer named Marcus Cohen. Mr. Cohen, on the other hand, claimed that the money came from his own pocket, not from Mr. Zelensky's party.

The Justice Department's National Security Division, which oversees FARA, sent a letter to Mr. Cohen requesting information about the arrangement, then urged him to register as a foreign agent, according to people with knowledge of the situation. One of the people said that the division also audited Signal Group's filings, informing the firm in a letter in October that the inquiry was closed.

Signal defended its FARA filings as accurate, and referred questions about Mr. Cohen's representations to him or Mr. Zelensky's team. Neither responded to requests for comment.

Mr. Zelensky “may find that it is best to be his own spokesperson on this subject for a while to prevent others from interpreting his words for him,” at least until “trust can be rebuilt,” Heather A. Conley, who was a deputy assistant secretary of state in the bureau of European and Eurasian affairs from 2001 to 2005, said in an email.

Ms. Conley, who is director of the Europe program at the Center for Strategic and International Studies, was among the think tank officials who met with one Mr. Zelensky’s advisers in April in a meeting arranged by Signal and Mr. Cohen.

They discussed Mr. Zelensky’s anticorruption and economic overhaul plans, Ms. Conley said, adding, “Ukraine faces a fraught landscape in Washington — with or without a lobbyist.”

The discussions about hiring a lobbyist, which are described as preliminary, have divided Mr. Zelensky’s team.

Some are concerned that hiring a lobbying firm with ties to Mr. Trump could jeopardize Democratic support. And some are wary of becoming involved with K Street at all, because of the specter of Paul Manafort, Mr. Trump’s former campaign chairman, who was sentenced to seven and a half years in prison for crimes related to his lobbying for a deeply unpopular former Ukrainian government.

Yet two of the firms being discussed for possible lobbying engagement have links to Mr. Manafort, according to three people with knowledge of the discussions.

A representative of one of the firms, Mercury Public Affairs, which worked with Mr. Manafort on his Ukraine effort, met in Kyiv last month with a top aide to Mr. Zelensky. The lobbyist, Bryan Lanza, has ties to the Trump White House, and was in Ukraine on unrelated business according to people familiar with the meeting.

It was arranged by an American lawyer named Andrew Mac, who himself registered last month with the Justice Department as an unpaid lobbyist for Mr. Zelensky. Mr. Mac, who splits his time between Washington and Kyiv, was appointed by Mr. Zelensky last month as an adviser responsible for building support among the Ukrainian diaspora.

In a sign of the scrutiny in Kyiv on its new government’s tumultuous relationship with Mr. Trump, and efforts to calm it, secretly recorded video and photographs circulated of Mr. Lanza’s meeting with the Zelensky aide in a restaurant.

In an article featuring the photographs, a Ukrainian news outlet noted that Mr. Lanza helped lift sanctions against the corporate empire of the Russian oligarch Oleg Deripaska, a Kremlin ally. That arrangement was assailed by critics in Washington as a sweetheart deal that represented a capitulation to the Kremlin, while Mr. Lanza also lobbied to help remove potentially crippling sanctions on the Chinese telecom giant ZTE.

Mr. Mac said Mr. Lanza had been “very effective in working for his clients on difficult matters.”

Another firm that was discussed by Mr. Zelensky’s aides, Prime Policy Group, also has a Manafort link — albeit a more dated one. It was started by Charlie Black, a former business partner of Mr. Manafort’s in the 1980s and ’90s. Mr. Black’s firm has represented other clients in Ukraine, including Sergey Tigipko, a Ukrainian billionaire and former official in the government of Viktor F. Yanukovich.

Mr. Black said he had not had any conversations with Mr. Zelensky’s team about a possible contract, but would not be opposed to such an engagement.

Mr. Mac met this month in Washington to discuss Ukrainian energy issues with the former Representative Billy Tauzin, a Democrat turned Republican from Louisiana who is now a lobbyist. While someone with knowledge of the deliberations said Mr. Tauzin was not being considered as a potential lobbyist for Ukraine, he has connections that could be helpful. His congressional staff once included Dan Brouillette, who was confirmed this month as secretary of the Energy Department, upon which the Ukrainian government has relied for help with its power supply during brutally cold winters.

Ms. Conley suggested that Mr. Zelensky would be better served by an ambassador than a lobbyist, but the process of filling that vacancy has not been quick.

At least three names had been floated in recent months, and the Zelensky administration’s current preference for the position, Volodymyr Yelchenko, Ukraine’s ambassador to the United Nations, had been awaiting approval since late September or early October, according to people familiar with the process. They said that the State Department had

signed off on Mr. Zelchenko weeks ago, but that the Ukrainians had grown anxious waiting for the White House to do so. Officials in Kyiv were told that the approval would be formally communicated this week, they said. The White House and State Department did not respond to questions about the approval of Mr. Zelchenko.

Some attributed the delay to a quiet push by some Trump allies for a prospective ambassador who is closely aligned with Mr. Giuliani, Andrii Zelizhenko, who had served as a low-ranking diplomat in the Ukrainian Embassy in Washington under the previous government.

He was embraced by Mr. Trump's allies after claiming that the former American ambassador to Kyiv and other Ukrainian officials worked to undermine Mr. Trump's 2016 campaign. In recent months, Mr. Zelizhenko has worked closely with Mr. Giuliani to advance those claims. As part of the effort, the two men traveled together to Hungary and Ukraine last week to record interviews with former Ukrainian officials for a series of programs by a conservative cable channel seeking to undermine the impeachment proceedings.

It is unclear whether Mr. Zelensky's team ever seriously considered Mr. Zelizhenko as an ambassador candidate.

Kenneth P. Vogel reported from Washington, and Andrew E. Kramer from Kyiv.

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## ***Ukraine's Zelensky Bowed to Trump's Demands, Until Luck Spared Him***

Aides to Ukraine's leader, Volodymyr Zelensky, decided that military aid and support for peace talks outweighed the risks of appearing to take sides in American politics.



By Andrew E. Kramer

Nov. 7, 2019

KIEV, Ukraine — It was early September, and Ukraine's new president, Volodymyr Zelensky, faced an agonizing choice: whether to capitulate to President Trump's demands to publicly announce investigations against his political enemies or to refuse, and lose desperately needed military aid.

Only Mr. Trump could unlock the aid, he had been told by two United States senators, and time was running out. If the money, nearly \$400 million, were not unblocked by the end of the fiscal year on Sept. 30, it could be lost in its entirety.

In a flurry of WhatsApp messages and meetings in Ukraine's capital, Kiev, over several days, senior aides debated the point. Avoiding partisan politics in the United States had always been the first rule of Ukrainian foreign policy, but the military aid was vital to the war against Russian-backed separatist forces in eastern Ukraine, a conflict that has cost 13,000 lives since it began in 2014.

By then, however, Mr. Zelensky's staffers were already conceding to what seemed to be the inevitable, and making plans for a public announcement about the investigations. It was a fateful decision for a fledgling president elected on an anticorruption platform that included putting an end to politically motivated investigations.

Elements of this internal Ukrainian debate have appeared in the Ukrainian news media and seeped into congressional testimony in the United States, as part of an impeachment inquiry undertaken after accusations surfaced of Mr. Trump's demands.

But interviews in Kiev with government officials, lawmakers and others close to the Zelensky government have revealed new details of how high-level Ukrainian officials ultimately decided to acquiesce to President Trump's request — and, by a stroke of luck, never had to follow through.

Aides were arguing in favor of “bowing to what was demanded,” said Petro Burkovskiy, a senior fellow at the Democratic Initiatives Foundation who has close ties to the Ukrainian government. They were willing to do so, he said, despite the risk of losing bipartisan support in the United States by appearing to assist Mr. Trump's re-election bid. “The cost was high.”

As President Trump's principal envoy to Ukraine, Gordon Sondland, admitted Tuesday in congressional testimony, the Trump administration had withheld the military aid to pressure Mr. Zelensky to make a public statement on the two investigations: one into whether former Vice President Joseph R. Biden Jr. had pressed for the firing of a Ukrainian prosecutor who was investigating Burisma, a natural gas company where his son served on the board; the other into unproven accusations that it was Ukraine, not Russia, that meddled in the 2016 election to promote the candidacy of Hillary Clinton.

In the July 25 phone call that provoked a whistle-blower complaint and touched off the impeachment inquiry, Mr. Zelensky offered private assurances that his government would look into those matters.

But a public statement that raised doubts about Russian meddling and Mr. Biden, whom the president regarded as the greatest threat to his re-election, would be far more useful politically to Mr. Trump. Not only would it smear Mr. Biden, it could also appear to undermine the Mueller investigation into Russian electoral interference by pinning some blame on

Ukraine.

A tug-of-war ensued between a senior aide to Mr. Zelensky, Andriy Yermak, and another of Mr. Trump's envoys to Ukraine, Kurt Volker, over the wording of the proposed public statement. Mr. Volker went so far as to draft a statement for Mr. Zelensky that mentioned both investigations.

Mr. Yermak pushed back, suggesting language that mentioned investigations but in general terms, so as not to antagonize the Democrats. Late in the negotiations, the American diplomats consented to dropping mention of Ukrainian interference in the 2016 election.

Even as Mr. Yermak negotiated the wording in August, the stakes were clear. While rumors had been swirling for months about a possible hold on military aid, by early August high-level Ukrainian officials had confirmed the freeze.

The trade soon became explicit. They were approached in September by Mr. Sondland, a major donor to Mr. Trump's inauguration who had been appointed ambassador to the European Union despite having no diplomatic experience. At that point, he explained in blunt terms to Mr. Zelensky and Mr. Yermak, there was little chance the aid would be forthcoming until they made the public statement on the investigations.

"I said that resumption of the U.S. aid would likely not occur until Ukraine provided the public anticorruption statement that we had been discussing for many weeks," Mr. Sondland said in sworn testimony released Tuesday by the House committees leading the impeachment inquiry.

Mr. Trump wanted the Ukrainian president to speak on CNN, William B. Taylor Jr., the top American diplomat in Ukraine, testified.

But aides to Mr. Zelensky, on high alert to avoid any move that might irritate Mr. Trump, wondered if that was such a good idea, in that Mr. Trump habitually called CNN "fake news" in his Twitter posts.

They also uncovered a post from Mr. Trump attacking Fox News as "not working for us anymore!"

Nearly all Mr. Zelensky's top advisers favored his making the public statement, said one of the officials who participated in the debate. United States military aid, they agreed, as well as diplomatic backing for impending peace talks to end the war outweighed the risks of appearing to take sides in American politics.

There was a lone holdout — Alexander Danyliuk, the director of the national security council. Mr. Danyliuk, who resigned in late September, told the Ukrainian news media that the Zelensky administration would now need to "correct the mistakes" in relations with the United States and "in particular their own."

Finally bending to the White House request, Mr. Zelensky's staff planned for him to make an announcement in an interview on Sept. 13 with Fareed Zakaria, the host of a weekly news show on CNN.

Though plans were in motion to give the White House the public statement it had sought, events in Washington saved the Ukrainian government from any final decision and eliminated the need to make the statement.

Word of the freeze in military aid had leaked out, and Congress was in an uproar. Two days before the scheduled interview, the Trump administration released the assistance and Mr. Zelensky's office quickly canceled the interview.

Since then, Trump administration officials including the White House chief of staff, Mick Mulvaney, have tried to argue that the security assistance could not have been conditioned on the public statement, because the aid was released without it.

That stance has crumbled as a succession of United States diplomats, capped by Mr. Sondland on Tuesday, have testified in the impeachment inquiry that the freeze on aid was part of a quid pro quo designed to coerce Mr. Zelensky into making the public statement.

In Kiev, there is still a debate about whether Mr. Zelensky caved or held out. "The Zelensky team was ready to make this quid quo pro," said Mr. Burkovskiy, the analyst. "They were ready to do this."

But Pavlo Klimkin, Ukraine's foreign minister until a change of government on Aug. 29, said there was no telling what Mr. Zelensky would have ended up saying in the interview, as there were so many versions of a statement under negotiation.

"From the contacts that took place, it's difficult to say if they led, or did not lead, to concrete deals," Mr. Klimkin said in an interview. In public, Mr. Zelensky has insisted he would never order a politicized prosecution.

Either way, Mr. Klimkin said, Ukrainian officials were at the least keenly aware of the stakes — a trade of United States assistance for political favors, even as Mr. Trump's supporters have insisted they should not have viewed relations in this light.

"We are not idiots, or at least not all of us," Mr. Klimkin said.

Maria Varenikova contributed reporting from Kiev.

## Common Questions About Impeachment

- What is impeachment?**  
Impeachment is charging a holder of public office with misconduct.
- Why is the impeachment process happening now?**  
A whistle-blower complaint filed in August said that White House officials believed they had witnessed Mr. Trump abuse his power for political gain.
- Can you explain what President Trump is accused of doing?**  
President Trump is accused of breaking the law by pressuring the president of Ukraine to look into former Vice President Joseph R. Biden Jr., a potential Democratic opponent in the 2020 election.
- What did the President say to the president of Ukraine?**  
Here is a reconstructed transcript of Mr. Trump's call to President Volodymyr Zelensky of Ukraine, released by The White House.
- What is the impeachment process like?**  
Here are answers to seven key questions about the process.

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**The New York Times** <https://nyti.ms/2MT2DCS>

## ***White House Withholds 20 Emails Between Two Trump Aides on Ukraine Aid***

It contends the release of the documents sought by The Times would “inhibit the frank and candid exchange of views” in government decision-making.



**By Charlie Savage and Eric Lipton**

Published Jan. 3, 2020 Updated Jan. 4, 2020, 12:53 p.m. ET

WASHINGTON — The Trump administration disclosed on Friday that there were 20 emails between a top aide to President Trump’s acting chief of staff and a colleague at the White House’s Office of Management and Budget discussing the freeze of a congressionally mandated military aid package for Ukraine.

But in response to a court order that it swiftly process those pages in response to a Freedom of Information Act, or FOIA, lawsuit filed by The New York Times, the Office of Management and Budget delivered a terse letter saying it would not turn over any of the 40 pages of emails — not even with redactions.

“All 20 documents are being withheld in full,” wrote Dionne Hardy, the office’s Freedom of Information Act officer.

The Times’s information act request sought email messages between Robert Blair, a top aide to Mr. Trump’s acting chief of staff, Mick Mulvaney, and Michael Duffey, an official in the White House’s Office of Management and Budget who was in charge of handling the process for releasing \$391 million in weapons and security assistance Congress had appropriated to help Ukraine resist Russian aggression.

In her letter, Ms. Hardy cited exemptions to the Freedom of Information Act for correspondence involving the president’s staff and internal policy deliberations, suggesting that the disclosure of this material would “inhibit the frank and candid exchange of views that is necessary for effective government decision-making.”

David McCraw, a lawyer for The Times, said the newspaper would challenge the blanket withholding of the documents and would ask the judge overseeing the lawsuit, Judge Amy Berman Jackson, to approve an expedited schedule for briefs and arguments given the

urgent public interest in learning more about the dispute.

The heart of the accusation against Mr. Trump is that he abused his official powers, including withholding a promised White House meeting and congressionally mandated military aid, in an attempt to coerce Ukraine's president into announcing investigations that could deliver personal political benefits to Mr. Trump.

In October, the Democratic-led House Intelligence Committee had also subpoenaed the Office of Management and Budget for all Ukraine-related documents, but the White House refused to produce them. It also instructed several key current and former officials with inside knowledge of the episode not to testify.

Senator Chuck Schumer of New York, the Democratic leader, has portrayed Mr. Blair and Mr. Duffey as two of the four key witnesses he believes the Senate should call in Mr. Trump's impeachment trial, along with Mr. Mulvaney and John R. Bolton, Mr. Trump's former national security adviser. Senator Mitch McConnell, Republican of Kentucky and the majority leader, has expressed opposition to calling witnesses and again criticized the House investigation on Friday.

The Trump administration's move to withhold all the emails in full — not even disclosing the dates they were sent, or the shape of paragraphs covered by black lines — is a step beyond its heavy censorship of a related set of emails it released in response to another Freedom of Information Act lawsuit brought by the Center for Public Integrity.

The documents released to the center consisted of about 300 pages of emails between the Office of Management and Budget and the Pentagon about the Ukraine aid package. While the officially released version was heavily redacted — and the center is contesting the censorship in further litigation — the visible portions showed, among other things, that Pentagon officials had worried that holding the funds could be an illegal impoundment.

A report on Thursday by the legal policy website Just Security added further fuel to the controversy by revealing what was under some, but not all, of the deletions. The website said it had been shown some of the emails in unredacted form, including an Aug. 30 message from Mr. Duffey to a Pentagon budget official stating that there was “clear direction from POTUS” — an acronym referring to the president of the United States — “to continue to hold” the Ukraine military assistance.

The Times separately reported this week that Mr. Blair warned Mr. Mulvaney to “expect Congress to become unhinged” if the White House went ahead with the hold on the aid.

Earlier on Friday, Mr. Schumer went to the Senate floor to praise the reporting by The Times, the Center for Public Integrity and Just Security as an additional reason for the Senate, as part of Mr. Trump's trial, to seek documents and testimony that the White House

had blocked House impeachment investigators from obtaining.

“What constituted clear direction?” Mr. Schumer asked. “Did he get an order from the president, or did someone like Mr. Mulvaney get an order from the president passed on to Mr. Duffey? Was there discussion among officials about covering up for the president in delay of military assistance? These are questions that can only be answered by examination of the documentary evidence and by the testimony of key Trump administration officials under oath in a Senate trial.”

At least four collections of emails have now been released, or shared with reporters, detailing correspondence between White House officials and their counterparts at the Office of Management and Budget or the Defense Department.

Over all, these exchanges show growing tension between the White House and the Pentagon in late August and early September, as Defense Department officials questioned if they would be able to spend all of congressionally appropriated military aid to Ukraine before the deadline at the end of the fiscal year on Sept. 30.

*Maggie Haberman contributed reporting from Miami, and Mark Mazzetti from Washington.*

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## How to Keep Up

## Why Giuliani Singled Out 2 Ukrainian Oligarchs to Help Look for Dirt

[nytimes.com/2019/11/25/us/giuliani-ukraine-oligarchs.html](https://www.nytimes.com/2019/11/25/us/giuliani-ukraine-oligarchs.html)

Jo Becker

November 25, 2019



VIENNA — They were two Ukrainian oligarchs with American legal problems. One had been indicted on federal bribery charges. The other was embroiled in a vast banking scandal and was reported to be under investigation by the F.B.I.

And they had one more thing in common: Both had been singled out by Rudolph W. Giuliani and pressed to assist in his wide-ranging hunt for information damaging to one of President Trump's leading political rivals, former Vice President Joseph R. Biden Jr.

That effort culminated in the July 25 phone call between the American and Ukrainian presidents that has taken Mr. Trump to the brink of impeachment and inexorably brought Mr. Giuliani's Ukrainian shadow campaign into the light.

In public hearings over the last two weeks, American diplomats and national-security officials have laid out in detail how Mr. Trump, at the instigation and with the help of Mr. Giuliani, conditioned nearly \$400 million in direly needed military aid on Ukraine's announcing investigations into Mr. Biden and his son, as well as a debunked conspiracy theory that Ukraine, not Russia, interfered in the 2016 presidential election.

But interviews with the two Ukrainian oligarchs — Dmitry Firtash and Ihor Kolomoisky — as well as with several other people with knowledge of Mr. Giuliani's dealings, point to a new dimension in his exertions on behalf of his client, Mr. Trump. Taken together, they depict a strategy clearly aimed at leveraging information from politically powerful but legally vulnerable foreign citizens.

In the case of Mr. Firtash, an energy tycoon with deep ties to the Kremlin who is facing extradition to the United States on bribery and racketeering charges, one of Mr. Giuliani's associates has described offering the oligarch help with his Justice Department problems — if Mr. Firtash hired two lawyers who were close to President Trump and were already working with Mr. Giuliani on his dirt-digging mission. Mr. Firtash said the offer was made in late June when he met with Lev Parnas and Igor Fruman, both Soviet-born businessmen involved in Mr. Giuliani's Ukraine pursuit.

Mr. Parnas's lawyer, Joseph A. Bondy, confirmed that account and added that his client had met with Mr. Firtash at Mr. Giuliani's direction and encouraged the oligarch to help in the hunt for compromising information "as part of any potential resolution to his extradition matter."

Mr. Firtash's relationship to the Trump-allied lawyers — Victoria Toensing and Joseph diGenova — has led to intense speculation that he is, at least indirectly, helping to finance Mr. Giuliani's campaign. But until now he has stayed silent, and many of the details of how and why he came to hire the lawyers have remained murky.

In the interview, Mr. Firtash said he had no information about the Bidens and had not financed the search for it. "Without my will and desire," he said, "I was sucked into this internal U.S. fight." But to help his legal case, he said, he had paid his new lawyers \$1.2 million to date, with a portion set aside as something of a referral fee for Mr. Parnas.

And in late August, Ms. Toensing and Mr. diGenova did as promised: They went to the Justice Department and pleaded Mr. Firtash's case with the attorney general, William P. Barr.

In an interview, Mr. Giuliani acknowledged that he had sought information helpful to Mr. Trump from a member of Mr. Firtash's original legal team. But, Mr. Giuliani said, "the only thing he could give me was what I already had, hearsay." Asked if he had then directed his associates to meet with Mr. Firtash, Mr. Giuliani initially said, "I don't think I can comment," but later said, "I did not tell Parnas to do anything with Firtash."

He added, though, that there would be nothing improper about seeking information about the Bidens from the oligarchs. "Where do you think you get information about crime?" he said.

***[How Did Rudy Giuliani Get Here? The man once hailed as "America's Mayor" is at the center of the most confounding political story of the Trump presidency. Watch this special episode of "The Weekly," our TV show, available to Times subscribers in the U.S.]***

But Chuck Rosenberg, a legal expert and a United States attorney under President George W. Bush, said the "solicitation of information, under these circumstances, and to discredit the president's political opponent, is at best crass and ethically suspect."

He added: "And it is even worse if Mr. Giuliani, either directly or through emissaries acting on his behalf, intimated that pending criminal cases can be 'fixed' at the Justice Department. The president's lawyer seems to be trading on the president's supervisory authority over the Justice Department, and that is deeply disturbing."

Mr. Bondy, the lawyer for Mr. Parnas — who was arrested with Mr. Fruman last month on campaign finance-related charges and has signaled a willingness to cooperate with impeachment investigators — said in a statement that all of his client's actions had been directed by Mr. Giuliani.

"Mr. Parnas reasonably believed Giuliani's directions reflected the interests and wishes of the president, given Parnas having witnessed and in several instances overheard Mr. Giuliani speaking with the president," the lawyer said. Mr. Parnas, he added, "is remorseful for involving himself and Mr. Firtash in the president's self-interested political plot."

## A Conduit to Ukraine

By the time Mr. Giuliani turned his attention to Mr. Kolomoisky and Mr. Firtash, he had been working for months to turn up damaging information about Mr. Biden and his son Hunter, who joined the board of the Ukrainian energy company Burisma while his father was vice president.

Mr. Giuliani spoke with Ukrainian officials like Viktor Shokin, the former prosecutor general who suggested, falsely, that Mr. Biden had had him fired for looking into Burisma, as well as with Mr. Shokin's successor, Yuriy Lutsenko. And he enlisted Ms. Toensing and Mr. diGenova, trusted colleagues since their days together in the Reagan Justice Department, to help interview and potentially represent anyone willing to come forward with dirt. Mr. Parnas acted as translator and fixer, crisscrossing the Atlantic with stops at the Manhattan cigar bar that was Mr. Giuliani's hangout, a strip club in Kyiv and even a Hanukkah reception at the White House.

The campaign seemed to be paying off, with the Ukrainian president, Petro Poroshenko, poised to announce the investigations Mr. Giuliani sought, when the political situation changed. On April 21, Mr. Poroshenko was unseated by Volodymyr Zelensky, a comedian and political novice, sending Mr. Giuliani scrambling to establish a conduit. Two days later, Mr. Parnas and Mr. Fruman flew to Tel Aviv to meet with Mr. Kolomoisky, who was seen as Mr. Zelensky's patron.

Mr. Kolomoisky, a banking and media tycoon who is one of Ukraine's richest men, is also known for financing mercenary troops battling Russian-supported separatists in eastern Ukraine. Earlier in April, The Daily Beast had reported, citing unnamed sources, that the F.B.I. was investigating him for possible money-laundering in connection with problems at a bank he had owned. He is also entangled in a civil lawsuit in Delaware.

Mr. Giuliani's assessment, according to Mr. Parnas's lawyer, was that those legal problems made Mr. Kolomoisky vulnerable to pressure.

But the meeting did not go according to plan. In an interview, Mr. Kolomoisky said the two men came "under the made-up pretext of dealing liquefied natural gas," but as soon as it became clear that what they really wanted was a meeting between Mr. Giuliani and Mr. Zelensky, he abruptly sent them on their way. The exchange, he said, went like this:

"I say, 'Did you see a sign on the door that says, 'Meetings with Zelensky arranged here'?"

"They said, 'No.'

"I said, 'Well then, you've ended up in the wrong place.'"

Mr. Kolomoisky, who has denied wrongdoing in the bank case, said he had not been contacted by the F.B.I.; a bureau spokesman declined to say whether the oligarch was under investigation.

After the Kolomoisky meeting's unsuccessful end, Mr. Giuliani tweeted about the Daily Beast article and gave an interview to a Ukrainian journalist. Mr. Zelensky, he warned, "must cleanse himself from hangers-on from his past and from criminal oligarchs — Ihor Kolomoisky and others."

Mr. Kolomoisky offered a warning of his own, predicting in the Ukrainian press that "a big scandal may break out, and not only in Ukraine, but in the United States. That is, it may turn out to be a clear conspiracy against Biden."

## Help to Fight an Extradition

The pair fared better with Mr. Firtash.

For several years, Mr. Firtash's most visible lawyer had been Lanny Davis, a well-connected Democrat who also represented Mr. Trump's fixer-turned-antagonist, Michael Cohen. In a television appearance in March, Mr. Giuliani had attacked Mr. Davis for taking money from the oligarch, citing federal prosecutors' contention that he was tied to a top Russian mobster — a charge Mr. Firtash has denied.

Now, however, Mr. Giuliani wanted Mr. Firtash's help. After being largely rebuffed by a member of the oligarch's legal team in early June, he hit upon another approach, according to Mr. Parnas's lawyer: persuading Mr. Firtash to hire more amenable counsel.

There was a brief discussion about Mr. Giuliani's taking on that role himself, but Mr. Giuliani said he decided against it. According to Mr. Parnas's lawyer, that is when Mr. Giuliani charged Mr. Parnas with persuading the oligarch to replace Mr. Davis with Ms. Toensing and Mr. diGenova. The men secured the June meeting with Mr. Firtash in Vienna after a mutual acquaintance, whom Mr. Firtash declined to name, vouched for them.

In the interview, Mr. Firtash said it had been clear to him that the two emissaries were working for Mr. Giuliani. The oligarch, a major player in the Ukrainian gas market, said Mr. Parnas and Mr. Fruman initially pitched him on a deal to sell American liquefied natural gas to Ukraine, via a terminal in

Poland. While the deal didn't make sense financially, he said, he entertained it for a time, even paying for the men's travel expenses, because they had something else to offer.

"They said, 'We may help you, we are offering to you good lawyers in D.C. who might represent you and deliver this message to the U.S. D.O.J.," Mr. Firtash recalled, referring to the Justice Department.

The oligarch had been arrested in Vienna in 2014, at the American authorities' request, after his indictment on charges of bribing Indian officials for permission to mine titanium for Boeing. Mr. Firtash, who denies the charges, was free on bail but an Austrian court had cleared the way for his extradition to the United States.

In hopes of blocking that order, Mr. Firtash and his Vienna lawyers had filed records showing that a key piece of evidence — a document known as "Exhibit A" that was said to lay out the bribery scheme — had been prepared not by Mr. Firtash's firm, but by the global consultancy McKinsey & Company. But Mr. Firtash's legal team had been unable to persuade federal prosecutors to withdraw it. McKinsey has denied recommending "bribery or other illegal acts."

Ms. Toensing and Mr. diGenova, the Giuliani emissaries told him, "are in a position to insist to correct the record and call back Exhibit A as evidence," Mr. Firtash recalled.

He hired the lawyers, he said, on a four-month contract for a singular task — to arrange a meeting with the attorney general and persuade him to withdraw Exhibit A. He said their contract was for \$300,000 a month, including Mr. Parnas's referral fee. A person with direct knowledge of the arrangement said Mr. Parnas's total share was \$200,000; Ms. Toensing declined to discuss the payment but has said previously that it was for case-related translation.

There was one more piece to Mr. Parnas's play. "Per Giuliani's instructions," Mr. Parnas's lawyer said, his client "informed Mr. Firtash that Toensing and diGenova were interested in collecting information on the Bidens." (It was the former vice president who had pushed the Ukrainian government to eliminate middleman gas brokers like Mr. Firtash and diversify the country's supply away from Russia.)

While Mr. Firtash declined to say whether anyone linked to the dirt-digging efforts had asked him for information, he was adamant that he had not provided any. Doing so might have helped Mr. Giuliani, he said, but it would not have helped him with his legal problems.

"I can tell you only one thing," he said. "I do not have any information, I did not collect any information, I didn't finance anyone who would collect that information, and it would be a big mistake from my side if I decided to be involved in such a fight."

At any rate, Ms. Toensing and Mr. diGenova soon delivered for Mr. Firtash, arranging the meeting with Attorney General Barr. But by the time they met, in mid-August, the ground had shifted: The whistle-blower's complaint laying out Mr. Trump's phone call with Mr. Zelensky, and Mr. Giuliani's activities in Ukraine, had been forwarded to the Justice Department and described in detail to Mr. Barr. What's more, concerns about intervening in the Firtash case had been raised by some inside the Justice Department, according to two people with knowledge of the matter.

The department declined to comment, but Mr. Firtash said the attorney general ultimately told the lawyers to "go back to Chicago," where the case had initially been brought, and deal with prosecutors there.

Mr. Firtash continues, however, to have faith in Ms. Toensing and Mr. diGenova's ability to work the Justice Department angle. Their contract was just extended at least through year's end.

## Documents Leaked

If Mr. Firtash had nothing to offer, Mr. Giuliani still got some results.

After Ms. Toensing and Mr. diGenova came on board, confidential documents from Mr. Firtash's case file began to find their way into articles by John Solomon, a conservative reporter whom Mr. Giuliani has acknowledged using to advance his claims about the Bidens. Mr. Solomon is also a client of Ms. Toensing.

One article, citing internal memos circulated among Mr. Firtash's lawyers, disclosed that the office of the special counsel, Robert S. Mueller III, had offered a deal to Mr. Firtash if he could help with their investigation into Russian interference in the 2016 presidential election. Mr. Giuliani, who as a former federal prosecutor was aware that such discussions are hardly unusual, took the story a step further. In an appearance on Fox News, he alleged that the offer to Mr. Firtash amounted to an attempt to suborn perjury, but said the oligarch had refused to "lie to get out of the case" against him.

Then, after the meeting with Mr. Barr, Mr. Solomon posted a sworn affidavit from Mr. Shokin, the former Ukrainian prosecutor, repeating his contention that Mr. Biden had pressed for his firing to short-circuit his investigations.

Mr. Giuliani was soon waving the affidavit around on television, without explaining that it had been taken by a member of Mr. Firtash's legal team to support his case.

Mr. Firtash said he had not authorized the document's release and hoped his lawyers had not either. He said the affidavit had been filed confidentially with the Austrian court because it also included the former prosecutor's statement that Mr. Biden had been instrumental in blocking Mr. Firtash's return to political life in Ukraine — an assertion that Mr. Firtash believes speaks to the political nature of the case against him.

Ms. Toensing and Mr. diGenova declined to say whether they had played a role in leaking the documents, but Mark Corallo, a spokesman for their law firm, said that the pair "took the Firtash case for only one reason: They believe that Mr. Firtash is innocent of the charges brought against him."

When Mr. Parnas and Mr. Fruman were arrested, they were at Dulles International Airport awaiting a flight to Vienna, where they had arranged to have the Fox News host Sean Hannity interview Mr. Shokin. Mr. Giuliani was planning to join them the next day, he said in an interview.

A bemused Mr. Kolomoisky has watched the events unfold from Ukraine, where he returned after Mr. Zelensky's victory. Initially he didn't believe that Mr. Parnas was all that connected, he said, but after Mr. Giuliani started going after him, "I was able to connect A to B."

He said he had since made peace with Mr. Parnas and had spoken to him several times, including the night before he was detained. In their conversations, he said, Mr. Parnas made no secret that he was helping Mr. Firtash with his legal case. And while Mr. Kolomoisky insisted that neither Mr. Parnas nor Mr. Fruman had mentioned his own legal travails, he added:

"Had they, I would have said: 'Let's watch Firtash and train on Firtash. When Firtash comes back here, and everything is O.K., I will be your next client.'"

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**THIRTEEN UKRAINIAN SOLDIERS DIED DURING TRUMP-ORDERED FREEZE ON MILITARY AID**

BY **DAVID BRENNAN** ON 10/4/19 AT 5:03 AM EDT





NEWS

DONALD TRUMP

UKRAINE

MILITARY AID

RUSSIA

**A**t least 13 Ukrainian soldiers were killed while President Donald Trump's administration was withholding military aid from the country from mid-July to mid-September.

The men, aged from 20 to 45, are among at least 78 Ukrainian soldiers killed in action up to mid-September this year in the east of the country, according to various local media and Ukrainian government reports.

It is impossible to say whether timely delivery of American aid would have helped any individual soldier. But their deaths are a potent reminder that while the Trump administration was wrangling over military assistance, Kiev was—and remains—locked in a deadly struggle with its Russian-backed separatist adversaries.

The administration's decision to delay almost \$400 million in military aid was communicated to the State and Defense departments on July 18, according to *The Washington Post*. The Ukrainian government was not immediately made aware of the freeze.

U.S. shipments to Ukraine have included small arms, electronic warfare systems and a wide range of personnel gear and technology, including night-vision goggles.

Recent aid has also included anti-tank Javelin missiles, lauded as a symbol of Trump's commitment to helping Ukraine face down Russian and Russian-backed forces in the Donbass region. Congress earmarked at least at least \$50 million of the aid shipment for weaponry, *Politico* reported. The aid package was released on September 11.

While issue was playing out in Washington and Kiev, Ukrainian soldiers were still dying in the east. According to the *Kyiv Post*, at least three soldiers were killed at the end of July.

Bohdan Bihus, 28, Oleksandr Bardalym, 33, and Roman Dzhereleiko, 31, were all killed by separatist forces on July 18 and 19. Bihus died in an explosion, while both Bardalym and Dzhereleiko were killed by snipers. The *Kyiv Post* reported that Bardalym was shot dead while trying to evacuate a wounded comrade.

1/6/2020

Thirteen Ukrainian Soldiers Died During Trump-Ordered Freeze on Military Aid

Seven more men died in August: Oleksandr Sharko, 30, Vladyslav Rak, 20, Serhiy Shandra, 24, Vasyl Kurdov, 20, Roman Romanenko, 25, Vasyl Yevstyhneyev, 38, and Tykhon Kurbatov, 26.

Four of the men—Sharko, Rak, Shandra and Kurdov—were marines all killed together on the morning of August 6. The men were caught in an enemy artillery barrage while conducting engineering work on their positions.

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At least three more soldiers were killed before the aid was released on September 11. The *Kyiv Post* reported that one soldier was killed on September 2. The *Unian* news agency noted that another soldier was killed by enemy shelling on September 4 and another on September 5.

The war in Donbass has claimed more than 13,000 lives since fighting erupted in 2014. Another 30,000 people have been wounded. More than 3,300 of those killed were civilians, while more than 1.6 million people have been forced from their homes.

At least six civilians were killed and 22 injured in eastern Ukraine during July and August this year, according to the Office of the United Nations High Commissioner for Human Rights.

A visitor stands at a wall at St. Michael's Monastery covered with photos of the Ukrainian soldiers killed in the war against Russian separatists in the Donbass region of eastern Ukraine on October 3, 2019 in Kiev, Ukraine.

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Pro-Russia separatist soldiers celebrate in Lugansk, Ukraine, in 2014. | Spencer Platt/Getty Images

#### BUDGET & APPROPRIATIONS

## Trump holds up Ukraine military aid meant to confront Russia

By **CAITLIN EMMA** and **CONNOR O'BRIEN** | 08/28/2019 06:11 PM EDT | Updated 08/29/2019 03:40 PM EDT

The Trump administration is slow-walking \$250 million in military assistance to Ukraine, annoying lawmakers and advocates who argue the funding is critical to keeping Russia at bay.

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, a senior administration official told POLITICO on Wednesday.

But the delays come amid questions over Trump's approach to Russia, after a weekend in which the president repeatedly seemed to downplay Moscow's military intervention in Ukraine and pushed for Russia to be reinstated into the Group of Seven, an annual gathering of the world's largest advanced economies. The review is also occurring amid a broader internal debate over whether to halt or cut billions of dollars in foreign aid.

United States military aid to Ukraine has long been seen as a litmus test for how strongly the American government is pushing back against Moscow.

The Trump administration in 2017 approved lethal arms sales to Ukraine, taking a step the Obama administration had never done. The move was seen as a sign that Trump's government was taking a hard-line approach to a revanchist Vladimir Putin despite the president's public rhetoric flattering the Russian leader. Scaling back that assistance could expose Trump to allegations that his policies are favoring Moscow.

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For the 2019 fiscal year, lawmakers allocated \$250 million in security aid to Ukraine, including money for weapons, training, equipment and intelligence support. Specifically, Congress set aside \$50 million for weaponry.

Now, that funding is being called into question. The senior administration official, who asked to remain anonymous in order to discuss internal matters, said the president wants to ensure U.S. interests are being prioritized when it comes to foreign assistance, and is seeking assurances that other countries are "paying their fair share."

Defense Secretary Mark Esper and national security adviser John Bolton are among the officials who were asked to review the Ukraine security funding.

A senior Defense Department official told POLITICO that "the department has reviewed the foreign assistance package and supports it."

But the White House explanation that Trump wants to ensure the money is being spent properly isn't sitting well with lawmakers on Capitol Hill, where members of both parties have pushed to increase military assistance to Ukraine and U.S. military efforts to deter Russia in Eastern Europe.

There is "an at least temporary effect," said Rep. Tom Malinowski, a New Jersey Democrat who sits on the House Foreign Affairs Committee. "The bigger problem is that Trump is once again showing himself to be an asset to Russia."

Sen. Bob Menendez (D-N.J.), the ranking Democrat on the Senate Foreign Relations Committee, vowed that the administration's move "will be met with fierce opposition in Congress."

"Enough is enough," he said in a statement. "President Trump should stop worrying about disappointing Vladimir Putin and stand up for U.S. national security priorities."

The funds for Ukraine can't be spent while they're under review and the money expires at the Sept. 30 end of the fiscal year. The account was originally created by defense policy legislation enacted in late 2015 to help Ukraine battle pro-Russian separatists in Crimea after Moscow annexed the region in 2014.

"We are aware of an [Office of Management and Budget] hold on funding for the Ukraine Security Assistance Initiative," House Appropriations Committee spokesperson Evan Hollander said in a statement. "We have serious concerns about a freeze on these important appropriated funds, and we are urgently inquiring with the administration about why they are holding up these resources."

The House Armed Services Committee "is aware of the restriction, but have requested additional information about what it means and is applied to," an aide told POLITICO.

In a POLITICO op-ed in April, Senate Armed Services Chairman Jim Inhofe (R-Okla.) called for boosting funding for the Ukraine Security Assistance Initiative and argued that a bigger portion of the money "should go to support defensive lethal aid that will make Ukraine a more difficult target for Putin's aggression."

Trump is scheduled to meet this weekend in Warsaw, Poland, with Ukrainian President Volodymyr Zelensky.

The Trump administration's broader push to freeze or slash foreign aid that White House officials contend is wasteful has sparked intense bipartisan backlash, with lawmakers warning of a deteriorating relationship with the White House when it comes to the use of appropriated funds.

The administration dropped a plan last week amid congressional fury that would have cut more than \$4 billion across 10 areas of foreign assistance, including funds for international peacekeeping operations, narcotics control and global health efforts. The administration also backed off a similar plan last year.

Rep. Hal Rogers (R-Ky.), ranking member of the House Committee that oversees funding for the State Department, and Sen. Lindsey Graham (R-S.C.), a member of the Senate Foreign Relations and Appropriations committees, both warned Trump against the package of funding cuts.

Top Republicans and Democrats on the House Foreign Affairs Committee and Senate Foreign Relations Committee also sounded the alarm.

Daniel Fried, a career diplomat who has served in both Republican and Democratic administrations and was most recently the State Department coordinator for sanctions policy, said the review sends the wrong message to a Democratic ally under intense pressure from Moscow's aggressive behavior.

"If the Administration has a good reason for a sudden cut to security assistance to Ukraine, they should share it," Fried told POLITICO. "Ukraine's new leaders, in office through free and fair elections, have earned and deserve America's support, not mixed signals."

Trump has also withheld hundreds of millions of dollars in aid to Central America and sought to shuffle around federal funds in order to bolster Trump's immigration enforcement priorities.

For example, the administration plans to divert \$271 million from various Department of Homeland Security accounts — including \$155 million in federal disaster aid — to beef up funding for its immigration enforcement effort.

"It is of great concern that during the course of this administration, there has been a growing disconnect between the will of Congress ... and the department's immigration enforcement proceedings, which often lack justification," Rep. Lucille Roybal-Allard (D-Calif.), who chairs the House subcommittee that funds DHS, said in a recent letter to acting Homeland Security Secretary Kevin McAleenan.

In a statement on Wednesday, a FEMA spokesperson said the move won't affect long-term recovery efforts underway in states and territories ravaged by hurricanes, wildfires and flooding.

*Natasha Bertrand contributed to this report.*

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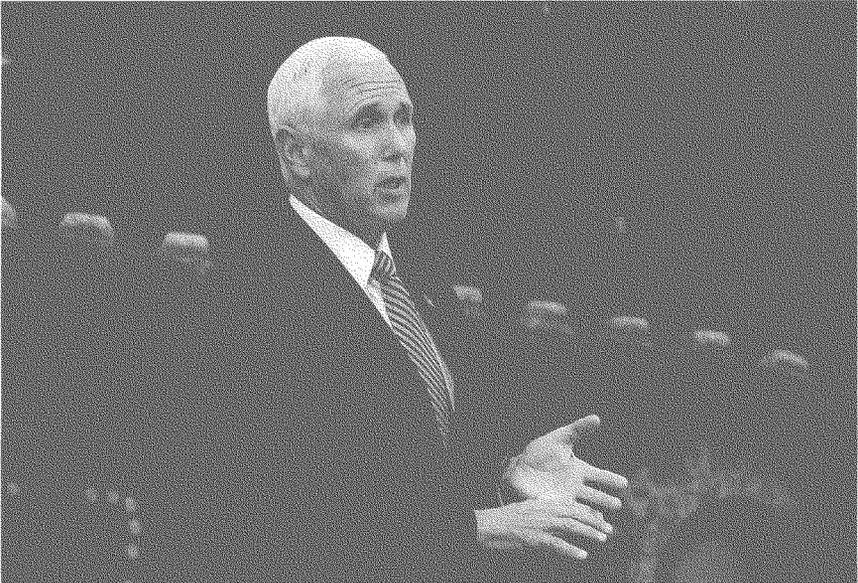
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WHITE HOUSE

## Pence says he's working to release transcripts of his calls with Ukraine leader



Vice President Mike Pence speaks to reporters in Waukee, Iowa. | Charlie Neibergall/AP Photo

By **MATTHEW CHOI**

10/09/2019 08:18 PM EDT

Updated: 10/09/2019 08:38 PM EDT



1/3/2020

Pence says he's working to release transcripts of his calls with Ukraine leader - POLITICO

Vice President Mike Pence said on Wednesday that he was working to release transcripts of his phone calls with President Volodymyr Zelensky of Ukraine, but he avoided answering directly whether he knew of any moves by the Trump administration to get Ukraine to investigate the Biden family.

House Democrats formally requested a transcript of a call between Pence and Zelensky, along with a trove of other documents, in a letter to the vice president on Friday.

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Speaking with reporters after an event in Waukee, Iowa, with Sen. Joni Ernst (R-Iowa), Pence said he didn't mind making public his communications with Zelensky, even as President Donald Trump faces an impeachment inquiry over comments he made in a phone call with the Ukrainian leader. Trump asked Zelensky in July to investigate former Vice President Joe Biden and his family — a request confirmed by a White House summary of their call.

"I'd have no objection to that," Pence said of releasing transcripts of his own phone calls. "And we're discussing that with White House counsel as we speak."

In their letter, House Democrats referred to news reports that someone on Pence's team was involved in the call between Trump and Zelensky and that

Pence might have reviewed a transcript of the call. The letter aimed to see to what extent he was involved in the call between the two presidents.

Pence repeatedly avoided questions on Wednesday about whether he had known about Trump's intention to ask Zelensky to investigate Biden, a top contender for the 2020 Democratic presidential nomination. Pence replied that had he never discussed the Bidens with Zelensky.

When pushed on whether he knew as a member of the administration about Trump's request, Pence responded: "What I can tell you is, all of our discussions internally, between the president and our team, and our contacts and my office with Ukraine, were entirely focused on the broader issues of the lack of European support and corruption."

Pence also emphasized a Trump defense that Zelensky did not feel pressured to investigate the Bidens. The timing of Trump's call, along with a sudden suspension of U.S. military aid to Ukraine, raised suspicions of a quid pro quo. Trump's critics have postulated that the president held up vital help for Ukraine to hold back Russian aggression in exchange for dirt on a presidential rival.

"Let's be very clear that President Zelensky said there was no pressure," Pence said, according to a report from the press pool traveling with him. "I think his words were, no one pushed. And a clear reading of the transcript shows that there was no quid pro quo in the president's call with President Zelensky."

Democrats have argued that regardless of any carrot or stick Trump may have used, the fact that he asked for foreign assistance that could help him in a U.S. election was grounds for impeachment. The Trump administration has also refused to cooperate with House Democrats' impeachment inquiry, a move that could result in articles of impeachment against the president for obstructing a congressional investigation.



CONGRESS

## Republicans break with Trump and Rand Paul on whistleblower unmasking

"We should follow the law. And I believe the law protects whistleblowers."



By **BURGESS EVERETT** and **MARIANNE LEVINE**

11/05/2019 12:48 PM EST

Updated: 11/05/2019 05:52 PM EST



Standing beside President Donald Trump on Monday night, Sen. Rand Paul called for the media to unmask the Ukraine whistleblower and was cheered by rallygoers in Kentucky.

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On Tuesday, the Kentucky Republican went a step further, threatening to reveal the name himself.

But many of Paul's colleagues oppose the idea of exposing the identity of the person who helped launch the impeachment drive by detailing Trump's call with the Ukrainian president.

Senior Senate Republicans are worried about the precedent it would set, fearing government sources would be less likely to reveal wrongdoing in future presidencies.

They also have a simpler concern: not breaking the law.

"We should follow the law. And I believe the law protects whistleblowers," said Sen. Lamar Alexander (R-Tenn.).

"The whistleblower statute is there for a reason. And I think we need to respect the law where whistleblowers are concerned. Eventually that person may decide to come forward voluntarily," said Senate Majority Whip John Thune (R-S.D.), who added that senators like Paul are frustrated with the lack of transparency from the House

Sen. Rob Portman (R-Ohio) said officials “ought to respect the whistleblower laws,” as did Sen. Rick Scott (R-Fla.). Several senators cited the work of Chuck Grassley, the most senior Senate Republican, who has made whistleblower protections a signature issue.

On Tuesday the Iowa Republican reiterated his stance. “All I can say is I expect whistleblowers to be protected according to what the law gives them,” Grassley said.

“I write whistleblower laws. I got to go by what the law says, and things of that nature so I made my position pretty clear,” he added. “And journalists will have to do what journalists do.”



Sen. Mitt Romney (R-Utah) also expressed his support for the whistleblower.

“Whistleblowers should be entitled to confidentiality and privacy, because they play a vital function in our democracy,” Romney said.

But Paul told reporters Tuesday he is “more than willing to and probably will at some point” name the whistleblower.

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"There is no law preventing anybody from saying the name whether you're in the media or you're an elected official," he said.

Sergio Gor, a spokesman for Paul, added: "The whistleblower statute protects the accuser from being fired but says nothing about skeptics revealing his name. There is absolutely no statute that prevents anyone, other than the inspector general, from releasing the accuser's name."

Not everyone is breaking with Paul, a libertarian-leaning Republican whose positions are often at odds with his colleagues.

Sen. Lindsey Graham (R-S.C.), who is also tight with Trump, said the public should "absolutely" know the whistleblower's identity and argued the whistleblower statute is being "terribly abused."

"I don't think the president of the United States needs to be impeached based on an anonymous complaint," Graham said. "There is no substitute for us knowing who the whistleblower is. What connections does he have to other people? What are the biases, if any? You cannot do this without the whistleblower being cross-examined."

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Sen. John Barrasso (R-Wyo.) said Tuesday that whistleblowers should be able to come forward but added — in an echo of Trump and his allies — “people ought to be able to face their accusers.”

Andrew Bakaj, an attorney for the whistleblower, tweeted guidance for members of Congress to not expose his client's identity.

"If Congress and others do not protect my client's anonymity — which my client is afforded to by law — not only does it jeopardize their safety, but it jeopardizes an entire system that took decades to build. It will destroy effective congressional oversight for years to come," Bakaj said.

The president has aimed sustained attacks on the whistleblower and several conservative media outlets have speculated on the person's identity, leading Paul to call for more mainstream outlets to join the effort. Trump himself has encouraged the media to reveal the whistleblower's identity.

In such a politically charged atmosphere, several GOP senators declined to answer the questions. Others said the whistleblower complaint has been overtaken by other events.

"It's kind of a moot issue. ... People can read the transcript themselves," said Sen. John Cornyn (R-Texas).

"He's already been outed. I think we all know who it is," said Sen. Joni Ernst (R-Iowa) cryptically.

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The Senate Intelligence Committee is also interested in the whistleblower, according to Sen. Roy Blunt (R-Mo.), a member of the committee.

Blunt said he did not share Paul's view that the whistleblower's identity should be made public "but it's also not my view that the whistleblower should be able to answer questions anonymously."

"The whistleblower should come and answer questions for the Intel Committee," Blunt said.

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A spokeswoman for Chairman Richard Burr (R-N.C.) confirmed Burr wants to interview the whistleblower.

Even as Republicans debated the notion of unmasking a confidential government source protected by whistleblower law, a new litmus test was already emerging for the party

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On Monday, Paul tweeted that both the whistleblower and Hunter Biden should be subpoenaed by Congress — leading to a new round of questions for members of the GOP.

Cornyn said the former vice president’s son could be called to testify “if there’s legitimate legislative interest in doing so.”

"Otherwise I wouldn’t do it," he said.

*James Arkin contributed to this report.*

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EXCLUSIVE

## Senate panel look into Ukraine interference comes up short

Some Republican senators recently questioned whether Kyiv tried to sabotage Donald Trump's campaign in 2016. But the GOP-led Intelligence Committee looked into the theory, and found scant evidence to support it.



Senate Intelligence Committee Chairman Richard Burr. | Mark Wilson/Getty Images

By **NATASHA BERTRAND**

12/02/2019 04:36 PM EST



With the impeachment inquiry charging forward, President Donald Trump's

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allies have defended his demand for political investigations from Ukraine by claiming that the government in Kyiv tried to sabotage his candidacy and boost Hillary Clinton in 2016.

“Russia was very aggressive and they're much more sophisticated, but the fact that Russia was so aggressive does not exclude the fact that President Poroshenko actively worked for Secretary Clinton,” Republican Sen. John Kennedy claimed on Sunday in an interview with NBC, referring to the former Ukrainian president.

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But the Republican-controlled Senate Intelligence Committee thoroughly investigated that theory, according to people with direct knowledge of the inquiry, and found no evidence that Ukraine waged a top-down interference campaign akin to the Kremlin's efforts to help Trump win in 2016.

The committee's Republican chairman, Richard Burr of North Carolina, said in October 2017 that the panel would be examining “collusion by either campaign during the 2016 elections.”

But an interview that fall with the Democratic consultant at the heart of the accusation that Kyiv meddled, Alexandra Chalupa, was fruitless, a committee source said, and Republicans didn't follow up or request any more witnesses related to the issue.

The Senate interview largely focused on a POLITICO article published in January 2017, according to a person with direct knowledge of the closed-door hearing, in which Chalupa was quoted as saying officials at the Ukrainian Embassy were "helpful" to her effort to raise the alarm about Trump's campaign chairman Paul Manafort in 2016.

"If I asked a question, they would provide guidance, or if there was someone I needed to follow up with," she said at the time. She cautioned, however, that the embassy was "very careful" not to get involved politically because of the bipartisan support Ukraine has traditionally enjoyed from U.S. lawmakers. As the POLITICO article noted, there was "little evidence" of a "top-down effort" by the Ukrainian government to sabotage Trump's campaign. And the article did not allege that Poroshenko "actively worked" for Clinton, as Kennedy claimed.

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In her Senate testimony, Chalupa denied serving as an intermediary between the Ukrainian embassy and the DNC and said she had been targeted by a Russian active measures campaign. Intelligence officials have since briefed senators on Russia's attempts to pin blame for the 2016 interference on Kyiv as part of a disinformation operation, according to a source familiar with the briefings, which were first reported by the New York Times.

Chalupa confirmed to POLITICO that she was questioned by the panel. A spokesperson for Burr declined to comment. A spokesperson for the ranking member, Mark Warner, pointed to Warner's recent comments to PBS.

"I take very seriously the responsibility of, what I hear in classified settings needs to stay classified," Warner told the outlet. "But I think it is very clear to me, and this has been testified to by every leader of law enforcement, [and the]

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intelligence community, that there's been absolutely no validity to this crazy conspiracy theory that Ukraine was behind the 2016 intervention."

In a brief hallway interview after this story was published, Burr declined to say if he believes Ukraine interfered in the 2016 election. But, he said, "The elected officials in Ukraine had a preference. Her name is Hillary Clinton."



Sen. Mark Warner. | Susan Walsh/AP Photo

Senate Intelligence Committee member Angus King of Maine, an independent who caucuses with the Democrats, declined to comment on what the committee has or hasn't investigated.

But he said in an interview that he's "probably been to between 20-30 briefings and hearings on this subject of election interference in 2016, and I have never heard one word about any culpability on the part of Ukraine."

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"It has never been mentioned in any of the briefings I've had on the Intelligence Committee," King said. He called the claims about Ukraine's interference in 2016 "unfortunate" because "it muddies the waters," and noted that Russia's attempts to blame Ukraine are not inconsistent with its standard disinformation tactics.

Chalupa, a Ukrainian-American activist who served as co-chair of the Democratic National Committee's Ethnic Council, has never been to Ukraine, and the DNC has said she conducted the Manafort research and outreach to the embassy on her own.

But she has been at the heart of efforts by Trump's allies to draw parallels between Russia's large-scale hacking and propaganda operation with the scattershot actions of a small cadre of Ukrainian bureaucrats who tried to expose Manafort's ties to Russia during the election.

Republicans have also pointed to an op-ed written by Ukraine's ambassador to the U.S., Valeriy Chaly, in August 2016 that criticized Trump's remark days earlier that he would be "looking into" recognizing Crimea as Russian territory.

In her testimony, Trump's former top Russia adviser Fiona Hill acknowledged Chaly's comments, but said she knew of "an awful lot of senior officials in many governments, including our allied governments" who had criticized Trump in 2016. And she called it "a fiction that the Ukrainian government was launching an effort to upend our election, upend our election to mess with our Democratic systems."

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Asked whether a Ukrainian-American might have been interested in “injecting” negative information about Manafort into the press, Hill retorted that the same could be said of the Ukrainian-American operatives Lev Parnas and Igor Fruman, two associates of Trump’s lawyer Rudy Giuliani “who were also trying to subvert our democracy and who managed to get one of our ambassadors sacked.” (Parnas and Fruman helped launch a smear campaign that culminated last spring in the early recall of Marie Yovanovitch, the former U.S. ambassador to Ukraine.)

“I’ve learned in the last few days that there were some individual people in Ukraine who preferred Hillary Clinton to Donald Trump,” King said in the interview, adding that that was “not surprising” given Trump’s comments about Crimea. “But as near as I can tell, it was simply individuals expressing a preference,” King said. “Not in any way, shape or form the kind of influence operation we saw from Russia in 2016.”

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GOP lawmakers have invoked Chalupa’s name repeatedly throughout the impeachment inquiry—the House Intelligence Committee’s top Republican, Devin Nunes, alone has mentioned her nearly a dozen times in his opening statements and questioning—to show that it was not unreasonable for Trump to demand that Ukrainian President Volodymyr Zelensky announce an investigation into the unsubstantiated allegations of Ukraine’s interference in 2016. Trump also asked Zelensky to investigate Joe Biden and his son Hunter.

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Those requests, which Hill described as “a political errand” at odds with official U.S. policy, are at the center of the ongoing impeachment inquiry.



President Donald Trump's former top Russia adviser Fiona Hill. | Chip Somodevilla/Getty Images

Republicans have also pointed to the publication of the so-called black ledger outlining off-the-books payments Manafort received from Ukraine's pro-Russia Party of Regions as evidence of a Ukrainian interference plot. The revelation led Manafort to resign from the Trump campaign, which was already under scrutiny for its Russia ties.

But the ledger was released by an independent Ukrainian government agency, the National Anti-Corruption Bureau of Ukraine, and publicized by Sergii Leshchenko—a Ukrainian member of Parliament who, despite Senator Kennedy's claims that Poroshenko “worked” with Clinton in 2016, grew to oppose Poroshenko and accused him of launching a politically motivated investigation into the ledger's release to curry favor with Trump. That investigation was spearheaded by ousted Ukrainian prosecutor Yuriy Lutsenko.

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Leshchenko recently described his motivations in publicizing the black ledger in an article for the Kyiv Post, an English-language newspaper in Ukraine. “On May 31, 2016, I gave a press conference and released the 22 pages [of the ledger] that I had,” Leshchenko wrote. “Manafort was not mentioned there. His role became known only three months later, in August 2016, when the New York Times reported about it.”

“In Ukraine, it was no secret to anyone that Manafort worked for Yanukovych and was generously paid,” he continued. “And since Manafort at that time became the head of Trump’s campaign, it was predictable enough that American journalists would dig for Manafort’s name in Yanukovych’s black ledger.”

Ukraine’s Sixth Administrative Court of Appeals canceled a court ruling in July that said Leshchenko and the head of NABU, Artem Sytnyk, had unlawfully interfered in the 2016 election by publicizing the fact that Manafort’s name and signature appeared on the ledger, according to the Kyiv Post.

The Ukrainian lawmaker who initiated the court case alleging interference in the U.S., Boryslav Rozenblat, was himself under investigation on corruption charges when he filed the suit, raising questions about its legitimacy.

Trump’s request to Zelensky to investigate Ukraine’s election interference, however, invoked a debunked conspiracy theory that few Republicans have entertained—that the Democratic National Committee gave its server to a

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“Ukrainian company” to examine after it had been hacked, ostensibly in an effort to frame Russia for the attack.

In reality, the DNC hired CrowdStrike—a cybersecurity firm used by Democrats and Republicans that was co-founded by a Russian—to investigate, and the company shared the forensic evidence, which demonstrated Russia’s involvement, with the FBI.

Trump’s own former homeland security adviser, Tom Bossert, has described his fruitless attempts to convince the president that the Crowdstrike theory was bogus. “It’s not only a conspiracy, it is completely debunked,” Bossert told ABC in September. “And at this point I am deeply frustrated with what he and the legal team is doing and repeating that debunked theory to the president. It sticks in his mind when he hears it over and over again and for clarity here ... let me just again repeat that it has no validity.”

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Asked about CrowdStrike’s work with the DNC and coordination with the FBI, Adam Hickey, the deputy assistant attorney general for the DOJ’s National Security Division, told the House Judiciary Committee in October that “it’s pretty common for us to work with a security vendor in connection with an investigation of a computer intrusion.”

Asked by Rep. Debbie Lesko (R-Ariz.) “what other countries had shown an interest or tried to interfere in the 2016 election,” Hickey replied, “based on

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what I've read, both from what the IC has put out and also investigations by Congress, what I've seen only refers to Russia, that I'm aware of."

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The Senate Intelligence Committee concluded in a bipartisan report—after conducting “interviews of key individuals who have provided additional insights into these incidents—that Russia hacked the DNC, and agreed with the intelligence community’s 2017 assessment that “Putin and the Russian Government aspired to help President-elect Trump’s election chances when possible by discrediting Secretary Clinton.”

Two volumes of the committee’s final report, entitled “Russian Active Measures Campaigns and Interference in the 2016 U.S. Election,” have been released so far, and neither address the theory that Ukraine interfered in the 2016 election.

In Volume 2, however, which focuses on Russia’s use of social media to wage disinformation campaigns, the committee flagged another episode in which Russia sought to blame Ukraine for its own misconduct: specifically, the “menu of conspiracy theories and false narratives” Russia introduced in 2014 to account for the downing of Malaysian Airlines Flight 17.

Russia has repeatedly pointed the finger at Kyiv, despite the conclusion by a team of international investigators that the plane was destroyed by Russia-backed Ukrainian separatists—aided by three Russians close to Russian intelligence services—operating in separatist territory using Russia-provided weapons systems.

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*Marianne Levine contributed reporting.*

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## So... this is Nixon's fault?

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### The Agenda

#### Paying for It

The Budget Act was written to solve one tricky problem from the '70s—and caused a much, much bigger crisis.

Anyone watching Congress trying to negotiate the U.S. budget might wonder who could possibly have designed such a process. Thanks to an endlessly complicated scheme of resolutions and committees, Washington every year cycles through a charade of planning, followed by brinkmanship over spending, followed by shutdown threats and debt-ceiling showdowns and some kind of after-deadline scramble to prevent a globally humiliating default.

How did we get this system?

The surprising answer is that the American budget process was born as a thoughtful reform.

The Budget Act was written 40 years ago, and was supposed to fix a few big problems—in particular one caused by President Richard Nixon.

The president had been antagonizing Congress by blaming it for budget deficits and inflation. John Ehrlichman, a top Nixon adviser, loudly denounced the “credit-card Congress,” and likened it to a derelict relative who impoverished a family by running up bills. Nixon upped the pressure by telling Congress to spend no more than \$250 billion, and by threatening to veto appropriations bills that exceeded this cap.

More dramatically, Nixon also used a power he had as president: He impounded—simply refused to spend—funds appropriated by Congress.

Presidents since the founding had done this, including Lyndon Johnson. It seldom was a big deal, so long as the amounts were small, the rationales for impoundment were sound, and appropriators were consulted. Nixon, however, didn't keep it small: He impounded tens of billions of dollars, often to gut programs he did not like. Gallingly, Caspar Weinberger, his deputy director of the Office of Management and Budget, told Congress the Constitution empowered the president to decide whether to spend money. All of which precipitated a constitutional crisis, since the Constitution gives Congress the power of the purse.

The architects of the 1974 Congressional Budget and Impoundment Control Act thought they had fixed the nation's pocketbook, starting by limiting the power of Nixon to disrupt it. And in a way, it worked. But it also turned into a powerful lesson about unintended consequences, and the risks of assuming too much of Congress.

**LOOKING BACK ON** that moment in Washington history, Rep. Bill Archer (R-Texas), a budget hawk who served in the House from 1971 to 2001, later remarked: "The culture then was that the president has too much power. We don't like the president. The president is abusing his power.... The idea was that we're going to take power away from the president and constitute it within the Congress."

To take back control of the budget, Congress formed a new committee in 1972, held hearing after hearing, and produced a 4,600-page record of testimony and reports. Less than two years later, a new budgeting scheme became law: the CBA, for short, passed on July 12, 1974, with little dissent. Nixon, mired in Watergate and a month from resigning, signed the legislation.

The budgeting process the CBA replaced was vague and little understood outside of Congress. The president would send Congress a budget, which would pass appropriations acts in response. The process was dominated by powerful committee chairmen. Appropriations often were late, and supplemental spending bills were passed ad hoc. Pork-barrel projects were many. Nixon trolled Congress for this "hoary and traditional" appropriations process, which failed to "consider the total financial picture when it votes on a particular spending bill."

By comparison, the 43-page CBA mandated a rational—if complicated—process. New budget committees in both the House and Senate, assisted by the newly created nonpartisan Congressional Budget Office, would actually plan according to data. The committees receive spending and revenue data from the president's budget, CBO reports, and the "views and estimates" of the various committees that authorize government spending. The budget committees then are to report a spending resolution that Congress as a whole adopts. This would be, officially, the budget; thereafter, the appropriations committees can move bills to spend the portions of the budget authority allocated to them. As initially enacted, the CBA required a second budget resolution to update the budget as

needed—say, if tax revenues didn't come in as projected. The entire process would start in February and conclude in September before the new fiscal year commenced. The intended result: a federal spending program that came in on time and within budget.

Instead, the very first budget resolution arrived a month late in 1975 and proposed higher spending than President Gerald Ford had requested. It augured the fiscal future.

To its credit, the CBA did fix the main problem it set out to solve: it curbed excessive presidential impoundments. No president can do what Nixon did. Title X of the act limits when and how an executive can not spend funds. And it created the much-needed office of the CBO, which helpfully brought nonpartisan brains to the budget process. Today, CBO cost estimates—known as “scores”—helpfully serve as a price tag on new legislation.

But in all other respects, the CBA has failed. Congress has run deficits 36 of the 40 years since adopting it. The national debt is \$18 trillion, and it has tripled as a percentage of GDP since 1974.

Since the enactment of the Congressional Budget and Impoundment Control Act, Congress has adopted a budget resolution on time only six times. It blows the deadline by an average of nearly 40 days. Congress virtually never passes the 12 appropriations bills by the CBA's deadline, and often passes none at all. Instead, chamber leaders rush through omnibus spending bills and continuing resolutions whose contents are unknown to most legislators.

Ignominiously, the budgeting process established by the CBA—that guideline document written by both chambers—has devolved into a time-sucking, deceptive messaging exercise based upon dubious or outright bogus assumptions. The FY2016 budget that the GOP boasted about in April is a case in point. It balances the budget in part by claiming that its tax reforms would generate \$1 trillion in revenue. The budget also assumes Obamacare will be abolished, that roaring economic growth will boost tax revenues; it dodges budget caps by slipping \$94 billion in defense spending into an “Overseas Contingency Operations” fund, and uses a cost-shuffling gimmick called “CHIMPS” (changes in mandatory spending programs) to claim illusory savings that are then spent on other government initiatives.

To be clear, Republicans are not the only ones guilty of fiscal legerdemain. Former Rep. David Obey, (D-Wis.), who served two stints as chairman of the House Appropriations Committee, remarked in 1982: “Under the existing conditions the only kind of budget resolution you can pass today is one that lies. We did it under Carter, we have done it under Reagan, and we are going to do it under every president for as long as any of us are here, unless we change the system, because you cannot get members under the existing system to face up to what the real numbers do. You always end up having phony economic assumptions and all kinds of phony numbers on estimating.”

**THE CBA WAS** a serious attempt to reform federal budgeting, but in hindsight there were

any number of reasons it was doomed to fail—and they offer a powerful window into the gap between what we expect of Congress, and what it can actually get done.

Some of these reasons are procedural. The CBA mandates a baroque budget-producing process that the legislature must complete in a little over 70 weekdays and which can easily be tripped up. And the budget resolution can be adopted by a simple majority of both chambers, but appropriations acts, as budget guru Stan Collender points out, need 60 or more votes in the Senate *and* a presidential signature. This difference encourages politicized budget resolutions that only occasionally get enacted into actual taxing and spending policies.

Budgeting, at bottom, is about making tough choices, and the CBA doesn't empower the budget committees to make them. Making a budget resolution acceptable to Congress means the budget committees must placate the appropriators and every other legislator who has taxing and spending preferences. The budget committees also have no control over the costs of entitlements, which account for 70 percent of federal spending.

In a bigger sense, you could say the CBA's flaws are the flaws of democracy. Its most basic conceit is the supposition that 535 legislators could decide annually the nation's spending priorities, and commit themselves to it. The CBA threw out the old president-led and appropriator-controlled system, replacing it with a less hierarchical, more inclusive process. As such, it invited more conflict among legislators, and created more access points for proliferating interest groups. The CBA also wrongly presumed public pressure would curb Congress from running up deficits.

Critically, the law fails to unify the three portions of the budgetary process. When it was working on the CBA, the Joint Study Committee on Budget Control advocated a budget process with a trigger. If Congress failed to adopt a budget on time, the president's budget would serve as the budget resolution. Appropriators then could go ahead and appropriate. Instead, CBA's budget process is an uncoordinated hurly-burly. Each year, the president issues his budget, which Congress is free to ignore (Nothing in the CBA requires legislators to do anything with the president's budget). Then Congress may or may not produce its own budget. The budget resolution is not a straitjacket. It is little more than a guide, and its enforcement mechanisms can be dodged to permit additional spending. Eventually, appropriators or leadership will move spending bills. It is the very antithesis of rational fiscal planning.

Over the years, Congress has made various repair efforts. Sensibly, it got rid of the CBA's demand that Congress pass a second budget resolution each autumn. As deficits got worse in the 1980s and 1990s, Congress tried bigger fixes: the 1985 Gramm-Rudman-Hollings Act, which set decreasing annual deficit targets, and the 1990 Budget Enforcement Act, which

toughened enforcement of deficit reduction. In desperation, Congress effectively resurrected Nixon's old impoundment power by establishing a line item veto (1996) to permit the president to zero out programs. The Supreme Court promptly struck it down.

None of these efforts fundamentally changed the budget process set by the CBA, but remarkably, Congress may have stumbled onto a model for a more workable Congressional Budget Act. The 2011 Budget Control Act came after Republicans refused to raise the debt ceiling without budget cuts. The BCA is less than 30 pages in length, and its provisions are far easier to understand and obey than the CBA and its budget resolution.

The BCA is potent policy that packed a big trigger. A joint committee had to report a plan for cutting the federal deficit by \$1.5 trillion over 10 years. If the committee (popularly known as the "super committee") failed to report—which it didn't do—or if Congress did not approve this plan under expedited procedures, the BCA's \$1.2 trillion in automatic cuts ("sequestration") would kick in. The statute also provided a joint executive-legislative process to increase the debt ceiling.

Today, the Budget Control Act, slightly modified, remains the law of the land. Effectively, it supplanted the CBA by taking from Congress' hands the CBA's annual question, "How much should we spend?" The BCA locks in annual spending levels that Congress cannot exceed without passing a law. The sequester was never even supposed to go into effect—it was supposed to be so appalling that nobody would allow it to happen. Instead, Congress proved unable to steer around it, and now sequestration is doing what the Congressional Budget Act never did: controlling spending and deficits.

Forty years after the Congressional Budget Act, we find ourselves in a strange place. Clearly, allowing a president to thwart Congress' spending decisions willy-nilly was a problem. Few today would trust Congress enough to return to the pre-CBA, leave-it-to-the-appropriators approach. Sticking with the CBA's byzantine process would be nuts. Four decades of failed budgeting shows that the CBA should be blown up. Yet, nearly everyone on Capitol Hill hates the BCA's sequestration. Its cuts are not rationally apportioned among spending priorities. It chops spending across the board, with half falling on defense and the rest on non-defense. Failed, wasteful programs get nicked the same as smart ones.

Any effort to improve the federal budget process is going to have to find a middle road between the CBA and the BCA. A better budget process would give the president and Congress skins in the budget game, and force their hands to make hard decisions. Annual spending caps are effective, but they cannot be set too stringently. *Pace Dick Cheney*, deficits do matter, so budgeting should empower both tax and entitlement policy reform. Congress needs to participate in budgeting decisions, but plainly the CBA has asked too much of it.

*Kevin R. Kosar is the director of the governance project at the R Street Institute, a think tank in Washington, D.C.*

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President Donald Trump spoke with POLITICO on Friday, touching on a number of topics from the 2020 election to Attorney General William Barr. | Saul Loeb/Getty Images

WHITE HOUSE

**Transcript: POLITICO interviews President Donald Trump on Joe Biden, impeachment, Bill Barr, North Korea**By **ANDREW RESTUCCIA, ELIANA JOHNSON** and **DANIEL LIPPMAN** | 05/10/2019 08:22 PM EDT

POLITICO's Andrew Restuccia, Eliana Johnson and Daniel Lippman spoke with President Donald Trump over the phone on Friday, May 10. The 15-minute interview stemmed originally from questions related to a forthcoming article. Below is a transcript of the remainder of the conversation, lightly edited for clarity and to remove extraneous cross-talk:

\*\*\*

**POLITICO:** On David Bossie, I know that the campaign put out this statement on him and him using his group to sort of promote himself and using your image. Have you talked to him at all about that? We've heard that you've been frustrated.

**TRUMP:** I have not. I have not. I would be disappointed in David if he did that. I guess historically people involved in campaigns go around. I mean, you know, if you look at anybody, anybody running for president. If they win, you always -- you start off with many people running and then you have a group of people that become known. And David was one of the people. David -- you know, many people helped us. Many, many people, you know, helped me to win. And I've studied history, and I see a lot of people do very well after wins. But, I don't know. I just -- You folks did a story on this story, others did a story. I would be disappointed if everything wasn't on the up and up.

**POLITICO:** Mr. President, you said on Twitter earlier today that you're confident [former Vice President Joe] Biden's going to beat [Vermont Sen.] Bernie [Sanders] and that he'll become the nominee. What makes you think that?

**TRUMP:** I just think so. Maybe I look at it like my race. If you remember, from the day I came down the escalator until the end of the primaries, I was in the number one position. I was center stage every debate. And you know, nobody came close. And I had -- I mean, I had a big lead pretty much from the beginning, and it got bigger, you know, as it went along, and as people started dropping out. And I look at it as analogous [to this year's Democratic primary] because we had 17 plus one. So we had 18, actually. You know we had Gilmore, if you remember.

WHITE HOUSE

## Trump: Biden 2020 reminds me of Trump 2016

By ANDREW RESTUCCIA, DANIEL LIPPMAN and ELIANA JOHNSON

**POLITICO:** Oh, I remember.

**TRUMP:** Which a lot of people forget. But anyway, so we actually had 18 people. But they have – what do they have, 21, 22 people now, right? Something like that?

**POLITICO:** That's right.

**POLITICO:** Why do you think –

**TRUMP:** So it seems that -- it seems that many of them aren't registering, as happened with [20]16. It seems as if many of aren't registering with the public. And Biden – for whatever reason, I don't get that -- but he seems to be – you know, have some kind of a register. Whether it's name [recognition] or what. And he seems to be doing well. And Bernie seems to be going in the wrong direction. But everyone else is going -- I mean almost everybody else seems to be not doing very well. And so I would certainly say -- I make it analogous to my race in the sense that, you know, I rode it out. You know, they call it in sports: 'good frontrunner.' I don't know if Biden's a good frontrunner. I heard him talking about [how] he spoke to Margaret Thatcher yesterday. I mean, what he said is he spoke to Margaret Thatcher. I assume he meant Theresa May. So, I don't know, is that a good front runner? I don't know. That was a beauty.

**POLITICO:** What do you think about [South Bend Mayor] Pete Buttigieg? I know you mentioned him once in your rally, but do you think he's a threat in any way?

**TRUMP:** Alfred E. Neuman cannot become president of the United States.

**POLITICO:** And are you -- do you think, with Democrats talking about impeachment, do you think a failed impeachment effort by Democrats would benefit you politically? Because that's what kind of what happened with Bill Clinton in the 1990s. Is that what you –

**POLITICO:** Do you want them to try to impeach you?

**TRUMP:** So, you know, it's all based on high crimes and misdemeanors. And if you look at the Mueller report, there was no collusion. There was no conspiracy. And there was no obstruction. He said that in the first half of the sentence, and then said he couldn't prove it. But there was no obstruction. And then the attorney general, based on the facts, and the deputy attorney general, Rod Rosenstein, they ruled there was no obstruction. So you have

no crime. And impeachment's based on crime. And, specifically it's based on high crimes and misdemeanors. Not 'plus' or whatever -- it's 'and' misdemeanors. Not separately, but together. So you need both.

And, you know, look, I know it would be a very, very impossible thing. Plus, you know if you haven't had -- in fact, the crimes were actually committed, but they were committed by the Democrats. They were committed by the DNC, the Clinton campaign, Hillary Clinton. Those were the crimes. They weren't committed by us.

WHITE HOUSE

**Trump's new nickname for Pete Buttigieg: 'Alfred E. Neuman'**

By DANIEL LIPPMAN, ANDREW RESTUCCIA and ELIANA JOHNSON

So I must say, you know you mentioned the word [impeachment], I haven't heard that word in a while. Because since the report came out, it said no collusion, no obstruction, no conspiracy. And that was the end. I haven't heard the word mentioned, really -- essentially -- since the Mueller report came out. And it's not like it's not like they were friends of mine.

**POLITICO:** Are you also concerned about Sen. Richard Burr [of North Carolina] and that subpoena of Don Jr.? And have you talked to him or Leader [Mitch] McConnell about that in terms of --

**TRUMP:** No, I haven't spoken to him. And I'm very surprised by it because he went out about four weeks ago and said there is no collusion. So that's maybe a little bit different, you know, than what you're talking about. But I know that my son did testify. I know that [special counsel Robert] Mueller went over his testimony -- and very, very strongly went over his testimony -- and found that he did absolutely nothing wrong. That was an oppo research meeting. And I would say that everybody in Washington has had those meetings. You know, your opponent -- 'hey, we have information on your opponent. Would you like to hear?' I mean, you tell me how many politicians would turn that meeting down. And then it turned out she did that -- it turned out you didn't have any information.

**POLITICO:** But are you frustrated that Republicans are subpoenaing your son? I mean, these are Republicans that are doing this.

**TRUMP:** Well, not Republicans. It's a Republican.

**POLITICO:** A Republican.

**TRUMP:** Yeah. And I won the state of North Carolina and frankly had another Republican won [the primary], they would not have won the state. I have a great relationship to that state. So I was very surprised. He came in, ran along with me. I didn't know him well, but he ran along with me. So yeah, I was very surprised to see that.

**POLITICO:** And you saw the Times report that [Trump lawyer] Rudy Giuliani is going to Ukraine to urge them to pursue some investigations? I mean, have you talked to him about that? Does he have your blessing to do that?

**TRUMP:** I don't know much about it yet. Just very briefly, he had mentioned -- and he's involved with a number of people that are looking into the whole thing because a lot of very bad, a lot of very bad things took place prior to the election. A lot of very, very bad things took place.

You know, they talk about 'investigate the investigators.' And when you look at what's happened with [Pete] Strzok and [Lisa] Page and [Andrew] McCabe and [James] Comey and all of the terrible things that took place, I think, you know. But I have not -- I have not spoken to [Giuliani] at any great length, but I will. When is he leaving? I don't even know. When is he leaving?

**POLITICO:** He's leaving soon. I think in the next couple days.

**TRUMP:** I see. Well, I will speak to him about it before he leaves. I'm just curious about that.

**POLITICO:** But you're supportive of his effort?

**TRUMP:** That could be something also very separate. I will -- I'll speak to him before he leaves.

2020 ELECTIONS

**Trump: Discussing a Biden probe with Barr would be 'appropriate'**

By ELIANA JOHNSON, DARREN SAMUELSON, ANDREW RESTUCCIA and DANIEL LIPPMAN

**POLITICO:** And one more. Have you asked [Attorney General] Bill Barr, or would you ask Bill Barr, to investigate Biden about his son's -- Biden's son's work in Ukraine? That's become a big issue.

**TRUMP:** Well, I haven't spoken to him about it. But certainly it is a very big issue and we'll see what happens. I have not spoken to him about it. Would I speak to him about it? I haven't thought of that. I mean, you're asking me a question I just haven't thought of. Certainly, it would be an appropriate thing to speak about. But I have not done that as of yet. It could be a very big -- it could be a very big situation. Of course, because he's because he's a Democrat, it's about one 1/100 the size of the fact that if he were Republican, it would be a lot bigger. But anyway, go ahead.

**POLITICO:** Thank you, Mr. President. The Pentagon said yesterday that North Korea has been firing short-range missiles. They confirm that's what they were yesterday. Do you consider this a breach of trust between you and Kim Jong Un? Are you angry or frustrated by this? And how do you think we should be responding to that?

**TRUMP:** No. No. I'm not at all. They're short-range. They're short-range and I don't consider that a breach of trust at all. And you know, at some point I may. But at this at this point, no. These were short-range missiles and very standard stuff. Very standard.

**POLITICO:** You'd previously previously talked about how proud you were that North Korea had stopped firing these missiles, so you don't consider this a setback?

**TRUMP:** Well, this is -- actually, some of them weren't even missiles. Some of the things that they fired, they weren't even missiles. But this is short-range, and I don't consider it a breach of trust. I'll let you know when I do. I mean, it's possible that at some point I will. But right now, not at all.

**POLITICO:** Are you considering a pardon of Paul Manafort or Roger Stone given that this Russian collusion thing is over, in your mind?

**TRUMP:** Well, the Russian collusion thing has turned out to be a total hoax, and now people are saying it. But I have not given any consideration to any of that at this moment.

**POLITICO:** And just one more. Have you talked to Steve Bannon at all, and would you ever consider sort of fixing your relationship with him? Or you just have no interest in working with him again?

**TRUMP:** Well, I always liked Steve and I mean the last seven months or eight months, I mean, you can't have nicer statements stated about yourself than the things he's been saying about me, as you know.

**POLITICO:** Of course.

**TRUMP:** 'The greatest of all time,' you know, etc., etc. But I haven't. You've seen what he's said on the various shows and you've seen what he's written. And that's very nice, and I appreciate it. But I haven't spoken to Steve in a while. Haven't spoken to Steve in a while.

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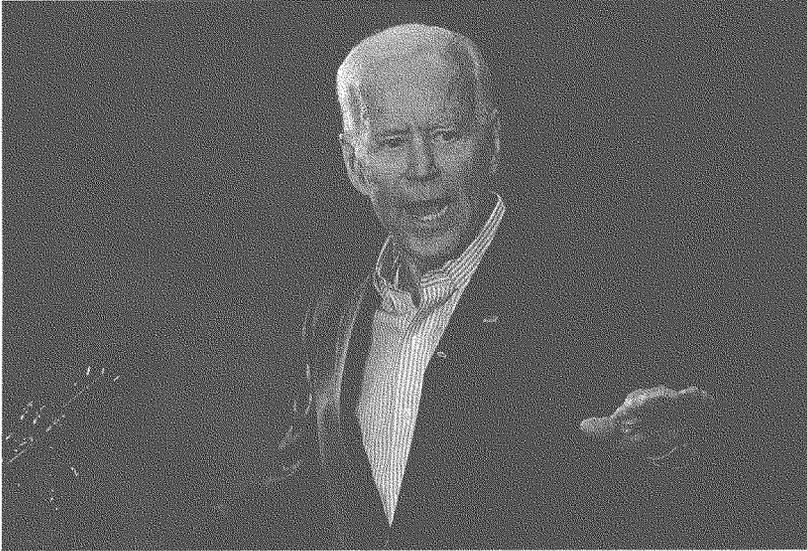
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Vice President Joe Biden's connections to Ukraine have become a subject of deep interest among the president's political allies. | Ethan Miller/Getty Images

#### 2020 ELECTIONS

### Trump: Discussing a Biden probe with Barr would be 'appropriate'

Rudy Giuliani, the president's personal attorney, is urging Ukraine to investigate Joe Biden, raising questions about whether Donald Trump would pressure his attorney general to do the same.

By ELIANA JOHNSON, DARREN SAMUELSOHN, ANDREW RESTUCCIA and DANIEL LIPPMAN | 05/10/2019 08:01 PM EDT | Updated 05/11/2019 12:32 AM EDT

President Donald Trump told POLITICO on Friday that it would be "appropriate" for him to speak to Attorney General Bill Barr about launching an investigation into his potential 2020 rival, Joe Biden, or his son, Hunter.

The question of whether Trump could pressure Barr to probe Biden is coming under scrutiny after Rudy Giuliani, the president's personal attorney, said he would be traveling to Ukraine to urge the incoming government there to look at Hunter Biden's involvement with a Ukrainian energy company that has reportedly been in prosecutors' crosshairs. The efforts appear to be part of a broader campaign by Trump's allies to damage the former Democratic vice president's White House campaign and have raised questions about whether Trump's team is trying to enlist a foreign government to aid the president's re-election bid.

"Certainly it would be an appropriate thing to speak to him about, but I have not done that as of yet. ... It could be a very big situation," Trump said in a 15-minute telephone interview on Friday afternoon, which stemmed from POLITICO's inquiries for a separate story.

Barr also drew attention during his recent congressional testimony when he demurred on a question about whether anybody in the White House had ever suggested that he launch an investigation.

WHITE HOUSE

### Trump: Biden 2020 reminds me of Trump 2016

By ANDREW RESTUCCIA, DANIEL LIPPMAN and ELIANA JOHNSON

The two Bidens' connections to Ukraine have become a subject of deep interest among the president's political allies, who charge that Biden as vice president pressured the Ukrainian government to oust a prosecutor in order to benefit his son. The Ukrainian prosecutor had reportedly faced allegations of ignoring corruption among Ukraine's business and political elite. No evidence has emerged that Joe Biden was acting to assist his son, and it is not clear that the official was probing the company at the time.

The New York Times earlier this month reported on Giuliani's efforts to investigate and publicize the issue.

The president argued that the alleged conflict of interest, or appearance thereof, was not mushrooming into an all-out scandal because Biden is a Democrat.

"Because he's a Democrat," Trump said, the report had about "one-hundredth" the impact as it would have if he "were a Republican."

That's not for lack of effort by the president's allies. As of Friday afternoon, Giuliani was about to travel to Ukraine in an effort to push the country's president-elect to pursue the investigation into Hunter Biden's involvement with the energy company, Burisma Holdings. He also wants Ukraine to probe whether the country's officials were trying to help Hillary Clinton during the 2016 election by releasing forged documents tied to Paul Manafort.

Giuliani was planning to leave Sunday and return Wednesday, he told POLITICO in an interview Friday afternoon. During his trip, Giuliani was expecting to meet with Volodymyr Zelensky, a comedian who was elected president of Ukraine last month and who has reportedly said he's looking to replace one of the prosecutors involved in the cases.

"I just want to tell him, 'Don't let these crooks talk you out of the investigation. There are real facts there they've got to investigate,'" Giuliani said. "A lot of this stuff is a lot easier for them to get. They do get nervous if they think the government is going to scuttle this investigation."

But later Friday, Giuliani said he had canceled his trip, explaining his change of plans in a text message to POLITICO that the original offer for a meeting was a "set up" orchestrated by "several vocal critics" of Trump who are advising Ukraine's new president-elect. "Only got name yesterday and told president-elect is in hands of avowed enemies of Pres Trump," Giuliani wrote. "Useless meeting."

Biden's campaign did not immediately respond to a request for comment.

The president said Friday he didn't know much about Giuliani's planned trip 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 former New York mayor for weeks has been talking with reporters about the Biden-Ukraine connection, insisting it is a scandal.

"I don't see how you get from here to the presidency without that being investigated," Giuliani said earlier on Friday, swinging back at critics who say the president's attorney is openly encouraging a foreign government to meddle in the American election.

"If I wanted to meddle in the election, I'd be talking about it a year from now," Giuliani said. "I'd have kept it for myself and I'd have popped it right before the Democratic convention. That'd be fun."

Trump's critics have long feared that the president would pressure the Justice Department to investigate his political opponents.

During the 2016 campaign, Trump and his allies led chants of "Lock her up!" in reference to Clinton, though there has been no public follow-up on the Clinton investigation since the arrival of the Trump administration.

More recently, Barr has come under fire for his reply to Sen. Kamala Harris during a hearing last week where the attorney general did not explicitly answer the California Democrat's questions about whether Trump or anyone else in the White House asked or suggested the DOJ launch an investigation.

"I'm trying to grapple with the world 'suggest'," Barr replied during the hearing. "I mean there have been discussions of, of matters out there that uh ... they have not asked me open an investigation."

Harris, who is running for president, followed up by asking if the White House had hinted at an investigation, and the attorney general replied, "I don't know."

Several former national security and law enforcement officials took issue later Friday with the president's comment that he was within his right to approach Barr about a possible Biden investigation.

"Past Republican and Democratic administrations alike have recognized the critical importance of the wall of separation between the White House and DOJ when it comes to criminal investigations," said Matt Axelrod, a former senior Obama Justice Department official. "This president's belief that he can instruct the Attorney General to investigate his political rival is a wild break from past precedent and would represent a dangerous assault on the rule of law."

Susan Hennessey, a former attorney at the National Security Agency wrote on Twitter after this story published that Trump's comment was a "disturbing development people should pay attention to."

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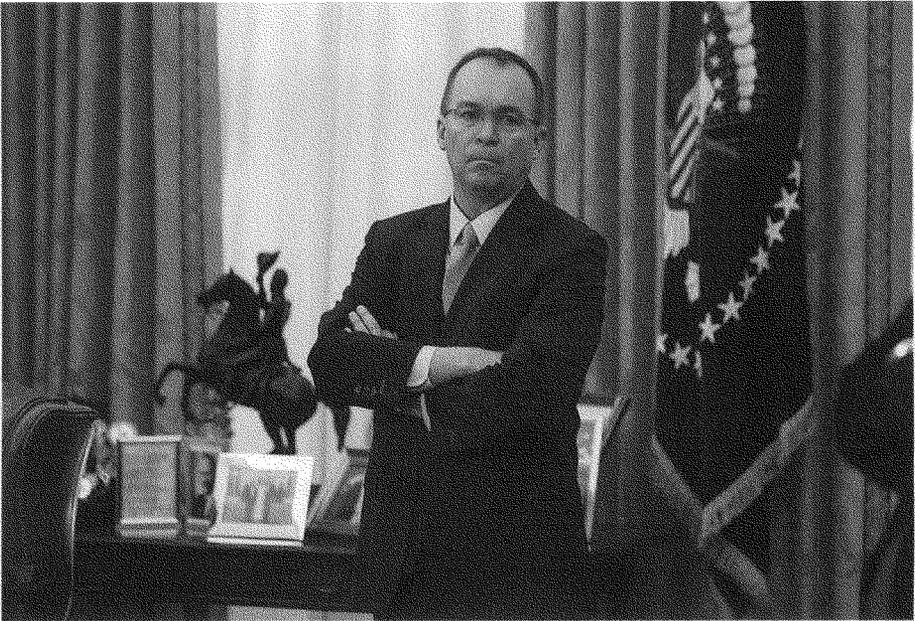
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WHITE HOUSE

## Trump elevates Mulvaney aide weeks after he defied impeachment subpoena

Robert Blair will be the special representative for international telecommunications policy.



Acting White House chief of staff Mick Mulvaney. | Evan Vucci/AP Photo

By KYLE CHENEY

12/23/2019 06:11 PM EST



President Donald Trump has promoted a central figure in the House impeachment inquiry who defied a subpoena to testify.

Trump on Monday named Robert Blair — a top aide to acting chief of staff Mick Mulvaney — as the special representative for international telecommunications policy, a position that puts Blair in a central role atop a U.S. effort to “promote a secure and reliable global telecommunications system.”

*Story Continued Below*

“In this new capacity, Mr. Blair will support the Administration’s 5G efforts led by the Assistant to the President for Economy Policy, Larry Kudlow,” the White House said in a statement. “Mr. Blair will continue to serve as Assistant to the President and the Senior Advisor to the Chief of Staff.”

Democrats subpoenaed Blair on Nov. 3 to testify about his awareness of Trump’s order to hold military aid to Ukraine, which they allege was part of an effort to coerce an ally — desperately fighting off a Russian invasion — to investigate his political rivals. Blair refused to appear for a Nov. 4 deposition under orders from the White House.

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“Some of that evidence has revealed that Mr. Blair was a percipient witness to the President’s misconduct,” Rep. Adam Schiff (D-Calif.), chairman of the House Intelligence Committee, said in a closed-door meeting on Nov. 4, according to a transcript released by the panel last month. “We can only infer, therefore, that the White House’s effort to block Mr. Blair from testifying is to prevent the committees from learning additional evidence of Presidential misconduct and that Mr. Blair’s testimony would corroborate and confirm other witnesses’ accounts of such misconduct, including Mr. Mulvaney’s admission from the White House Briefing Room that the Ukraine military aid was frozen by the President in order to pressure Ukraine into initiating investigations into the Bidens and the 2016 election.”

The House impeached Trump last week for abuse of power in his posture toward Ukraine as well as efforts to thwart the Intelligence Committee’s investigation into the president’s effort to press Ukraine to investigate his political rivals. Democrats say Trump withheld \$391 million in military aid from Ukraine as leverage, but top officials who handled Trump’s order have refused to testify, acting on the president’s direction.

Senate Democrats preparing for Trump’s impeachment trial have requested a slate of witnesses previously blocked by the White House, including Blair, whose testimony they say would shed light on the decision to withhold aid.

Blair was among senior administration officials included on email threads by the U.S. ambassador to the European Union, Gordon Sondland, who helped spearhead conversations with top Ukrainians about launching investigations sought by Trump.

FILED UNDER: DONALD TRUMP, DONALD TRUMP 2020, MICK MULVANEY

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Pro-Russia separatist soldiers celebrate in Lugansk, Ukraine, in 2014. | Spencer Platt/Getty Images

#### BUDGET & APPROPRIATIONS

## Trump holds up Ukraine military aid meant to confront Russia

By **CAITLIN EMMA** and **CONNOR O'BRIEN** | 08/28/2019 06:11 PM EDT | Updated 08/29/2019 03:40 PM EDT

The Trump administration is slow-walking \$250 million in military assistance to Ukraine, annoying lawmakers and advocates who argue the funding is critical to keeping Russia at bay.

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, a senior administration official told POLITICO on Wednesday.

But the delays come amid questions over Trump's approach to Russia, after a weekend in which the president repeatedly seemed to downplay Moscow's military intervention in Ukraine and pushed for Russia to be reinstated into the Group of Seven, an annual gathering of the world's largest advanced economies. The review is also occurring amid a broader internal debate over whether to halt or cut billions of dollars in foreign aid.

United States military aid to Ukraine has long been seen as a litmus test for how strongly the American government is pushing back against Moscow.

The Trump administration in 2017 approved lethal arms sales to Ukraine, taking a step the Obama administration had never done. The move was seen as a sign that Trump's government was taking a hard-line approach to a revanchist Vladimir Putin despite the president's public rhetoric flattering the Russian leader. Scaling back that assistance could expose Trump to allegations that his policies are favoring Moscow.

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For the 2019 fiscal year, lawmakers allocated \$250 million in security aid to Ukraine, including money for weapons, training, equipment and intelligence support. Specifically, Congress set aside \$50 million for weaponry.

Now, that funding is being called into question. The senior administration official, who asked to remain anonymous in order to discuss internal matters, said the president wants to ensure U.S. interests are being prioritized when it comes to foreign assistance, and is seeking assurances that other countries are "paying their fair share."

Defense Secretary Mark Esper and national security adviser John Bolton are among the officials who were asked to review the Ukraine security funding.

A senior Defense Department official told POLITICO that “the department has reviewed the foreign assistance package and supports it.”

But the White House explanation that Trump wants to ensure the money is being spent properly isn’t sitting well with lawmakers on Capitol Hill, where members of both parties have pushed to increase military assistance to Ukraine and U.S. military efforts to deter Russia in Eastern Europe.

There is “an at least temporary effect,” said Rep. Tom Malinowski, a New Jersey Democrat who sits on the House Foreign Affairs Committee. “The bigger problem is that Trump is once again showing himself to be an asset to Russia.”

Sen. Bob Menendez (D-N.J.), the ranking Democrat on the Senate Foreign Relations Committee, vowed that the administration’s move “will be met with fierce opposition in Congress.”

“Enough is enough,” he said in a statement. “President Trump should stop worrying about disappointing Vladimir Putin and stand up for U.S. national security priorities.”

The funds for Ukraine can’t be spent while they’re under review and the money expires at the Sept. 30 end of the fiscal year. The account was originally created by defense policy legislation enacted in late 2015 to help Ukraine battle pro-Russian separatists in Crimea after Moscow annexed the region in 2014.

“We are aware of an [Office of Management and Budget] hold on funding for the Ukraine Security Assistance Initiative,” House Appropriations Committee spokesperson Evan Hollander said in a statement. “We have serious concerns about a freeze on these important appropriated funds, and we are urgently inquiring with the administration about why they are holding up these resources.”

The House Armed Services Committee “is aware of the restriction, but have requested additional information about what it means and is applied to,” an aide told POLITICO.

In a POLITICO op-ed in April, Senate Armed Services Chairman Jim Inhofe (R-Okla.) called for boosting funding for the Ukraine Security Assistance Initiative and argued that a bigger portion of the money “should go to support defensive lethal aid that will make Ukraine a more difficult target for Putin’s aggression.”

Trump is scheduled to meet this weekend in Warsaw, Poland, with Ukrainian President Volodymyr Zelensky.

The Trump administration's broader push to freeze or slash foreign aid that White House officials contend is wasteful has sparked intense bipartisan backlash, with lawmakers warning of a deteriorating relationship with the White House when it comes to the use of appropriated funds.

The administration dropped a plan last week amid congressional fury that would have cut more than \$4 billion across 10 areas of foreign assistance, including funds for international peacekeeping operations, narcotics control and global health efforts. The administration also backed off a similar plan last year.

Rep. Hal Rogers (R-Ky.), ranking member of the House Committee that oversees funding for the State Department, and Sen. Lindsey Graham (R-S.C.), a member of the Senate Foreign Relations and Appropriations committees, both warned Trump against the package of funding cuts.

Top Republicans and Democrats on the House Foreign Affairs Committee and Senate Foreign Relations Committee also sounded the alarm.

Daniel Fried, a career diplomat who has served in both Republican and Democratic administrations and was most recently the State Department coordinator for sanctions policy, said the review sends the wrong message to a Democratic ally under intense pressure from Moscow's aggressive behavior.

"If the Administration has a good reason for a sudden cut to security assistance to Ukraine, they should share it," Fried told POLITICO. "Ukraine's new leaders, in office through free and fair elections, have earned and deserve America's support, not mixed signals."

Trump has also withheld hundreds of millions of dollars in aid to Central America and sought to shuffle around federal funds in order to bolster Trump's immigration enforcement priorities.

For example, the administration plans to divert \$271 million from various Department of Homeland Security accounts — including \$155 million in federal disaster aid — to beef up funding for its immigration enforcement effort.

"It is of great concern that during the course of this administration, there has been a growing disconnect between the will of Congress ... and the department's immigration enforcement proceedings, which often lack justification," Rep. Lucille Roybal-Allard (D-Calif.), who chairs the House subcommittee that funds DHS, said in a recent letter to acting Homeland Security Secretary Kevin McAleenan.

In a statement on Wednesday, a FEMA spokesperson said the move won't affect long-term recovery efforts underway in states and territories ravaged by hurricanes, wildfires and flooding.

*Natasha Bertrand contributed to this report.*

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## Kolomoisky: We called Vakarchuk and asked: "Do you support Zelensky or not?"

ROMAN KRAVETS [f](#) [twitter](#) [youtube](#)

11:51 AM, 05/27/2019 (GMT+3:00)

Monday, May 27, 2019 6:00 AM

We have been recording a conversation with Kolomoisky for more than an hour.

After questions about Privatbank, it's hard to get the interview back on the political track.

The oligarch is ready for hours to talk about the nationalization of the bank and emotionally criticize the previous government and the leadership of the National Bank.

But in the second part of Chitko Intervyu, Kolomoisky becomes dynamic, harsh and more frank.

The oligarch tells how he phoned Vakarchuk together with Zelensky tipsy, admits to whom he sympathized in the presidential race and to whom he was going to help in the elections to the Rada.

В ходе беседы Коломойский называет Тимошенко своим другом, Авакова – "гарантом" и под конец подробно объясняет, из-за чего адвокат Трампа считает его "врагом США".

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом

Коломойский – отношения с Зеленским, звонки Вакарчуку, дружба с Т...



*Первую часть интервью читайте здесь:*

Коломойский: Все хотят, чтобы свершилось чудо и у Зеленского получилось

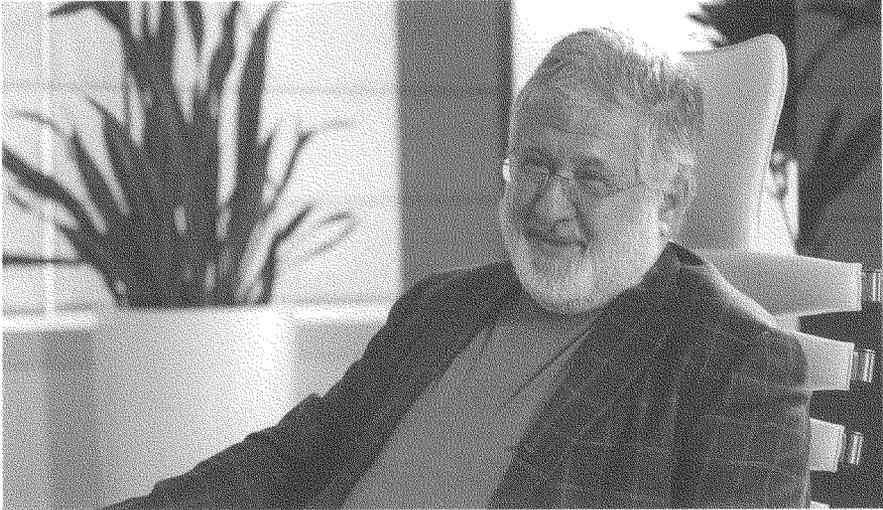
#### **"Еще я симпатизировал Гриценко"**

**– Кого вы финансировали на этих президентских выборах?**

– Никого. Я вам сто раз говорил. У меня же ограничения на расходы. Как в "Джентльменах удачи", я ему говорю: "Доцент, у меня горло", а он говорит: "Пасть порву".

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом



Коломойский: "Ахметов сказал мне о том, что Зеленский будет президентом, еще в 2016-ом году"  
 ВСЕ ФОТО ЧЕТКО ИНТЕРВЬЮ

– У вас и дальше 20 тысяч фунтов в неделю ограничение?

– Да, у нас процессы не закончены. Вы же понимаете, с 20 тысячами фунтов в неделю надо прожить самому и еще кому-то помогать. У меня большая семья, мне есть кому помогать. Детям, например, сыну-спортсмену.

– Вам, кстати, этих 20 тысяч в неделю хватает?

– Ну конечно, мне хватает. Это большие деньги.

– Сколько вы вообще тратите на себя в месяц? Сколько вам нужно карманных денег, чтобы вы себя комфортно чувствовали?

– Ну, 15 тысяч долларов, 20 максимум.

– Если бы у вас не было никаких финансовых ограничений, кого бы вы профинансировали на этих президентских выборах?

– Первое – у меня должны взять деньги еще. Второе – вопрос юридический. В чем опасность – это наличие иностранных паспортов. У меня есть украинский паспорт, я украинский гражданин.

А какой статус мой будет, если я буду это делать, находясь в Женеве, живя там по кипрскому паспорту, если я участвую в финансировании кого-то из политиков? Не является ли это финансированием иностранным гражданином?

– Вам раньше это не мешало?

– Когда?

– Например, во времена Ющенко.

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом

– А я не давал Ющенко никогда прямые деньги. Я шутил просто... У нас была сделка с Григоришиным, а он участвовал в помощи Ющенко.

Поэтому, когда я у него купил часть обленерго, сделал с ним сделку, то фактически мои деньги, можно сказать, пошли Ющенко. Но это не было целью финансировать.

**– Вы можете придумать любую схему, и даже пахнуть не будет, что это ваши деньги.**

– Я вам хочу объяснить. Есть такое понятие, особенно в иностранных юрисдикциях, как неотвратимость наказания. То, что потеряла наша правоохранительная система после 1990-го или 1991-го года.

#### PROMO CONTENT



Неотвратимость наказания – это серьезная вещь. Поэтому если английский суд вам сказал, что нельзя, а ты будешь это делать, то ты попадешь за неуважение к суду в тюрьму или будешь ограничен в передвижениях до конца жизни.

**– Предположим, что у вас нет никаких ограничений, кому бы вы могли дать деньги?**

– Всем, кроме Порошенко. Ну, и кроме регионалов, естественно.

**– У них свои есть.**

– Нет, не поэтому. Просто они предатели, я считаю. Они инструкции в России получают, они ездят туда на консультации.

**– Кто ездит?**

– Рабинович, Медведчук, Бойко.

**– А Левочкин?**

– Нет. Тот поумнее. Эти ездят, у них просто душа там находится (*смеется*).

**– Сейчас на выборах вы открыто симпатизировали Юлии Тимошенко и Владимиру Зеленскому. Правильно?**

– Почему? Я еще симпатизировал Гриценко.

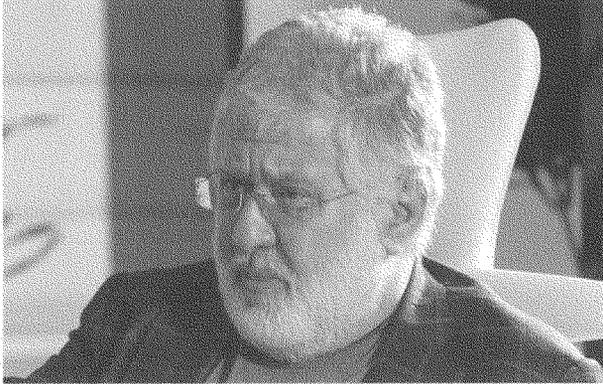
**– Когда-то Гриценко говорил, что не давал комментариев "1+1". Он говорил: "Коломойский меня мочил на "1+1".**

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом

– Ляшко тоже говорит: "Он меня мочил на "1+1". Это превратное мнение. Вы разделите меня и "1+1". Иногда случаются какие-то эксцессы, эмоции, еще что-то.

У врачей всегда есть какая-то медицинская этика, а у журналистов она не всегда есть. Удивительно даже. Тем более вы все-таки хорошо знаете всех людей с "плюсов" или изданий, которые рядом с "плюсами" стоят – с ТСН или с "Бабеля" (улыбается).



Коломойский: "Порошенко как был самым богатым олигархом, так и остался"

– Я даже знаю записи, которые гуляют в интернете, как вы кричите на Ткаченко, гендиректора "1+1".

– Мы можем ругаться по разным вопросам.

– Но вы ему говорили, что "плюсы" должны показывать!

– Мы можем обмениваться мнениями, но это же не значит, что журналисты это показывают. Это разные вещи.

– Помните, как Янукович вам звонил и договаривался о вечерних новостях?

– Ну, и что в итоге? Ничего не показали.

– Я же не контролировал, какой выпуск там был.

– Да вообще ничего не было и близко (*делает паузу*). Во-первых, Янукович в том разговоре, о котором, как я понимаю, идет речь, сказал, что вместо Левочкина куратор всей этой телевизионной тусовки теперь Клюев.

Но Левочкин, кстати, был очень благородным, он вообще не командовал, он делал вид, что командует, чтобы не морочили голову. Это было по умолчанию.

Но Янукович, кстати, просил не трогать супругу его и, если можно, детей. Но это до того, как Саша старший стал "Стоматологом" и перестал быть Александром.

**– Что Порошенко просил?**

– Мы, кстати, из-за телевизора с ним и поругались (*легко стучит рукой по столу*). Если вы хотите знать, что являлось конфликтом, это был "1+1". С первого же дня.

**– Расскажите подробнее, как это было.**

– Это не было какое-то одно событие. Это было каждый день. Вот я по долгу службы, когда меня приглашали в администрацию, приходил. Один из вопросов был: "1+1" что-то не то показал...

**– Порошенко лично говорил?**

– Лично. А я говорил: "Я не занимаюсь "1+1". Нет, перестань, ты все это контролируешь".

Я говорю: "Я не звоню Цеголко". "Мы знаем, куда ты звонишь, позвони Ткаченко, наладь взаимоотношения". Я говорю: "Я не могу, потому что журналисты не будут. Мы живем по-новому, всем сказано, что теперь все, новая жизнь наступила".

**– Вы не только Ткаченко звоните. Вы звоните и другим руководителям, например Попову...**

– У нас такие же отношения с Поповым и со всем журналистским коллективом. Если я звоню Попову, то это в отсутствие Ткаченко, если есть какие-то интересные вещи, которые я пытаюсь, чтобы они обратили внимание.

До которых они сами просто не доберутся. Это нормально. Я им огромное количество материалов сбрасываю. Люди должны знать правду, это же общественно значимые вещи.

**– Вы хотите сказать, что не влияете на "плюсы"?..**

– ...Я не влияю на "плюсы" в той мере... Допустим, обо мне нет каких-то отрицательных репортажей. Вы же их не видите?

Но это называется внутренняя самоцензура – им неудобно про собственника, акционера или бенефициарного владельца писать какие-то гадости.

Кроме того, мы с ними со всеми знакомы, общаемся, и у нас есть возможность сказать свою позицию. Поэтому мы живем мирно – я не трогаю их, они не трогают меня. И уже слава богу.

**– Слушайте, вы Ткаченко чуть на хер не посылали в телефонных разговорах...**

– Да послушайте, мы с ним ругаемся, потому что у нас есть финансовые разногласия. Вы же знаете, что многие каналы дотационные, и есть вопросы

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом финансирования, есть вопросы, какой продукт дорогой, какой дешевый.

Мы обсуждаем контент, но это не связано с ТСН.



Коломойский: "Надо понять, что Петя (Торощенко) уже всем надоел"

### "Будем помогать Тимошенко на парламентских выборах"

- Я не могу не задать вопрос о Юлии Тимошенко. Когда вы с ней виделись в последний раз?
- Вообще забыл, не помню.
- В прошлом году вы с ней разве не встречались? В интернете гуляла фотографии из Польши, когда вы входите в отель с Палицей, а перед вами в тот же отель заходит Тимошенко. Вы в Польше встречались в прошлом году?
- Я не знаю... Может, я с ней встречался, но не помню в Польше или нет.
- О чем вы с ней говорили тогда?
- Просто общая ситуация. Не было тогда предмета разговора, политики никакой не было.
- Она не просила никакой поддержки? Президентские выборы приближались.
- Может, она и говорила о том, чтобы иметь какой-то доступ к телевизору, чтобы не было на нее стоп-листов каких-то. Но вообще, у нас все имели доступ.

И цены были, кстати, по сравнению с другими каналами, не кусачие – 15 тысяч (за минуту рекламы – УТ) против 35 или 40, как я на каком-то канале слышал.

**– А почему вы снизили цены?**

– А вы не понимаете? Подумайте сами. У кого больше всего денег было перед кампанией? У кого в предвыборном фонде было больше всего денег? У Петра Алексеевича.

Другим не очень легко собрать деньги. Поэтому они заведомо уже в невыгодных условиях.

**– Так почему цену снизили?**

– Снизили, чтобы все имели возможность попасть на телеэкран в том же объеме, в котором и Петр Алексеевич. Потому что если у него в фонде лежит миллиард, а у кого-то 100 миллионов, или наоборот – у него 500, а у кого-то 50, то если по 30 тысяч, то пока он будет сколько хочет попадать, у остальных деньги закончатся.

И на другое не останется. Это тоже давление деньгами. Мы дали возможность всем. Это тоже не дешевая цена. Помогли всем, кроме одного.

**– Юлия Тимошенко поздравляла вас с днем рождения. Все слышали этот звонок, кто-то его слил в интернет.**

– Да это СБУ, наверно, записало или кто-то там. Это же по открытой связи было. Она позвонила Палице на открытую связь. Ввиду того, что там был шум, он не определил, что она звонит по открытой связи, и передал трубку. Поэтому оно слилось.

**– Но она очень мило вас поздравила.**

– Мы с ней в нормальных отношениях.

**– Она вас назвала "другом".**

– Мы с ней друзья, хорошо. Раз она назвала меня другом, значит, мы с ней друзья.

**– И партнером "во всех главных делах".**

– В борьбе за свободу и демократию.

**– Так вы это называете?**

– А в чем вы ее можете обвинить? А меня в чем вы можете обвинить? Я два года вообще в Украине не был. Я что-то сделал не так? А что Тимошенко сделала не так, что всей "Украинской правде" неймется?

**– Она нам?!**

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом

– Да уже 20 лет она вам неймется (*улыбается*). У вас кто угодно, только не Тимошенко. Вот ее поливаете со времен Лещенко и Найема, она вам покоя не дает. Вам даже Янукович был милее.

**– Что!? Неправда!**

– 100%. Это вас просто никто не спрашивал. У вас же там есть главный редактор и хозяйка канала... издания.

**– Стоп. Вы с Тимошенко друзья, я правильно услышал?**

– Друзья. Тем более, если она меня называет другом, я не могу сказать, что мы с ней не друзья. Мы с ней друзья.

**– После выборов вы с ней нормально общаетесь?**

– Да, и будем помогать ей на парламентских выборах.

**– Как будете помогать?**

– Ну, как? Тем, что цены на рекламу будем стараться делать приемлемые для всех.

Потому что их партия не очень богатая. И у Ляшко, наверно, после президентских выборов будет не очень богатая.

**– Тоже будете помогать?**

– Ну, говорят, что от него ушел главный спонсор.

**– Кто?**

– Начальник штаба, Зинченко, директор завода или кто он там был.

**– А Зинченко – это человек чей? Ахметова?**

– Да. И если у него материальное положение пошатнется, мы будем стараться тоже...

Смотрите, у нас материально в стране ничего не поменялось. У нас Порошенко как был самым богатым олигархом, так и остался. И он сейчас попрет в парламент и надеется там реваншироваться.

**– Вы же общаетесь со всеми олигархами. Интересно услышать ваш инсайд: кого олигархи поддерживали на этих выборах?**

– В душе все – Зеленского. А публично тоже многие Зеленского, но уже в зависимости...

**– Ахметов тоже Зеленского поддерживал?**

– Да (*смеется*). Материально он не поддерживал, естественно, и публично он ничего не сказал. Но учитывая, что он стал больше появляться на ТРК – да. Все начали поддерживать, но чуть позже, чуть раньше.

Кстати, Ахметов сказал мне о том, что Зеленский будет президентом, еще в 2016-ом году. После первого выпуска "Слуги народа". В 2016-ом году! Не в 2017-ом, не в 2018-ом. Я еще от Зеленского не слышал, что он собирается идти.

Мы еще, помню, звонили Вакарчуку и спрашивали: "Ты поддерживаешь Зеленского или нет?", смеялись.

**– Что? Как это было, когда?**

– Мы с Зеленским где-то отметили окончание финансового года. Где-то март 2017-го года.

**– Вы с Зеленским выпили и звонили Вакарчуку?**

– Да. Что-то тогда крутилось в прессе: Вакарчук... А Зеленский тогда еще ничего не объявлял, никуда не собирался. Ну так, в кулуарах – что если пойдет Вакарчук, то пойдет и Зеленский.

**– А что Вакарчук отвечал?**

– Ну, позвонили Вакарчуку, он был сонный, было поздно уже. Мы его спрашиваем: "Ты поддерживаешь Зеленского?". Я думаю, у него лицо было, как будто он лягушку съел.

Это было для него неожиданно, и он совершенно в этом направлении не думал.

Он не пошел в итоге. Помните, второй раз, когда Зеленский вышел: "Ну что, Слава? Если мы, то всех" (*улыбается*).

**– Это было продолжение того разговора?**

– Да, это был троллинг легкий.

**– Медведчук Зеленского поддерживал?**

– Я думаю, нет. Хотя, кстати, я считаю, что в последние несколько месяцев он достаточно положительно отзывался. Надо понять, что Петя уже всем надоел.

**– То есть, был консенсус олигархов?**

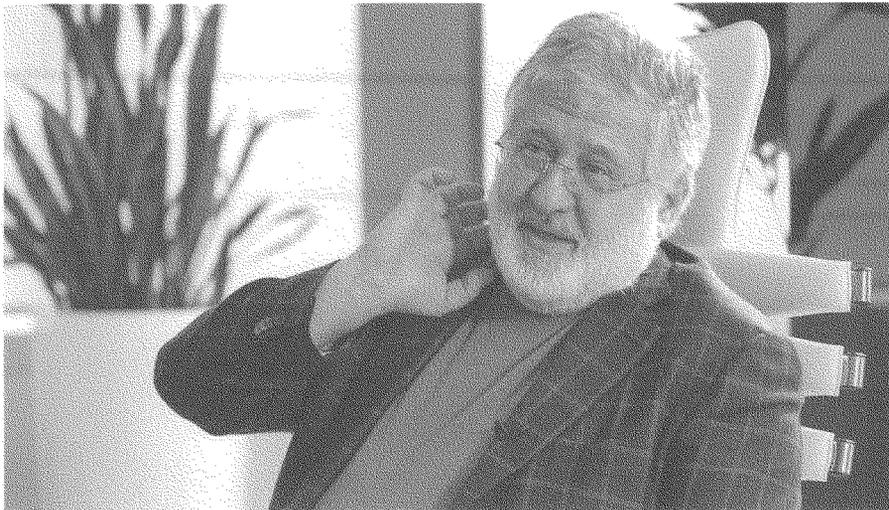
– Нет, консенсуса не было. Не было такого, что олигархи между собой как-то договорились. Очень многие, Фирташ, например, свою позицию никогда публично не выражал.

Пинчук не выражал ее. Но я знаю точно, что он хотел, чтобы был Зеленский.

**– Я вижу, что у Пинчука сейчас нормальные отношения с Зеленским, они уже дважды публично встречались.**

– Я думаю, у них и до этого были нормальные отношения. Зеленский – публичный человек. У него не могут быть с кем-то нормальные отношения, а с кем-то ненормальные. Он же артист. Артисты – они же все со всеми имеют...

Они только плохие отношения могут иметь внутри своей артистической среды из-за конкуренции. А так, во внешнем мире они со всеми милашки.



Коломойский: "У меня есть украинский паспорт, я украинский гражданин"

**"У меня такого в планах нет ничего, чтобы Зеленский стал моим врагом"**

**– Как вы охарактеризуете ваши личные отношения с Зеленским?**

– Я считаю, что у нас очень хорошие отношения. Но они образовались на протяжении какого-то длительного срока, последних 7 лет общения на фоне производства их контента, который транслировался у нас.

Недавно его супруга давала интервью, сказала, что были и стычки в этом плане. Ругались, да. Что-то показали, что-то не показали, какая-то еще была история. Я не помню подробности. Он очень зубастый. Очень зубастый.

**– Как вы с ним познакомились, помните?**

– Нет. Познакомились мы где-то раньше... причем он не выступал, не был артистом, он был гостем. Хихоньки-хахоньки, анекдоты.

Он очень живой, веселый, с хорошей реакцией. С ним надо быть на одной волне, можно отстать. Мы тоже умеем пошутить, но он на голову выше, он профессионал.

**– Когда вы узнали, что Зеленский идет в президенты?**

– Я же говорю, в 2017-ом году. Мы просто где-то обсуждали. Это было за неделю или за две до того, как звонили Вакарчуку. Он сказал, что у него есть такие мысли.

Потом через две недели как-то пересеклись, еще одна была встреча. "Ну, давай этому позвоним", и все – нашли его телефон, позвонили.

– То есть, с 2017-го года он об этом думал и вам это озвучил?

– Я подозреваю, что он думал с 2015-го, когда "Слугу" делал. А потом уже по реакции, по рейтингам, по всему, что произошло, по реакции власть имущих, Пети... Ложкин там мне разрывал телефон и говорил, что это нельзя показывать.

– "Слугу"?

– Да. Еще на стадии производства. "Это нельзя выпускать, вы что! У вас будут неприятности, это будет скандал".

– Ложкин тогда был главой АП?

– Да, это ж тогда был самый главный цензор. Он звонил Боголюбову и говорил: "Передай ему, что у вас заберут банк". Шантажировал Приватбанком из-за "1+1".

– Вы знаете Зеленского не просто как актера, а как бизнес-партнера, потому что он продает каналу "1+1" свои продукты. Какой Зеленский в бизнесе? Он ориентируется в юридических, экономических вопросах?

– Да, конечно. Я только могу судить по нашему контракту с ним.

– Он циничный бизнесмен?

– Очень.

– Можете привести пример?

– С ним палец в рот не надо класть. Никаких сантиментов. Если должен, то должен. Никаких разговоров, поблажек. Он современный, он как раз поколение 70-х, ближе к 80-м. Вот у меня сестра такая, жесткая. Он очень крутой.

– У вас контракт до 2022-го года с "Кварталом". После президентства он будет как-то пересмотрен?

– Ну, вот собирался встретиться с одним Шефиром (*Борис Шефир, брат Сергея Шефира, которого президент назначил своим первым помощником – УП*), второй на службу идет государственную. Яковлев (*один из акционеров студии "Квартал 95" – УП*) остается, Шефир. Будем дальше работать.

– Как вы хотите пересмотреть контракт?

– Мы должны понимать, что за контент будет, какие передачи идти. Зеленский ушел, кто его заменит?

– В интервью УП Зеленский говорил, что "плюсы" должны "95 кварталу" серьезную сумму. Я слышал, что 24 миллиона долларов.

– Нет, такого не может быть. Но миллионов до 10 – вполне вероятно. Ну, так они хорошо зарабатывают. У них годовой контракт от 10 до 20 миллионов. Это не считая библиотеки.

– Что это значит?

– Библиотека – это то, что уже было показано, а потом на повторах идет. Она просто не очень дорого стоит.

– Тимур Миндич является одним из совладельцев "95 квартала". Миндич летел с вами в Днепр в одном самолете.

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом

– Да. Он в Израиле был, мы вместе летели. И это не он со мной прилетел, а я с ним.

– На вашем самолете?

– Нет, на его самолете.

– Миша Ткач писал, что вы пользуетесь этим самолетом.

– Вообще, этим самолетом пользуются все. Я могу дать по этому самолету список пассажиров, которые летали. И вы же знаете, что я 8 месяцев вообще никуда не летал.

– Кто такой Миндич? Это ваш друг, товарищ, бизнес-партнер?

– Скажем так, он бизнес-партнер в некоторых проектах, не особо важных, типа девелоперских.

– Откуда вы его знаете?

– Он был женихом моей дочери когда-то (*улыбается*).

– Они поженились?

– Нет.

– Я подозреваю, что он может быть вашим представителем в "95 квартале".

– Я бы доверил бывшему неслучившемуся жениху своей дочери быть моим представителем? (*смеется*)

– Я же не знаю, почему они разошлись. Может, вы сделали так специально. Он может быть фиктивным совладельцем, а вы – реальным?

– Вы вообще знаете, сколько ему лет? Ему в этом году 40 лет. Одного возраста с Зеленским почти, на год младше (*делает паузу*). О, кстати, меня познакомил с Зеленским Миндич когда-то еще, очень давно.

(*Задумывается*) Я вот вспоминаю, по-моему, это был 2008-ой или 2009-ый год. Еще какое-то отношение к знакомству имел Юра Борисов. Он с Фирташем работал, был директором "Укргаздобычи" во времена Януковича (*делает паузу*). Потом он (*Миндич*) женился, она (*дочь*) вышла замуж. Нормально разошлись.

– Он не фиктивный владелец "Квартала" от вашего имени?

– Нет. Вы должны понимать, что есть вещи, которыми лучше не владеть. Хотите, разберем? Что такое "Квартал"? В принципе, это фикция с точки зрения материального актива.

Это интеллект, контент и креатив в голове создателей этого контента. Контент уже созданный, контент создаваемый и контент, который будет создан. Это, грубо

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом говоря, авторское право.

То есть ты покупаешь авторское право на то, что было, есть и будет. Больше ничего нету – никакого имущества, никаких материальных ценностей, никакой недвижимости, вообще ничего.

**– Зеленский вас поблагодарил после выборов за поддержку и помощь?**

– Поблагодарил? Нет. "Спасибо, Игорь Валерьевич, за мое счастливое детство"? Нет, такого не было. Был благодарен, что было хорошее сотрудничество с телеканалом.

Сказал: "Извините, что я у вас забрал Богдана, но он был локомотивом нашей кампании". Это со слов Зеленского. Это было 21-го или 22-го апреля. Когда был фантастический результат. С Богданом я общался все время. Во-первых, у нас с ним есть незавершенные вопросы, которые тоже требуют времени.

**– В политических кругах говорят, что Зеленский от вас отстраняется, что он хочет подалее от вас держаться.**

– Потому что общественное мнение, журналисты и все остальное. Я думаю, что это не на пользу. Нет вопросов. Мы готовы к такому повороту событий (*улыбается*). Но без обид, я не обижаюсь.

**– ВВС недавно выпустило статью с заголовком "Станет ли Коломойский украинским Березовским"?**

– Я в Лондон не собираюсь ехать вешаться. Я вообще вешаться не собираюсь, а тем более в Лондоне (*смеется*). Это примитивное мышление ВВС.

**– Может ли случиться так, что во время президентства Зеленского у вас с ним начнется серьезный конфликт?**

– Из-за чего? Мы нигде не пересекаемся.

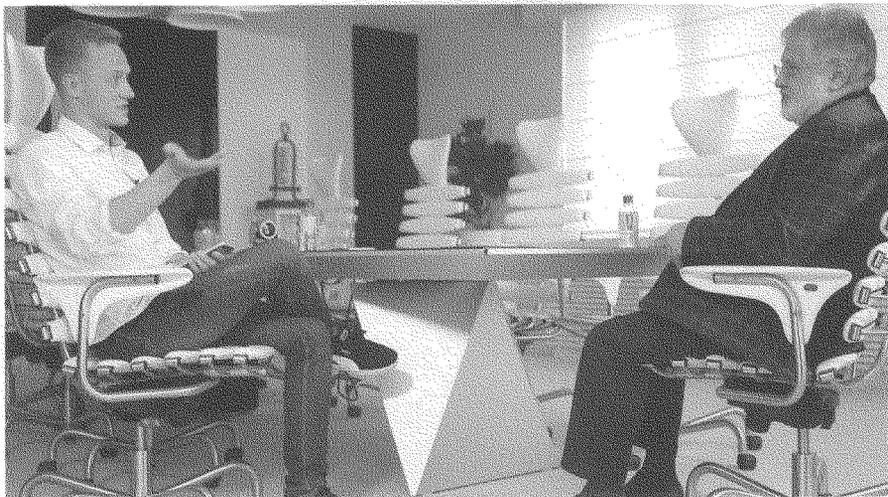
**– То есть, вашим врагом он не станет?**

– Я вообще думаю, что он не будет ничьим врагом. Ну, кроме тех, кто этого заслужил. Но он же не правоохранитель и не судья. Я думаю, что он не будет вмешиваться ни в судебную систему, ни в правоохранительную. Он гарант Конституции, это намного выше и почетнее.

А я покушаться на Конституцию не собираюсь (*смеется*). Поэтому чего вдруг он должен быть моим врагом? У меня такого в планах нет ничего, чтобы он стал моим врагом.

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом



Коломойский: "Порошенко только что ушел, и сейчас посыплет на него все, что за последние 5 лет накопилось"

**"Есть Джулиани, а есть два клоуна Лев Парнас и Игорь Фруман, которые тут занимались ерундой"**

– Как минимум, ваши отношения с Зеленским могут ухудшиться из-за позиции США. Как так получилось, что адвокат Дональда Трампа господин Джулиани фактически называет вас врагом США? В чем проблема?

– (Делает паузу) Я вчера прочитал, что они заявление написали об угрозе подготовки убийства. Два клоуна. Смотрите, есть Джулиани, а есть два клоуна, которые тут занимались ерундой, Лев Парнас и Игорь Фруман.

Они являются клиентами Джулиани. Парнас близкий к Джулиани. Но он просто проходимец, международный аферист. И второй точно такой же. Но тот пристяжной такой.

Они приехали сюда, рассказывали, что будут готовить встречу с Зеленским. Они договаривались якобы с Луценко, что будет с этим уголовным делом – Burisma, Байден, вмешательством в американские выборы и прочее.

Не знаю всех подробностей, но ко мне они попали с требованием, чтобы я им организовал встречу с Зеленским. Я им сказал: "Вы знаете, тут таких требователей столько ходит". Но я всем говорю одно: "Я к этому отношения не имею, встречи не организываю, я по ивенту не специализируюсь".

– То есть, они приезжали к вам в Израиль?

– Да, я говорю: "Если вам надо на торжество, могу договориться с "Кварталом", но уже Зеленского не будет". А они приехали ко мне в Израиль, по-моему, после второго тура – 22-23-24 (апреля – УП), что-то такое. Я вам покажу массу переписки.

Когда они сказали о заявлении... Это уже серьезно, мне Аваков сказал, что поступило заявление. Я попросил адвоката, во-первых, подать на экспертизу интервью Ткача, была ли там угроза. Может, я что-то не заметил или ляпнул.

– **Давайте по-честному, вы были пьяны во время интервью?**

– Мы с утра уже были пьяные (*смеется*). Мы еще в Днепрпетровске начали с трех часов, потом еще продолжали. Но я не сильно, я нормальный был, контролировал. Но выпили мы прилично...

И подал на экспертизу... Потом занялся поиском. Позвонил человеку, который ко мне их привез. Он мне полностью отдал всю переписку между ним и этими двумя по двум мессенджерам с каждым – WhatsApp и еще какой-то Viber или как оно называется.

И там столько всего, что будет очень всем интересно. Я думаю, и правоохранителям Америки, и правоохранителям нашим. И очень будет интересно... Вот сейчас ко мне на пятницу записалась OCCRP именно по этому вопросу. Я уже передал это своим адвокатам в Америке, все эти данные.

– **Чем эти двое американцев занимались?**

– Им нужна была встреча с Зеленским. И показать Джулиани, что они все организовали.

– **Встречу себе или Трампу?**

– Джулиани. А Джулиани надо продвигать это расследование. И я так понимаю, что там была какая-то история, что Порошенко уходит.

Если уберем конспирологию, какие-то комедийные вещи, то я думаю, что ситуация заключалась в том, что им надо было каким-то образом заинтересовать и Луценко, и Зеленского в том, чтобы они продолжили расследование.

А учитывая, что в расследовании уже этого Кулика убрали, а все материалы по Burisma находятся у Кулика, у его группы... Там такой замес. Я вчера до 4 утра читал всю переписку. Там может быть большой скандал (*пауза*). И не только в Украине, а именно в Америке. То есть, явный заговор против Байдена может оказаться.

Я не знаю трактовку, это американские юристы должны уже разьяснить, это меня не касается.

– **Это ваше предположение.**

– Да. Но я просто получил доступ к этой переписке... Я думаю, что Джулиани об этом даже не знает. Я на 90% уверен, что он даже не подозревает, что они там такое несли.

Ну они пишут: "До приезда Джулиани вы должны собрать тут 250 тысяч". Я собрал даже чеки, когда им платили деньги, у меня на руках копии чеков.

– **Приватно вы угрожали Парнасу и Фруману?**

– Нет, конечно. В этом же и вопрос. А чего мне им угрожать?

**"Аваков всех устраивает. Он гарант".**

**– Кому вы будете симпатизировать на этих парламентских выборах?**

– Всем, кроме БПП.

**– Будете мочить БПП?**

– Вы же спросили, кому я буду симпатизировать. Мне не надо их мочить. Порошенко только что ушел, и сейчас посыплется на него все, что за последние 5 лет накопилось. С другой стороны, это тоже неплохо, потому что это дождь.

И если он выживет, если эта политическая сила выживет, то она очистится, уже потом в следующий раз, к следующим выборам им уже закидывать это не надо будет.

**– Партия "Слуга народа" вам нравится?**

– Мы же понимаем, что это начальный проект. Там был Зеленский. Нам Зеленский нравится?

**– Рано или поздно Зеленскому придется брать на себя ответственность. У него начнут падать рейтинги.**

– Я с вами не согласен. Если он президент и будет заниматься тем, что написано в Конституции, ничего у него не должно падать. Это самая благодарная и благородная должность, которая может быть.

Если он будет из себя изображать, как сказал Кучма про Порошенко, и председателя Нацбанка, и главного банкира, и главнокомандующего, и премьер-министра, и министров, и директора "Нафтогаза" одновременно – будет катастрофа. У президента есть четко написанный круг.

И главное, украинский народ отвергает, по моему, только насильственное лишение жизни, то есть убийство. Все остальное...

Когда говорят, что Порошенко или его окружение что-то украло. Ну, украло и украло. Было бы удивительно... "А чего он туда приперся? Что он, дурак, не украсть?". Сколько людей так думает? Большинство. У них это не вызывает отвержения или отрицания.

Почему смертельным ударом был именно Бигус? Люди не понимают, что украли миллион или 10 миллионов. Большинство населения этот миллион в глаза никогда не видело и не увидит.

Коломойский украл 5,5 миллиарда. А сколько он должен был украсть, чтобы вонь не поднималась? Люди не понимают, миллиард или 5 миллиардов, какая разница?

А когда говорят, что 10 тысяч и молодые пацаны друг другу перекидывают, еще и говорят, папаше 10 тысяч, папаше тоже надо долю дать. Вот это вызывает дикое возмущение. Потому что людям это понятно, что тут 10 тысяч какие-то щенки на "Мерседесах", армию обкрадывают.

А в это время война, люди погибают. Одни пацаны отдают жизни, а вторые в это время... И это у людей не укладывается в голове.

В этом была трагедия Порошенко, почему он проиграл выборы, в том числе. Потому что этот снаряд попал прямо в десятку. Снаряд был кумулятивный.

**Читайте также:**

**Коломойский: Все хотят, чтобы свершилось чудо и у Зеленского получилось**

**Игорь Коломойский: Верните мои акции в Приватбанке! Засчитайте мне мои 50-60 миллиардов!**

**Игорь Коломойский: Я считаю, что Порошенко – моя марионетка**

**– Кроме "Слуги народа" вы можете Гройсмана поддерживать, например?**

– Смотря с кем он пойдет, с какими лозунгами. Так он мне не симпатичен. Но не так, чтобы я был против него, но...

**– Яценюк?**

– А я не думаю, что Яценюк пойдет вообще. Просто он человек, который не любит поражений. Пойти – и сколько он там наберет?

**– Он может с Гройсманом объединиться.**

– И каким номером?

**– Хорошо, а Аваков может пойти?**

– Я думаю, вряд ли он пойдет. А с кем Авакову идти? Гройсман непонятно, что там за партия, братская могила. Я думаю, Аваков находится сегодня в том положении, что ему вообще ни с кем не надо идти. Он сам по себе величина.

**– Думаете, он останется министром?**

– Если он никуда не пойдет, точно останется. Ну, процентов 90. А он всех устраивает. Он гарант.

**– Зеленского он устраивает?**

– Он раскрыл все эти заговоры с этим подкупом. Все испортил Пете. Он всех устраивает. Я думаю, что на этих выборах, если они пройдут идеально, полиция и органы внутренних дел сработают как на президентских.

### **"Без запоев. Пью по чуть-чуть"**

**– Какая в вашей жизни самая дорогая покупка? На что вы потратились?**

– Я не могу так сказать.

**– Дом, яхта, машина какая-то?**

– Нет, нет. Речь идет, может быть, об объектах типа завода, активы...

**– А для души?**

– Нет. Не интересуется.

**– Вы часто выпиваете?**

1/3/2020

Коломойский: Ахметов в 2016-ом сказал мне, что Зеленский будет президентом

– Когда как, когда какие полосы. Но без запоев (*улыбається*). Я, допустим, в четверг пил. А так по чуть-чуть каждый день.

– **А что пьете, водку?**

– Ну, вчера чуть-чуть виски выпил. Но больше всего люблю, если крепкое, то водку, а если не крепкое, то красное вино.

– **Что важнее в жизни – деньги или власть?**

– Слава.

– **Она ведь проходящая.**

– Это вопрос. Если ты умудряешься эту проходящую славу тиражировать в бессмертие, тогда это выше всего. Например, на 100 долларах кто находится? Франклин. Это и есть тиражирование бессмертия.

– **А вы бы хотели, чтобы ваш портрет был на деньгах?**

– Ну, если гривна будет такая, как доллар – да.

– **Если такая, как сейчас?**

– Тогда пусть Гонtareва лучше будет.

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# Subject: In-town pool report #6 - Ukraine call



poolreports  
7/25/19 1:02PM

371

1



Bolen, Cheryl

Sent: Thursday, July 25, 2019 12:56 PM

Subject: In-town pool report #6 - Ukraine call

Per Judd Deere in WH press office:

“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.”

.....

Cheryl Bolen  
White House Correspondent

Bloomberg Government

202-xxx-xxxx direct  
202-xxx-xxxx mobile  
xxx@bgov.com (mailto:xxx@bgov.com)

=====

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## World: How The U.S. Ranks The Visits Of Foreign Heads Of State

August 09, 1997 00:00 GMT By Julie Moffett

Washington, 6 August 1997 (RFE/RL) -- Every year in Washington there are an average of six "state visits" where chiefs of state, presidents and royalty from around the globe come to the United States to meet with the American president.

Six? Certainly the U.S. president meets with more than six chiefs of state in any given year?

Yes, he does. But according to the State Department, those guests are not all offered the highest ranking visit -- a state visit. Instead they are granted what are called "official visits" or "working visits" or even "official working visits."

In Washington it seems that nothing is ever simple. This is certainly true when it comes to deciding how best to welcome a visitor from a foreign government.

According to official State Department guidelines, there are five types of visits to be accorded to a ranking member of a foreign government. They are: a "state visit," an "official visit," an "official working visit," a "working visit," and a "private visit."

The guidelines say that the "state visit" is the highest ranking visit and can only be offered to a chief of state -- such as the president of a country or a reigning monarch like Britain's Queen Elizabeth -- and must be at the invitation of the U.S. president.

During a state visit, the guest is offered a room for four days and three nights at Blair House, the President's official guest house, located within walking distance of the White House.

A state visit ensures a meeting with the U.S. president, a state dinner at the White House, a full honors arrival and departure ceremony on the south grounds of the White House, and a 21 gun salute. Gifts may be exchanged and spouses can attend the ceremonies and dinners. Press availability and photo opportunities are plentiful.

The next highest visit is the "official visit." An official visit can only be offered to a head of government such as a prime minister and must be at the invitation of the U.S. president.

The guest is offered quarters at Blair House for three nights and four days. During an official visit the head of the government is entitled to a meeting with the U.S. President, a full honors arrival and departure ceremony on the south grounds of the White House, a 19 gun salute and official dinner at the White House. Gifts may be exchanged and spouses can attend the ceremonies and dinners.

In practice there is little difference between a state visit and an official visit except for the rank of the visitor, the difference in the number of guns fired in salute the visitor receives and the description of the White House dinners -- a state dinner verses an official dinner.

However, there is a big difference between state and official visits and an official working visit or a working visit.

State Department guidelines say that an "official working visit" can be offered to either a chief of state or the head of a government, but it must be extended by the U.S. president himself.

Blair House is then offered for two nights and three days and the guest is entitled to a meeting with the President, followed by a working luncheon at the White House. A dinner or reception is possible, but decisions are only on a case-by-case basis.

The U.S. Secretary of State is a participant at the working luncheon so no separate meeting is arranged. There is no ceremony upon arrival and departure. The press is usually granted some photo opportunities and occasionally there is a press conference. There is no gift exchange and spouses do not attend the luncheon.

A "working visit" is the next in the rank of visits. A working visit is extended to a chief of

state or head of government at the invitation of the U.S. president. A working visit normally consists of a meeting with the president at the White House, but without a luncheon, dinner or formal press availability. There is no gift exchange and spouses do not attend the luncheon.

The last type of visit is the "private visit." A private visit involves a chief of state, head of government, foreign minister or any other government official who arrives in the U.S. without the invitation of the U.S. president.

The visitor may request a meeting with the U.S. president and if it is granted, it is often referred to as a "working session." Blair House is not offered and spouses do not attend the session. There is no gift exchange and no official press availability although photo opportunities may be possible.

To those who deal with these types of issues everyday the whole affair seems rather simple. Mel French, the Director of Protocol at the U.S. State Department, says there is a practical reason why the White House ranks the visits of foreign guests.

"Ranking the visits gives a level to what the [U.S.] president wants to do when he invites someone to this country," she says. "Often they really need an official working visit where they can sit down and work through problems or things that they need to talk about. An official working visit is really a visit of substance and policy. A state visit and an official visit are more of a ceremonial type thing where we are honoring a country."

French adds that there are limits on state visits.

"A country can only have one state visit during a [U.S.] president's four-year term," she says.

French says that the decision of what kind of rank to accord each visitor is made jointly by the National Security Council and the State Department.

When asked if foreign heads of state are ever invited to stay at the White House instead of Blair House, French says that can happen occasionally, but only under unusual or important circumstances.

## **Giuliani: "Massive Collusion" Between DNC, Obama Admin, Clinton People & Ukraine To Create False Info About Trump**

Posted By Ian Schwartz  
On Date May 10, 2019

Giuliani: Mueller concluded Don Jr. did nothing wrong



President Trump's attorney Rudy Giuliani reacts to the Senate Intelligence Committee issuing a subpoena to Donald Trump Jr. and James Comey's town hall on CNN.

Giuliani also remarked on the media's hypocrisy with covering Russian collusion but not collusion with Ukraine and other actors to pass bad information about Donald Trump around. Giuliani said Biden family connection to Ukraine is not being investigated because the press is "totally corrupt."

"The fact is this was a massive collusion between the Democratic National Committee, officials of the Obama administration, Clinton people, and the Ukrainian officials, corrupt officials -- who, by the way, were pro-Russian corrupt officials -- to create false information about Trump, about Manafort," Giuliani told FOX News host Laura Ingraham in an interview Thursday night.

LAURA INGRAHAM, FOX NEWS: All right. Rudy, I want to move on to the backlash you've been receiving for calling on the DOJ, I guess to investigate Biden and his family. You haven't talked about this before on the show. And these questionable ties to the Ukraine, especially the sweetheart payday Hunter Biden ended up getting with fund there.

RUDY GIULIANI, ATTORNEY FOR PRESIDENT DONALD TRUMP: Wow.

INGRAHAM: Here are just a few of these examples. Let's listen.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Giuliani, the president's personal attorney, has been pushing the Justice Department to go hard on Hunter Biden's ties to Ukraine.

UNIDENTIFIED MALE: It is a blatant use to use a foreign power to tarnish Trump's potential general election opponent.

UNIDENTIFIED MALE: Rudy Giuliani is telegraphing it. It's clearly Hunter and in some ways, they almost want to create foreign interference, throw in

the Ukraine and the Russians, and Giuliani has been to the Ukraine. He's got Ukrainian clients.

(END VIDEO CLIP)

(LAUGHTER)

GIULIANI: They are out of their minds. Look, I came --

(CROSSTALK)

INGRAHAM: Hold on, just in the last hour, it gets better. "The New York Times" posted this story online, quote: Giuliani plans Ukraine trip to push for inquiries that could help Trump.

Ooh, like you're not allowed to travel, apparently, Rudy, to help your client. Jeez.

GIULIANI: Well, I am his lawyer. One of the things lawyers do when you defend a client is to develop innocent hypothesis, explanations of what you client was charged with.

Well, the fact is this was a massive collusion between the Democratic National Committee, officials of the Obama administration, Clinton people, and the Ukrainian officials, corrupt officials -- who, by the way, were pro-Russian corrupt officials -- to create false information about Trump, about Manafort.

This is -- this is real -- not collusion, conspiracy to present false information, and to leak it to the press, and to give it to the FBI.

The Ukrainian government is presently investigating it. My aim is to make

sure that Soros' representatives, who have a lot of influence in that government, and a very highly corrupt Ukrainian who actually participated in creating a false document about Paul Manafort, actually, he has been found guilty of bad by the Ukrainian court.

INGRAHAM: Yes, I saw that.

GIULIANI: That they do not prevent the continuation of this investigation, which they are trying to do.

All I want the Ukrainian government to do is investigate, and don't let these people buffalo you. And that's what they're trying to do.

(CROSSTALK)

GIULIANI: Now, Biden came to me --

INGRAHAM: I don't understand it. Why isn't the media interested in this? Why isn't the media pursuing this?

GIULIANI: Because the media is totally corrupt.

(CROSSTALK)

INGRAHAM: -- Russian collusion, Russia collusion, why not this? I mean, it's a fascinating story, and everyone, John Solomon is reporting on this.

GIULIANI: It's a big story. It's a dramatic story. And I guarantee you, Joe Biden will not get to election day without this being investigated, not because I want to see him investigated. This is collateral to what I was doing.

But here are the facts, Laura. Joe Biden was appointed the point man for Ukraine. Two to three weeks later, his son, Hunter, who had just been tossed out of the military for testing positive for cocaine, was appointed to a position on the most corrupt agency, the most corrupt business in Ukraine, a natural gas business called Burisma, which was headed by an oligarch who was being protected by Putin in Russia.

And Biden's kid took down about \$3 million or \$4 million that we could count. And Biden, when the kid got under investigation, actually says, quote, I strong-armed the president of the Ukraine to dismiss the prosecutor because the son of -- I will leave it out -- was corrupt.

What he left out of the explanation was that prosecutor was right on the tail of his son, looking for the money that appeared to have been laundered from Latvia to Croatia to America. And when he tried to get the Croatian government to give the amount of money that Hunter Biden received, all of a sudden, the president of the Ukraine gets a call from the vice president of the United States, and he has told you are not going to get your \$1.2 billion loan guarantee, which they needed then to prevent default, unless you dismiss the prosecutor.

INGRAHAM: Yes.

GIULIANI: The president didn't want to do it. He was the godfather of the prosecutor's children. He didn't want to do it.

INGRAHAM: This is like -- this is like a James Patterson novel.

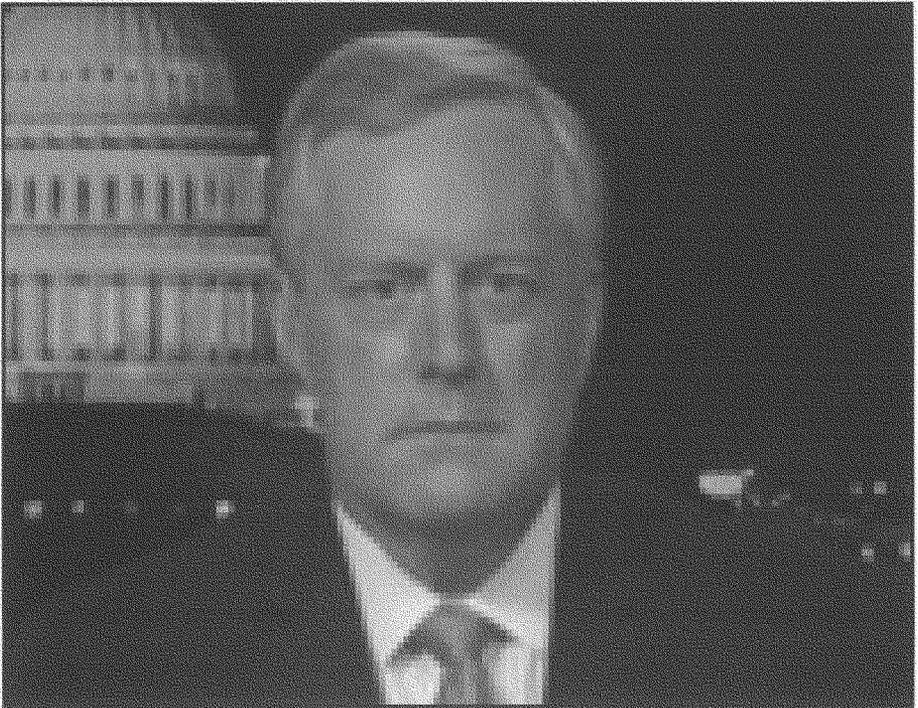
GIULIANI: Now, if you tell me this doesn't get investigated between now and election day, then our Justice Department is as corrupt as "The Washington Post", CNN.

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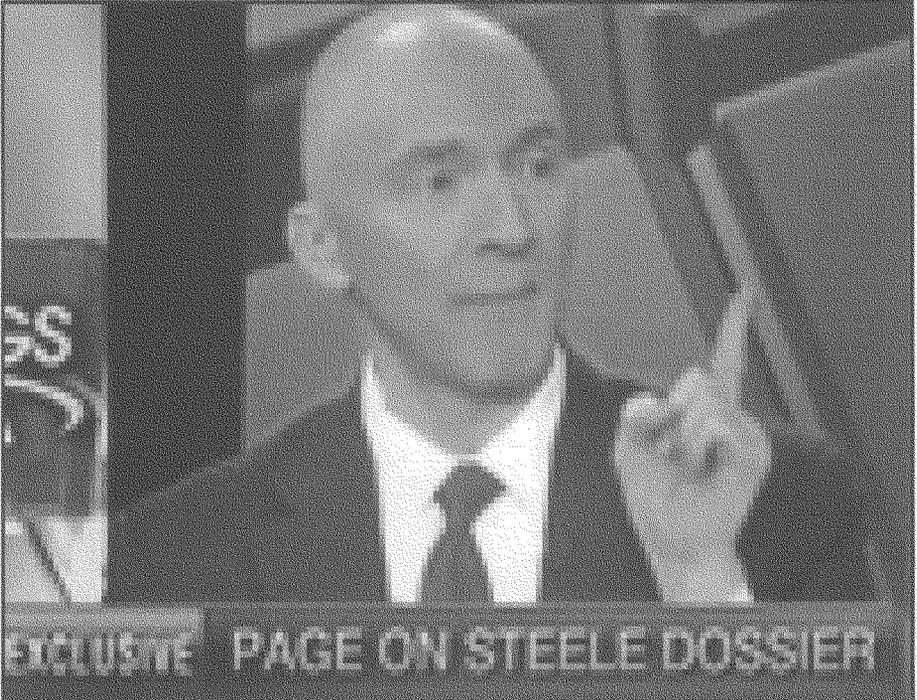
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☐ Meadows: Jerry Nadler Is Going Crazy Because He Knows The Truth About Spygate Is Coming Out

House Freedom Caucus leaders Mark Meadows and Jim Jordan joined FNC's Sean Hannity Wednesday night to prognosticate about the potential release of information on "Spygate." SEAN HANNITY, FOX NEWS: It is now beginning to unravel, the attorney general, it's over. Mueller is dead. It's finished....

Mark Meadows FISA Abuse Jim Comey FBI Trump Investigation SPYGATE Jerry Nadler



🔗 **Carter Page: Not Once Did Anyone Ask Me To Do Anything Illegal Or Unethical With Russia**

Former Trump foreign policy adviser Carter Page joined FBN's Maria Bartiromo to discuss the increasing scrutiny of the Steele dossier and allegations of spying on Trump campaign officials related to the Russia investigation. MARIA BARTIROMO, FOX BUSINESS NETWORK: This is an important story. You...

Carter Page Maria Bartiromo Mueller Report Russia Collusion FISA Abuse



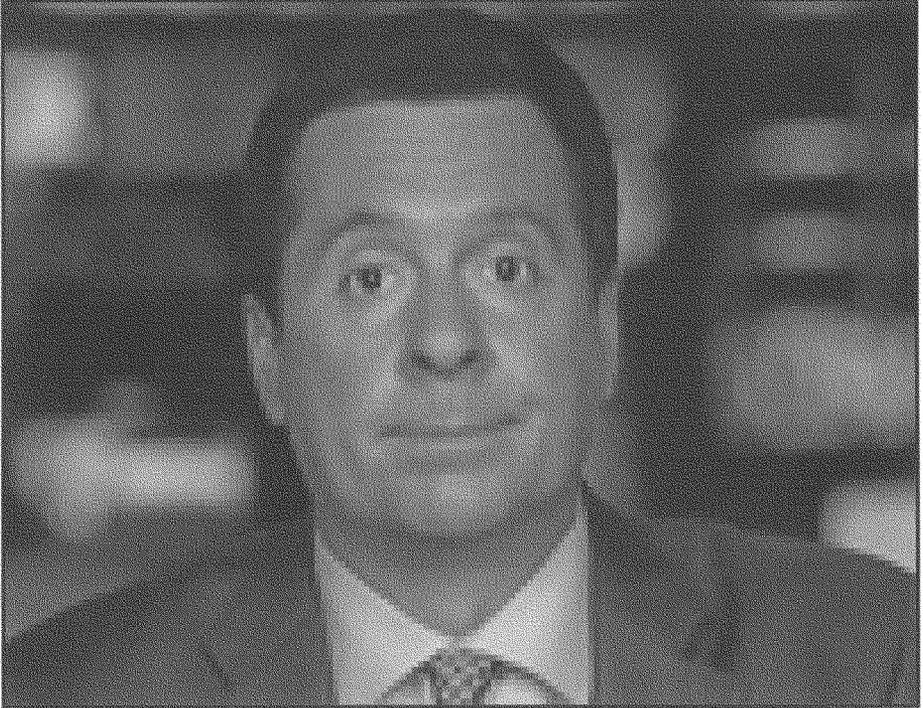
#### 🔗 Trump: Mueller "In Love" With Comey

President Trump said on Thursday that he would leave it up to Attorney General Bill Barr to decide whether special counsel Robert Mueller may testify before Congress on the Russia investigation. In a surprise news conference, the president talked about trade negotiations with China and the Mueller...

Donald Trump

Robert Mueller

James Comey



🔗 **Devin Nunes: Senate Must Look At Fusion GPS's Role In Trump Tower Meeting Before Questioning Donald Trump Jr.**

Rep. Devin Nunes, the ranking Republican on the House Intelligence Committee, told FNC's Tucker Carlson Wednesday night that the Senate Intelligence Committee making public a subpoena of Donald Trump Jr. the day after Majority Leader Mitch McConnell declared "case closed" on the Mueller probe...

Devin Nunes

Mueller Report

Fusion GPS

Donald Trump Jr.



## Pence: I Don't Object To Releasing My Call Transcripts With Zelensky

Posted By Ian Schwartz  
On Date November 7, 2019

Mike Pence sits down with Trish Regan for an exclusive one-on-one



TRISH REGAN, FOX BUSINESS NETWORK: You know, they're a little bit like a dog with a bone right now. The Gordon Sondland testimony, I could ask you about that because he testified one thing and then he's effectively reversing it, now saying, well, you know, there was a quid pro quo after having said previously there was no quid pro quo. So let me ask you about that. You went to Warsaw, September 1, and you met with President Zelensky then. Did you say to him the money is contingent upon you offering something up in the way of a statement, whatever it may be, on how you're handling corruption?

VICE PRESIDENT MIKE PENCE: Oh, of course not.

REGAN: You didn't?

PENCE: No. Our focus entirely in the meeting that I took with President Zelensky after President Trump had to stay here in the states to deal with the onrushing hurricane, was entirely focused on our support for the territorial integrity and security of Ukraine. And it was focused on President Trump's desire to see President Zelensky succeed in his agenda of moving anti-corruption legislation. I can tell you in my conversation with President Zelensky, he had just come off great legislative elections. And he had told me that they'd elected more than 250 members of his party and a large majority, and they'd already introduced almost as many bills to combat corruption. He also told me that he agreed with President Trump that the European community needed to do more to support Ukraine. And he agreed to work with us to call on the European community. But that was the focus entirely, Trish.

REGAN: So you never said, listen, you know, if you want to get this nearly 400 million dollars, you gotta do something on corruption.

PENCE: Oh, of course not. Of course not. Other than to say that we wanted to support his efforts to deal with corruption in Ukraine, to deal with --

REGAN: Which is a legitimate thing to ask for.

PENCE: Well, it's not only legitimate, it's what he ran on. President Zelensky had an extraordinary victory in his campaign because he ran on an anti-corruption theme. President Trump made it clear from early on that we wanted to support him in that effort. We wanted to see him make progress in that effort. And we wanted to see the European community come forward.

REGAN: Did Joe Biden come up? Did Hunter Biden come up in the conversation?

PENCE: No, he did not at all. And I said that at the time. But look, here's -- the point is

1/3/2020

Pence: I Don't Object To Releasing My Call Transcripts With Zelensky | Video | RealClearPolitics

whether it was my conversation with President Zelensky, whether it was President Trump's telephone call in July. I mean, where the American people can read the transcript. I just think what the people --

REGAN: It would help, don't you think, to the American people to release that transcript? Because the president said, "Okay, here it is. All these allegations you can see for yourself."

PENCE: I think it demonstrated this president's commitment to transparency and the fact that --

REGAN: Will you do the same with your phone call?

PENCE: Well, I've said I have no objection at all. We were working with White House counsel about that. I've had a couple of telephone calls of President Zelensky, and -- but all of them were focused on the same topics. Look, we have supported Ukraine against Russian aggression. We've provided that military assistance. But President Trump made it clear from early on we wanted to see Ukraine make progress on corruption and we want to see the European community do more. And after I returned from Poland, I reported to the president all the progress that Ukraine had made under President Zelensky's leadership and the support for Ukraine was released. And the United States has a strong relationship with Ukraine. We'll continue to stand strongly with them. But at the end of the day, again, remember, the whistleblower was all about a telephone call. And maybe, maybe some of the president's critics didn't expect him to release the transcript, but he did and he did readily. And now the American people can read the transcript. They can decide for themselves. There was no quid pro quo. The president did nothing wrong.

REGAN: Would you do the same?

PENCE: The American people want to see -- the American people want to see this Congress start to focus on what's important.

REGAN: Yeah, listen, I think it probably disarmed all the Democrats were thinking they had something by him doing that. So, again, you're working on it, you're looking at it, you're thinking about it, releasing your own transcripts --

PENCE: Oh, I -- as I said before, I'd have no objection to releasing the transcripts of a couple of telephone calls that I have with President Zelensky. And again, they were all about the very same issues. It's my -- been my great honor as vice president to represent this president of the United States in meetings with world leaders over the last three years. And when the president asked me to fill in in Poland to go with what was a commemoration of the 18th anniversary of the beginning of World War Two, he had already scheduled a meeting with President Zelensky. President Trump had agreed to meet with President Zelensky in Poland, and he asked me to go ahead and take that meeting. And so I carried with him that message. We had a great conversation. And as I said, after I returned, all the support for Ukraine --

REGAN: And you can see the briefing, right? I mean, you had a transcript anyway of the 20 -- the conversation that had taken place on the 25th. You had that in your packet. So you were somewhat familiar.

PENCE: Well, I'm -- I'm told that it was delivered to me. But, you know, I received literally hundreds of transcripts over the time. I don't recall ever reading it specific, but it doesn't mean that I did. But had I read it, it wouldn't matter because the president did nothing wrong. There was no quid pro quo. The president brought up issues that were important to the American people. And I think anyone who takes time to read the transcript will see just that.

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12/20/2019

Exclusive: Giuliani associate Parnas will comply with Trump impeachment inquiry - lawyer - Reuters



POLITICS

NOVEMBER 4, 2019 / 5:03 PM / 2 MONTHS AGO

## Exclusive: Giuliani associate Parnas will comply with Trump impeachment inquiry - lawyer

Aram Roston



WASHINGTON (Reuters) - Lev Parnas, an indicted Ukrainian-American businessman who has ties to President Donald Trump's personal lawyer, Rudy Giuliani, is now prepared to comply with requests for records and testimony from congressional impeachment investigators, his lawyer told Reuters on Monday.

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Parnas, who helped Giuliani look for dirt on Trump's political rival, former Vice President Joe Biden, is a key figure in the impeachment inquiry that is examining whether Trump abused his office for personal political gain.

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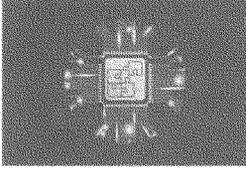
His apparent decision to work with the congressional committees represents a change of heart. Parnas rebuffed a request from three House of Representatives committees last month to provide documents and testimony.

“We will honor and not avoid the committee’s requests to the extent they are legally proper, while scrupulously protecting Mr. Parnas’ privileges including that of the Fifth Amendment,” said the lawyer, Joseph Bondy, referring to his client’s constitutional right to avoid self-incrimination.

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Giuliani did not immediately respond to requests for comment. On Capitol Hill, the House leadership and a spokesperson for the House Intelligence Committee declined comment.

His previous lawyer, John Dowd, wrote to the committees in early October complaining that their requests for documents were “overly broad and unduly burdensome.”

Parnas pleaded not guilty in Manhattan federal court last month to being part of a scheme that used a shell company to donate money to a pro-Trump election committee and illegally raise money for a former congressman as part of an effort to have the president remove the U.S. ambassador to Ukraine.

12/20/2019

Exclusive: Giuliani associate Parnas will comply with Trump impeachment inquiry - lawyer - Reuters

FILE PHOTO: U.S. President Trump's personal lawyer Rudy Giuliani has coffee with Ukrainian-American businessman L...

The indictment does not address the issues involved in the impeachment inquiry.

Parnas would be a crucial witness if he were to cooperate. He has said he played a key role in connecting Giuliani to Ukrainian officials during Giuliani's investigation into Biden and his son Hunter.

Trump's request to Ukraine's president, Volodymyr Zelenskiy, in a July 25 phone call to investigate the Bidens was at the heart of a whistleblower complaint by an intelligence officer that sparked the Democratic-led impeachment inquiry on Sept. 24.

Reporting By Aram Roston, editing by Ross Colvin and Howard Goller

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## Ukrainian lives hung in balance as Trump held up aid

 [rollcall.com/news/congress/ukrainian-lives-hung-in-balance-as-trump-held-up-aid](https://rollcall.com/news/congress/ukrainian-lives-hung-in-balance-as-trump-held-up-aid)

John M. Donnelly

October 24, 2019



Ukrainian soldiers on the front line in the eastern Donbass region in June 2018. (Oleksandr Rupeta/NurPhoto via Getty Images)

On June 6, Russian-allied forces in Ukraine's eastern Donbass region fired a volley of artillery shells on Ukrainian soldiers based in a rural area, even though Moscow had signed a ceasefire agreement the day before.

Two young Ukrainian soldiers — 28-year-old Dmytro Pryhlo and 23-year-old Maksym Oleksiuk — were killed in their dugout by that shelling in the settlement of Novoluhanske, Ukrainian commanders said at the time. Eight other Ukrainian soldiers suffered concussions and other injuries.

Pryhlo and Oleksiuk were just two men. But the day before, the Russians had killed another Ukrainian soldier. The day before that, they had killed two others. And in the nearly five-plus years before that, thousands more had fallen.

In total, upward of 13,000 people, at least a quarter of them civilians, have been killed since 2014, when Russia annexed Ukraine's Crimea region and started a separatist uprising in Donbass, where some 35,000 Russian-backed fighters are said to still be stationed.

The pace of casualties in the war in Donbass has waned — due largely, experts say, to some \$1.5 billion in U.S. military aid in the last five years. So has press coverage of the conflict. But lives are still lost on a weekly, and sometimes daily, basis.

The deaths of Pryhlo and Oleksiuk came at a critical time and highlighted a key battlefield vulnerability. Less than two weeks after they were killed, the Pentagon announced that \$250 million in new U.S. military aid — weapons, training, medical supplies and more — would arrive soon in Ukraine, part of a roughly \$391 million fiscal 2019 aid package.

Significantly, the new aid included not just weapons like grenade launchers and rifles but also counter-artillery radars and other defensive systems that, though they would arrive too late to have detected and defended against the shelling in Novoluhanske, might very well help Ukraine see and defend against similar artillery attacks in the future, experts said.

Moreover, the delay in delivering those radars and other aid deferred the Ukrainian military's ability to upgrade its capabilities.

Much more important than its operational benefits, these observers say, the aid has conveyed the message to Ukraine — and above all, to Russia — that the United States stands with Ukraine.

The White House's withholding of this support — which administration officials, including the president, had directly or indirectly told top Ukrainian government officials about last summer — sent the opposite message.

"It is a significant mistake to withhold this aid for any reason, and particularly for domestic considerations," said retired Adm. James Stavridis, who commanded U.S. forces in Europe from 2009 to 2013. "Doing so is a gift to Vladimir Putin."

## Psychological, operational effect

Trump's monthslong freeze on the money, which he dropped in September, is a key basis for the House impeachment inquiry. But the support to Ukraine is usually discussed in almost clinical terms — as an "aid package" or "security assistance" or similarly abstract terms.

To the contrary, however, Trump's apparent decision to use the aid money to coerce a partner nation into helping his political fortunes posed life-and-death risks to Ukrainian families like Pryhlo's and Oleksiuk's, according to lawmakers from both parties, U.S. military officers and analysts who focus on Ukraine.

### ***[Mulvaney acknowledges 2016 election investigation was tied to Ukraine aid freeze]***

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**Congress**

# Ukrainian lives hung in balance as Trump held up aid

Critical weapons, training held hostage by monthslong freeze on funds



1/6/2020

Ukrainian lives hung in balance as Trump held up aid

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Ukrainian soldiers on the front line in the eastern Donbass region in June 2018. (Oleksandr Rupeta/NurPhoto via Getty Images)

**John M. Donnelly** (/author/jdonnellycq-com)

@johnmdonnelly (/www.twitter.com/johnmdonnelly)

Posted Oct 24, 2019 5:00 AM

On June 6, Russian-allied forces in Ukraine's eastern Donbass region fired a volley of artillery shells on Ukrainian soldiers based in a rural area, even though Moscow had signed a ceasefire agreement the day before.

Two young Ukrainian soldiers — 28-year-old Dmytro Pryhlo and 23-year-old Maksym Oleksiuk — were killed in their dugout by that shelling in the settlement of Novoluhanske, Ukrainian commanders said at the time. Eight other Ukrainian soldiers suffered

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Ukrainian lives hung in balance as Trump held up aid

= concussions and other injuries.

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Pryhlo and Oleksiuk were just two men. But the day before, the Russians had killed another Ukrainian soldier. The day before that, they had killed two others. And in the nearly five-plus years before that, thousands more had fallen.

In total, upward of 13,000 people, at least a quarter of them civilians, have been killed since 2014, when Russia annexed Ukraine's Crimea region and started a separatist uprising in Donbass, where some 35,000 Russian-backed fighters are said to still be stationed.

Mulvaney acknowledges 2016 election investigation was tied to Ukraine aid freeze



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The pace of casualties in the war in ~~Donbas~~ (where the war is) — due largely, experts say, to some \$1.5 billion in U.S. military aid in the last five years. So has press coverage of the conflict. But lives are still lost on a weekly, and sometimes daily, basis.

The deaths of Pryhlo and Oleksiuk came at a critical time and highlighted a key battlefield vulnerability. Less than two weeks after they were killed, the Pentagon announced that \$250 million in new U.S. military aid — weapons, training, medical supplies and more — would arrive soon in Ukraine, part of a roughly \$391 million fiscal 2019 aid package.

Significantly, the new aid included not just weapons like grenade launchers and rifles but also counter-artillery radars and other defensive systems that, though they would arrive too late to have detected and defended against the shelling in Novoluhanske, might very well help Ukraine see and defend against similar artillery attacks in the future, experts said.

Moreover, the delay in delivering those radars and other aid deferred the Ukrainian military's ability to upgrade its capabilities.

Much more important than its operational benefits, these observers say, the aid has conveyed the message to Ukraine — and above all, to Russia — that the United States stands with Ukraine.

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The White House's withholding of this support — which administration officials, including the president, had directly or indirectly told top Ukrainian government officials about last summer — sent the opposite message. ❌

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“It is a significant mistake to withhold the aid for any reason, and particularly for domestic considerations,” said retired Adm. James Stavridis, who commanded U.S. forces in Europe from 2009 to 2013. “Doing so is a gift to Vladimir Putin.”

## Psychological, operational effect

Trump’s monthslong freeze on the money, which he dropped in September, is a key basis for the House impeachment inquiry. But the support to Ukraine is usually discussed in almost clinical terms — as an “aid package” or “security assistance” or similarly abstract terms.

To the contrary, however, Trump’s apparent decision to use the aid money to coerce a partner nation into helping his political fortunes posed life-and-death risks to Ukrainian families like Pryhlo’s and Oleksiuk’s, according to lawmakers from both parties, U.S. military officers and analysts who focus on Ukraine.

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Trump: 'We are looking at corruption'



Sen. Rob Portman ([https://www.rollcall.com/members?373&utm\\_source=memberLink?utm\\_source=memberLink](https://www.rollcall.com/members?373&utm_source=memberLink?utm_source=memberLink)), an Ohio Republican and member of the Foreign Relations Committee, was among the lawmakers who pressed the administration to free the money for Ukraine after the hold became public in late August. Trump, in fact, cited Portman's entreaties in September as being critical in the decision to belatedly release the aid money, which Trump had claimed was being withheld to try to get other countries to contribute more and because Ukraine was too corrupt to properly handle the money.

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# Stay Tuned Transcript: Diagnosing Trump (with George Conway)



CAFE

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**Preet Bharara:** George Conway, welcome to the show.

**George Conway:** Thank you for having me.

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**George Conway:** Well, traffic was better to get into the city, I can say that.

**Preet Bharara:** Are you prepared to unburden yourself, sir?

**George Conway:** I think I've unburdened myself a lot already.

**Preet Bharara:** Yes. With 11,300 words?

**George Conway:** No, 11,427.

**Preet Bharara:** Not that you're counting.

**George Conway:** No, not counting.

**Preet Bharara:** How many words did you edit out?

**George Conway:** Probably about 6,000.

**Preet Bharara:** Whoa.

**George Conway:** Actually, most of that was done by a wonderful editor at The Atlantic, Yoni Appelbaum.

**Preet Bharara:** So congratulations on your article.

**George Conway:** Thank you.

**Preet Bharara:** Published in The Atlantic?

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**George Conway:** I don't know if that's a good thing.

**Preet Bharara:** Well, I read every word of it. So let's talk about the thesis of the article. It's what?

**George Conway:** The thesis of the article is that, if you look at the ingrained personality characteristics of Donald Trump, and you use some of the knowledge that's in the psychological literature and use the diagnostic criteria of the DSM, the Diagnostic and Statistical Manual of Mental Disorders, and focus on the criteria for narcissistic personality disorder and antisocial personality disorder, which you can also call pathological narcissism and sociopathy, you'll find that his behavioral characteristics are simply inconsistent with what you need for someone to carry out the duties of the President of the United States. And in particular, that's true about his narcissism. His narcissism, his extreme narcissism, is really his focus on himself above everything else in the world.

**Preet Bharara:** But other people are narcissistic.

**George Conway:** There are. In fact, narcissism is a continuum.

**Preet Bharara:** Can be good.

**George Conway:** It can be good. You need a certain amount of narcissism to be a healthy human being. You need that kind of confidence to go out in the world and accomplish things. It can become dangerous when it becomes excessive. And in the case of somebody

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duties, and he puts his self, his own interests, above the country's in almost any circumstance.

**George Conway:** And that's exemplified by the most recent scandal, the Ukraine scandal, where he's essentially using his office. He is using his office, using the power of potentially withholding funds or even simply the power of the presidency to extort a smaller nation, to try to get that nation to issue some kind of a statement against Trump's principle political rival.

**George Conway:** And you also saw it in connection with the Mueller investigation. The Mueller investigation, he made that investigation all about himself in the end.

**Preet Bharara:** Well, it kind of was.

**George Conway:** Well, well ...

**Preet Bharara:** That's a little bit more fair, no?

**George Conway:** Well, no. I mean, look, it was an investigation about what happened in the 2016 election. It Was about what the Russians did as much as anything. It was about whether the campaign had contacts and did anything and colluded ... well, not colluded really, but conspired with any Russians, and to some extent, that implicated his conduct. But at the end of the day, there wasn't evidence of his direct involvement in anything. There wasn't any evidence of a criminal conspiracy that was chargeable that Mueller found.

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He made it all about him. Then, by trying to obstruct the investigation, when his duty as President should be, "While the Russians did try to interfere, maybe they tried to help me, but they shouldn't do this. I'm the President of the United States. My duty is to protect the country, and I shouldn't be interfering with this investigation."

**George Conway:** And instead, he did interfere with the investigation. He attempted to obstruct it in multiple ways. He even obstructed justice about obstructing justice when he tried to get Don McGahn to write a false memo about things he told McGahn to do. And because he did that, he created out of nothing volume two of the Muller Report. He made the thing about himself. It didn't have to be.

**Preet Bharara:** I want to talk more about the diagnosis.

**George Conway:** Right.

**Preet Bharara:** Because it goes on at some length. But before we do that, some people would ask the question, why are you writing this article? You're a lawyer, a very accomplished one. I looked up your background. You went to some pretty good schools, but you don't have a psychology degree.

**George Conway:** Right.

**Preet Bharara:** Why did you decide to write this and explore it? I mean, it's very compelling, but I'm not a doctor, I'm not a psychologist, so I don't know quite how to evaluate it.

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one reason.

**George Conway:** The second reason is it does tie directly into his ability to carry out his duties as President. Can he subordinate his interests to those of the nation? A pathological narcissist can't do that. That's the essence of the problem. And it's funny, you watch all the press coverage over the last three years, and you see a lot of commentary to the effect that "What's the strategy? Why is he doing that? Is he playing 15-dimensional chess?" And the answer is he isn't.

**Preet Bharara:** Someone once put it, I think, this way: He's actually trying to eat the pieces.

**George Conway:** That's right. No, no, yes. That was an unnamed former senior administration official in I think it was BuzzFeed. But this is the way he behaves. There's no plan behind it.

**Preet Bharara:** But has he always been this way?

**George Conway:** Yes. That's one of the things, we could go back through his history. He's always been narcissistic.

**Preet Bharara:** Right.

**George Conway:** Extremely narcissistic. And he's always been a pathological liar.

**Preet Bharara:** But you point out, and I think this is correct because I've seen older videos too, that separate from any personality

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George Conway: ... from, you have to be very careful about what is clear, if you look at the videos. For example, there's one video that is out there from a Today Show interview with Tom Brokaw from I think the late '80s, and it's very striking. You watch Donald Trump speaking coherently in complete sentences and very smoothly. It's a marked contrast to him today.

**George Conway:** If you look at videos from three or four years ago, there seems to be a difference. All that said, the experts say that you cannot make a determination that he is suffering some kind of an unusual cognitive decline on the basis of just that. It requires a full battery of testing of the sort that he has not had.

**George Conway:** But, if it were the case that it is something more significant than just age-related decline, it could aggravate the situation, and you can make a strong argument that a ...

**Preet Bharara:** In combination, they're bad.

**George Conway:** The combination would be very bad, and you could make a strong argument, I think he should be tested. I think, frankly, we might want to consider testing anybody who runs for the presidency who has a significant ...

**Preet Bharara:** Well, he has that doctor who says he's the healthiest President ever.

**George Conway:** Right.

**Preet Bharara:** You don't think that's enough, George?

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not completely lost it at this precise moment. It doesn't tell you whether or not there's some kind of an onset of Alzheimer's, for example, that could come into play in a year or two.

**Preet Bharara:** If you showed him a picture of a sheep, and he said, "That's Greenland" ...

**George Conway:** He'd say it's fake news.

**Preet Bharara:** That would be different. But have you had an evolution in your thinking about this? Because ...

**George Conway:** Yes.

**Preet Bharara:** If he's always been this way, you've only been outspoken about it fairly recently.

**George Conway:** Yeah, I can give you a rough [inaudible 00:09:12] of the history of my thinking on this. First of all, I just assumed that ... I assumed he was a jerk as a New Yorker and a consumer of New York news, tabloid news.

**Preet Bharara:** I see, I see, okay.

**George Conway:** I assumed, yeah, he's a jerk. He can be a jerk. And there was actually a point during the primaries where I resolved I could never support him. And that was when he said whatever he said about Heidi Cruz, I just found that so deeply offensive.

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**Preet Bharara:** Right.

**George Conway:** At some point, I relented when he was the last person standing, and at that point he was all we had. As a conservative Republican, he was all we had. And people said he was awful. He was the worst thing in the world. It's hard to believe people saying all those things about him. Nobody could be that bad. It turned out he was worse. And I just thought, in terms of his ignorance of issues, I thought he'd learn more over time. And in terms of his popping off in saying things that were inappropriate, it would get better over time, and you'd wince every so often at something he'd do or say, but it would be manageable.

**Preet Bharara:** And you would get your tax break.

**George Conway:** And the judges and whatnot, right?

**Preet Bharara:** Right.

**George Conway:** And when he became President, I thought he's a man with a big ego, and he'd be in awe of the office, and he'd understand that if he wanted to earn his place in history, he had to consider the office and consider the importance of upholding the values of the country. And he'd understand that there's something greater than him.

**Preet Bharara:** You thought he'd grow into it.

**George Conway:** Correct.

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.....  
was the most idealized version of what the future might hold.

**George Conway:** Right, and he would start to be more presidential. He'd start to be dignified. He'd learn the job, and he'd play the role. And it never happened. And you scratch your head. Why? Why does he keep doing this? It was a frustrating and aggravating thing to watch.

**George Conway:** And one day, I came across an article from Rolling Stone that had been published months before, and it was about Donald Trump being a pathological narcissist. It was written by a writer named Alex Morris who went through the diagnostic criteria for narcissistic personality disorder, interviewed many experts, and she basically lined up his behavior with those diagnostic criteria. And it was a very compelling piece. And when I finished reading it, it was like a light bulb went off.

**George Conway:** And at that point, I started reading more and more about it. I even bought a copy of the DSM, which is, I must say, extremely expensive. It's like \$125 for this manual. It's the Diagnostic and Statistical Manual of Mental Disorders, and it's in its fifth edition. So DSM is what they call it, and because it's the fifth edition, they call it the DSM-5.

**Preet Bharara:** And with respect to narcissistic personality disorder, which you spend the most time on, there are how many factors?

**George Conway:** There are nine diagnostic principle diagnostic criteria, and you have to satisfy seven of them for a diagnosis.

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**George Conway:** ... some claim there's anyone, this doesn't say, it's nine for nine.

**Preet Bharara:** Nine for nine.

**George Conway:** The only argument that has ever been made that Donald Trump does not fit the criteria for narcissistic personality disorder has been made by a gentleman named Allen Frances who participated in the drafting of the DSM-5's diagnostic criteria for narcissistic personality disorder. And his argument is that, for all of these personality disorders in this section of the DSM, in order to separate minor issues from true mental disorders or mental illnesses, there is a question of degree. And what the DSM says is that, in order for something to qualify as a disorder, the person has to be impaired in some manner, socially or occupationally or in some other major aspect of their life or be in distress in some manner.

**Preet Bharara:** Right.

**George Conway:** He says ...

**Preet Bharara:** Actually, Trump causes distress in other people.

**George Conway:** Trump causes distress, and his narcissistic behavior, Frances says, actually has helped him, and he's been richly rewarded for it. So therefore he's neither impaired nor distressed.

**George Conway:** And I think that's just factually wrong, particularly with regard to impairment.

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George Conway: ...the main people that ... can be very sensitive, but their performance can be limited or harmed by their reaction to criticism.

**Preet Bharara:** Right.

**George Conway:** So that's one point. The other point is I don't know how you can't say he hasn't been impaired in his job as President. This guy should be at 55, 57, 60% in the polls. If he had shut his mouth and somebody had taken his phone and thrown it into the Potomac two years ago or three years ago, he'd be at 57% in the polls.

**Preet Bharara:** Right, but if you had taken away his phone and taken away his Twitter and taken away his shamelessness and all these other things that you rightly decry, would he have beat 15 other people in the primary? Isn't it the case? There's an argument that, whatever you want to call his personality, it is that force that allowed him to beat Jeb Bush and Marco Rubio.

**George Conway:** Well, there were a lot of other factors involved. There was "The Apprentice," which created this false image of him. There were the rules that the Republicans put into place after 2012 that created a bias in favor of the front-runner so that, within weeks of the primaries starting, you get into winner-take-all territory.

**Preet Bharara:** Right.

**George Conway:** And he had this name recognition. He was running against 15 other people or 16 other people, and it was an era, it

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second?

**George Conway:** Yeah.

**Preet Bharara:** Because you tell the story about “The Apprentice” that I’m not sure everyone knows, and that is that, on occasion, on a whim, Donald Trump would famously fire somebody, but that it made no sense given what had happened in the show.

**George Conway:** There’s a terrific article. The anecdote comes from a terrific article in the New Yorker, which wasn’t really about Donald Trump so much. It was actually a profile of Mark Burnett, who was the producer and creator of “The Apprentice.” The author tells the story in that article about how Trump basically was never prepared for the show, and he basically frequently didn’t know what was going, on and he just arbitrarily fired people on whims. Frequently, they were the best. Sometimes they were the best candidates.

**George Conway:** And this would cause a great deal of trouble for the writers and editors and the staff of “The Apprentice” because it just didn’t make sense. The storyline didn’t make sense. This guy was clearly the best one, and he gets canned.

**Preet Bharara:** Yeah, I know the feeling.

**George Conway:** Right. Oh, yeah, okay. At least you’re disclosing your biases.

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with a comment from one of the editors on "The Apprentice" saying, "I find it strangely satisfying that," I'm paraphrasing, "that is what they seem to be doing now at the White House."

**Preet Bharara:** Yeah, you're creating an alternative reality.

**George Conway:** Well, you're basically trying to ... he does these things. You don't want him to do them, and then you have to go back and try to make sense of them.

**Preet Bharara:** I kept expecting you to say something about the following personality trait of the President. I remember reading an article about this once. The President clearly has a sense of humor in the sense that he tells jokes.

**George Conway:** He's funny.

**Preet Bharara:** He makes people laugh.

**George Conway:** Actually, it's one ...

**Preet Bharara:** It's a scale. It's a strength he has.

**George Conway:** Right.

**Preet Bharara:** But he does not himself ever laugh.

**George Conway:** I know.

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... you're right, he's very funny. But I don't know that at any time, that every single time that he's funny, he's intentionally funny. But, yes, he is intentionally funny sometimes. He has the ability to charm. There's no question. He has the ability to flatter and charm.

**Preet Bharara:** Just ask the dictators of the world.

**George Conway:** Oh, absolutely. Well, and that's how he ... If he thinks you're useful to him, and if you've been complimentary to him, he thinks you're on his side, he can be very, very flattering. And it's helped him in his political career.

**Preet Bharara:** So this is the question I have when I read your article and when I see your tweets about personality disorder, and the question is, if his behavior and conduct is a result of a disorder, can we then not judge him?

**George Conway:** No, because ...

**Preet Bharara:** Because we're not talking about character. What about his character gets excused by this analysis?

**George Conway:** There's no excuse for it. This is not like an insanity defense. This does not excuse moral failings. This would not be a defense to a criminal act, for example. These personality traits and defects actually do coincide with moral defects. There's no question about it.

**George Conway:** In fact, one of the descriptive terms in the psychological literature for narcissistic sociopaths such as Trump,

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explains these tyrants like Hitler. What is it about their personality traits that is common?

**George Conway:** The point is that, if there was a psychological designation for evil, it would be malignant narcissism. It coincides with moral failings. So there's nothing, in any of these psychological terms, even if you had a full-out actual diagnosis of the parallels, what I wrote in the article, that would not excuse his moral failings. Not at all. Not for a moment.

**Preet Bharara:** So you're a conservative, you remain a conservative, and yet you speak out. And you said the following recently, in the last few days, I think on the great platform of Twitter.

**George Conway:** Where else?

**Preet Bharara:** You said, "I just don't get it. Why not just do the right thing? Worst thing that could happen to you is that you have to get a real job, but you'd always be able to say you did the right thing."

**George Conway:** Yeah, it's one of the mysteries to me about this era. Now, I get there are people who are not in a position to say or do anything there because they're junior ...

PART 1 OF 3 ENDS [00:22:04]

**George Conway:** ... to say or do anything there because they're junior or they're not in a financial position of comfort. They're vulnerable in some fashion. But there are people whose livelihoods don't depend

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uncomfortably in their seats when they're faced with the things that Donald Trump says and does.

**George Conway:** I think the most recent example is, I don't know if you saw this or your listeners saw it, but there was this video that made the rounds a few days ago of Senator Joni Ernst, a veteran, who was sitting uncomfortably at a town hall in her home state and being raked over the coals by a Republican voter who's saying, "What are you doing? This guy is selling out the country, in essence." And she's shifting uncomfortably, and basically her answer was, "Well, we're trying to do the best we can in the Senate to do things for the country. I can say stuff about the president, but he's just going to do what he's going to do."

**George Conway:** And, and for the life of me, I think that all these politicians, I can't see why they're doing it, but they're trying to figure out what's the safest course? If I go out and criticize him, some people will attack me, if I don't, some people are attacking me. They're trying to chart some kind of a middle ground and they're trying to squeeze by and instead of making [crosstalk 00:23:49] political-

**Preet Bharara:** I hope it's over.

**George Conway:** Hope it's over. Like maybe he'll just disappear tomorrow.

**Preet Bharara:** Get it to be over.

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**George Conway:** But that said, even if you don't believe in that, it's clear that they're not sure which way to go. If you're not sure which way to go, why not just do the right thing?

**Preet Bharara:** Is your advice to people in his inner circle to quit?

**George Conway:** If you can't have a positive effect on him and I don't think anybody can, yeah. The only people I think who should ... who may have to stay, would be people in the national security area, who can at least have some moderating or blunting effect. And particularly the lawyers. From what accounts have been appearing in the press, it looks like that when officials became alarmed at what Trump had done on the July 25th call with Zelensky, they became alarmed that Trump had committed a crime. And in fact, it appears that the CIA general counsel may have issued a criminal referral.

**George Conway:** There was a story yesterday, I think it might've been in the times or the post, that a senior official who heard that call, according to the whistleblower, viewed the call as criminal. That's why they went and consulted the lawyers. What do the lawyers do? The lawyers tried to protect Trump.

**Preet Bharara:** Enable further.

**George Conway:** Right. These are people who work for the United States of America. They don't work for Donald Trump. And then yesterday's letter, the White House letter Cipollone's letter last night, was a disgrace. It was an absolute disgrace.

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**Preet Bharara:** Going back to what you said a second ago about people around the president, how they should leave, at the risk of getting into a delicate area ...

**George Conway:** Not going there. But I think my position is clear.

**Preet Bharara:** Let's talk about impeachment, past and present. So this article you've written, the analysis you've done, what is the relevance of that directly to the impeachment inquiry that's unfolding? Because it seems to me that's all about legal issues and factual matters. Is it your view that the house members should be taking into account the personality disorder?

**George Conway:** Yeah, I do think that. And I think when you're considering whether or not to impeach and remove a President of the United States, I think it's fairly clear, and a lot has been written on this, that you have to look at the number and significance of the impeachable acts. You don't want to impeach somebody for one isolated incident that wasn't so bad. I think particularly when you've got an election coming up, and there's a bit of judgment involved in weighing the seriousness of what I call a breach of fiduciary duty that amounts to a high crime and misdemeanor. Part of that is looking to patterns of behavior. And in the case of Trump, there is a pattern of behavior. He does tend to use his office for personal gain in many respects.

**George Conway:** I mean, you can point to his threats to Amazon and you can point to his parent determination to have the next G7

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individually would amount to an impeachable offense, but they do fit a pattern. The reason why they fit a pattern is because that's who he is, and the reason why that's who he is is because of these personality disorders.

**Preet Bharara:** But do you think they should call doctors? Do you think they should call psychologists?

**George Conway:** I do think so, because I think that it's sort of like the reverse of a criminal trial where you have an insanity defense, where the defense can put on experts to say that the defendant wasn't culpable because he lacked the ability to understand the significance of his actions. Here, I think, in making the case that these impeachable acts such as Ukraine are symptomatic of a fundamental problem that he simply is not capable of carrying out his duties, I think it's worth putting on this evidence of his personality disorders.

**George Conway:** I think it would help explain to the public the nature of the problem, which is the president is supposed to act on behalf of the nation and is supposed to subordinate his personal interests to those of the nation. That is the duty that he assumes when he raises his right hand and says he is ... he swears that he's going to faithfully execute the Office of the President, and that's what he is required to do under Article II of the Constitution, which requires him to faithfully execute the Constitution and laws of the United States. And faithfully execute is a term of art under the law, which requires him to execute the law without fear or favor and follow the law and to exercise the power of his office in the nation's best interest and not for his own

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..... would that result in some way also make it a little less political and less partisan? Because it's not about policy [crosstalk 00:30:00] ideology?

**George Conway:** Yeah, that's exactly right and that's ... You asked me why I wrote this Atlantic piece and that's one of the reasons. It's not about politics. It's not about judges or tax cuts or whether you're for or against the Affordable Care Act. It's about none of that. This is about fundamental, the basics of what a President of the United States is supposed to do, whether he's from the right or the left or she is from the right or the left. There are obligations that the president has to obey the law and to enforce the law and to act according to law and to act in the nation's best interest. We may differ in how we see those interests. A President Warren or a President Obama may differ from a President Trump or a President Pence or whoever, as to what's in the best interest of the nation, but we know that it's not supposed to be your personal interest. It has to be good faith involved and Trump is the paragon of bad faith.

**Preet Bharara:** I want to get into the current impeachment strategy legality, and one reason I think you can speak to this issue is that you're not a stranger to the phenomenon of impeachment. And maybe not everyone knows this, but you once upon a time, back in the 90s, represented I believe for a time secretly ...

**George Conway:** Well, I didn't [crosstalk 00:31:20].

**Preet Bharara:** Paula Jones.

**George Conway:** But I did provide ...

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**Preet Bharara:** For the young folks, Paula Jones was who?

**George Conway:** Paula Jones was a Arkansas state worker, a clerical worker, and apparently, according to the allegations of the complaint, which was confirmed by ... admitted by Clinton's co-defendant in the case, Clinton saw Ms. Jones and then told his state trooper, Danny Ferguson, who was also a defendant, to bring Paula Jones up to his hotel suite at the Excelsior hotel. Paula Jones walks in and according to Jones, there was some small talk and then Clinton dropped his pants, exposing himself to her and essentially proposing that she perform a sexual act on him. Three years later, Jones brought a sexual harassment suit.

**Preet Bharara:** You're a corporate litigator, this is not your area of usual practice.

**George Conway:** No, it's not. How did I get involved?

**Preet Bharara:** Yeah, and why?

**George Conway:** Okay, here's what happened.

**Preet Bharara:** What was going on?

**George Conway:** Well, the thing that got me involved was I opened up my New York Times one morning, I guess it must've been in May '94, and the Clinton ... The White House had floated some kind of a trial balloon and the trial balloon was that Clinton was thinking of invoking

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right now.

**George Conway:** Very contorted. I just went, "That can't be right." And so I did a few minutes, not that much research, and I came up with the leading authority on presidential immunity, which was a Supreme Court case called Nixon against Fitzgerald. Basically, the rule of law as expressed by the Supreme Court is that yes, presidents do have immunity from civil litigation and liability, absolute immunity, but that that immunity only extends to the quote unquote "outer perimeter" of their official responsibilities. I was sufficiently offended by the suggestion of the immunity that I wrote ... The first time I ever wrote an op-ed piece.

**Preet Bharara:** Back in 1994.

**George Conway:** It was 1994 and I wrote an op-ed piece. The LA Times took it.

**Preet Bharara:** Ultimately, you prevailed on this legal principle.

**George Conway:** Right.

**Preet Bharara:** Which has also paved the way for some of the lawsuits [crosstalk 00:34:17].

**George Conway:** Oh, by the way, [crosstalk 00:34:17]. The title that they put on the piece in the LA Times was No Man in This Country is Above the Law.

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**Preet Bharara:** And has paved the way for some of these lawsuits continuing with respect to Donald Trump.

**George Conway:** Yes.

**Preet Bharara:** Now, with respect to impeachment of Bill Clinton, because ultimately he ended up telling a lie under oath, with respect his relationship with Monica Lewinsky. You supported impeachment at that time?

**George Conway:** I did.

**Preet Bharara:** Do you still?

**George Conway:** I think I have a much more sophisticated or nuanced view of impeachment now. I mean, my view then was if you commit a crime, it's clearly an impeachable act, and particularly one involving the enforcement of the law, and he committed perjury and obstruction, I think. That to me was automatic. Today, I think it's a much closer case than I thought it was then because there's some judgment, as I mentioned earlier, about what it is that Congress should exercise its judgment to impeach and remove a president or any federal officer, but especially the president because of the ramifications of removing the President of the United States. They have to exercise judgment as to whether it's something that's not just a one off, I think.

**George Conway:** You have to judge the seriousness of the offense with, "Is this something that's going to recur?" I think the strong case,

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defenses I think in retrospect were the strongest. I'm much more persuadable today that that was something that Congress could ... that Congress may have reached the right judgment.

**Preet Bharara:** Right. So there are two differences, it seems to me, based on what you just said.

**George Conway:** Right.

**Preet Bharara:** Between then and now. One is Donald Trump looks like he's a recidivist. In fact, this whole current scandal ...

**George Conway:** Correct.

**Preet Bharara:** ... arose one day after Bob Mueller testified. I still can't get over that. He testified July 24th, July 25th he makes this call, which means he has learned nothing.

**George Conway:** Correct.

**Preet Bharara:** Right?

**George Conway:** He's incapable of learning, it doesn't mean anything to him.

**Preet Bharara:** So recurrence is not only likely, but almost certain.

**George Conway:** Certainly. Correct.

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**Preet Bharara:** You know, back then, and I don't have a perfect recollection, and I was relatively young, lots and lots of Democrats ...

**George Conway:** How old were you then? I'm afraid to ask this question.

**Preet Bharara:** I was 30. I was 30.

**George Conway:** Oh, okay. [crosstalk 00:37:21]

**Preet Bharara:** You look younger than I am, but I [crosstalk 00:37:23].

**George Conway:** I was worried you going to say 16, and I was going to put my head on this table and you would hear a big clunk.

**Preet Bharara:** No, no, no. Look at these lines on my face, as Brandi Carlile would say. But the other difference is a lot of Democrats said, "Look, this conduct was bad, he should not have lied. This was not good." And they decried it, but said it doesn't rise to the level of an impeachable offense. And here, I think there would be more support for Trump and for Republicans if they said, "Look," more of them said, "This conduct, this phone call, this is all terrible, but I don't think it rises to the level of impeachment," which is something that Tucker Carlson I think, recently said. That's sort of interesting.

**George Conway:** Yeah. And I think their tendency is to overreach and I think you and I as litigators understand that the more ridiculous

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**George Conway:** ... in order to be persuasive because you have to preserve your credibility. And this White House is absolutely incapable of doing that.

**Preet Bharara:** I mean, they keep saying-

**George Conway:** Because he's incapable of doing that.

**Preet Bharara:** The power of concession is gigantic.

**George Conway:** Oh, gosh.

**Preet Bharara:** And you don't have to say it was a beautiful and perfect call.

**George Conway:** No.

**Preet Bharara:** You don't have to say that everything the whistleblower said is wrong.

**George Conway:** Take the sting out of it.

**Preet Bharara:** Yeah, it's all there.

**George Conway:** You guys, as a prosecutor, your people did that all the time.

**Preet Bharara:** [crosstalk 00:38:41]

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**Preet Bharara:** Yeah. Right. Because you want it to come from you.

**George Conway:** [crosstalk 00:38:56] and see, we're being forthright about it. And this guy is never forthright about it.

**Preet Bharara:** I don't understand this on a strategic level, forget about moral and character-

**George Conway:** Because Trump's, his theory is never to give ground on anything and he never shows remorse for anything.

**Preet Bharara:** Is that part of his personality disorder or is that just, he's a tactical genius?

**George Conway:** It's part of his personality disorder, and it relates to both his narcissism and his sociopathy. As a narcissist, he completely lacks empathy. He can't see the world the way other people see it. It's not just, "I feel your pain," kind of empathy, but it's also he can't put himself in the position of how other people see him or see the world. Then there's the complete lack of remorse. He's not capable of remorse in any way. You don't see him apologize or feel guilty about anything. The only time you ever saw him apologize was for the Billy Bush tape.

**Preet Bharara:** The Access Hollywood, right.

**George Conway:** Right. And that was within weeks, he was telling people, according to Maggie Haberman of the New York Times, he was telling people that the thing was doctored. Which is completely-

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there was no evidence of doctoring and he was telling the United States senators that the thing was doctored, which is just completely insane.

**Preet Bharara:** So the polls have been shifting a little bit.

**George Conway:** Right. A lot, actually.

**Preet Bharara:** What is the significance and what weight should be put on public sentiment in connection with impeachment?

**George Conway:** Well, I think it's ... it is very significant and I think a bunch of different things are going on here. One is obviously there's movement because I think some people are following Nancy Pelosi's lead, but I also think people are influenced by the brazenness of the conduct that they see, that he engaged in with respect to Zelensky. I also think the bizarreness and the extremeness of his response has triggered a reaction, particularly with those press conferences, with the Finnish prime minister or president or whatever.

**Preet Bharara:** I always feel bad for those guys.

**George Conway:** It's just incredible. I mean, I guess ... I hope they get a warning before they go in there. And then finally I think, and I don't think ... I think you can't underestimate this, there's an exhaustion factor that's starting to set in among the marginal Trump supporters, I think. That like, "When is this going to end? What is it with this guy? He continually does this. It's just, I can't take it anymore. It's like the volume's up at 11 all the time." He keeps digging himself ... It's not the fake news. He did this to himself. He does it to himself. He's his own worst enemy.

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**George Conway:** And I think that the other thing to understand about it, too is, I mean, first of all, you have the independent voters, some of whom I think are probably former Republicans, he needed in 2016, remember, he ... I mean, the two most important numbers in American politics today are 20, which is the number of Republican senators it would take to remove him from office, and the other number is 77,744, which is the aggregate number of votes by which he won Pennsylvania, Michigan, and Wisconsin.

**Preet Bharara:** If there was a secret ballot in the Senate on conviction ...

**George Conway:** Absolutely.

**Preet Bharara:** ... how many Senate votes would then be Republicans.

**George Conway:** I think they ... [inaudible 00:42:33] push a button secretly and just sort of like, it would be a trap door and he'd just fall in and you wouldn't hear from again, absolutely.

**Preet Bharara:** How many?

**George Conway:** I don't know, but probably 20 at least. I'm not a good vote counter.

**Preet Bharara:** You're not a whip?

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**George Conway:** Who knows? He's so inscrutable, but he can't, like this stuff. It makes his life miserable.

**Preet Bharara:** Do you think Nancy Pelosi should have a full vote in the House on formally proceeding with an impeachment inquiry? Because people are making a lot of noise about that.

**George Conway:** Well, I mean, I think as a legal and constitutional matter, it's completely irrelevant and meaningless. I mean, this letter, which goes back to the Cipollone letter yesterday, I mean, the absurdity of the letter.

**Preet Bharara:** Let's go back to that, because you had strong feelings about it.

**George Conway:** I mean, what [crosstalk 00:43:25]-

**Preet Bharara:** It's nine pages.

**George Conway:** It's just garbage.

**Preet Bharara:** It's one of the worst letters I've seen from the White House counsel's office, and they write very well and they make good legal arguments when they [crosstalk 00:43:33].

**George Conway:** This was trash. I mean, this was trash. I mean, basically the thrust of it is that there are some kind of constitutional obligations that the House has failed to meet that therefore render its

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PART 2 OF 3 ENDS [00:44:04]

**George Conway:** ... the power of impeachment in the House, and the House gets to decide how to go about doing that. All the House has to do at the end of the day is, by majority vote, vote out a bill of impeachment, which is essentially an indictment. Because it's just essentially an indictment, they don't have to conduct hearings at all. They don't have to hear witnesses at all, and they don't have to give anybody the right to cross-examine those witnesses. It's garbage.

**Preet Bharara:** Right, but it's prudential. Prudentially to bring the country along.

**George Conway:** Right. Prudentially, I mean, it wouldn't be wise for them not to conduct hearings, but they are under no obligation to allow the president to participate, and there are Republican members of these committees who can ask questions if they do have witnesses, and there's no question that those Republican members are going to be carrying the president's water. It's just an excuse to prevent evidence, damning evidence, from reaching the public.

**Preet Bharara:** How is that going to play out? They basically said, "We're not going to cooperate," and the House side will reach adverse inferences on various things.

**George Conway:** Right. My long-time law partner, Bernie Nussbaum, one of his proudest accomplishments was writing the article in the Nixon impeachment resolutions that were voted out of the

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was triggered by, apparently, the fact that these texts that came out were so damning.

**Preet Bharara:** Between and among these diplomats.

**George Conway:** Correct, these diplomats.

**Preet Bharara:** Who were involved with Ukraine.

**George Conway:** Right.

**Preet Bharara:** Were you shocked that the President of the United States, the White House put out the readout of the call between him and Ukrainian President Zelensky and the whistleblower complaint so quickly?

**George Conway:** Yes and no. Yes, in the sense that I'm amazed that they clearly did not realize or he didn't realize how incriminating it was.

**Preet Bharara:** Is that part of the personality disorder?

**George Conway:** It may be. It may also be that people around him realize that it was a political non-starter, and this is speculation, it's not based upon any knowledge, to withhold the memo, and they made the argument to him that, "Don't worry, boss." Maybe they misled him or maybe they sugarcoated it for him. I just don't know.

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**George Conway:** Donald Trump doesn't think in terms of right and wrong. He thinks in terms of me. No, seriously. That's how he thinks. Now, in the sense of applying the McNaughton rule or whatever standard of insanity defense, he's capable of understanding the difference between right and wrong, which means he's culpable, but ...

**Preet Bharara:** And he can be held accountable.

**George Conway:** And he can be held accountable for his misconduct, but right and wrong, concepts of justice, when you hear him reading things about freedom and democracy and justice off a teleprompter, the affect is typically flat.

**Preet Bharara:** There's a reason for that.

**George Conway:** There's a reason for that. Those words mean absolutely ... He can't articulate those things if you took it away from him, if he's not reading them. They don't mean anything to him.

**Preet Bharara:** At this point, what should the articles of impeachment be? Do you think they should focus only on Ukraine so far?

**George Conway:** That's a tough question. I think Ukraine has to be front and center. I personally think that the obstruction of the Mueller investigation should be there.

**Preet Bharara:** Is that additive, or does that dilute?

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investigation to find out what the Russians did to us, how they interfered with our electoral process. There is no dispute that they did a lot of stuff, and all he wanted to do was to stop that investigation, because he found it personally embarrassing because he didn't want people to think that his losing by 3 million votes wasn't a great victory.

**Preet Bharara:** Right. The other reason maybe you want to have it in there is it tells the story.

**George Conway:** It tells the story, and frankly ...

**Preet Bharara:** He did all that. I mean, look, the reason people are so up in arms now, and I think you've said this, is because of all that went before. If nothing had happened before and we found out about Ukraine, people wouldn't be as fed up as they are.

**George Conway:** That's right. It also combats the notion ... I mean, Ukraine wasn't just a phone call, but even if it were just a phone call, it wouldn't be just a phone call because of all the other stuff he's done, including the obstruction of the Mueller investigation, which is just remarkable. Not only did he try to figure out ways to stop the investigation, illegitimate ways. He was using a cutout like Corey Lewandowski, right? There's no difference fundamentally between that and Nixon trying to use a lie to shut down the FBI by saying, "Oh, there's a national security issue." He's using bogus methods, and bogus means it wasn't in good faith. Then he tries to get McGahn to tell Rosenstein to shut it down on the basis of a bogus conflict, and McGahn basically packs up his office and says, "I'm ready to quit." Then Trump relents, but

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**George Conway:** Who was saved by all these people.

**Preet Bharara:** ... who are not otherwise Boy Scouts.

**George Conway:** Then it gets worse. The story comes out in The New York Times, and Trump goes to McGahn and says, "I want you to write a memo to the file saying it didn't happen." That's asking somebody to create a false document, a false government record. That's obstruction of justice. It's obstruction of justice about obstruction of justice. It's meta obstruction. It's unbelievable. [crosstalk 00:00:50:37].

**Preet Bharara:** Should there be an article on meta obstruction?

**George Conway:** Only Donald Trump could commit meta obstruction. It's like if anybody else had done this, they'd be indicted.

**Preet Bharara:** Right? But the OLC says you can't. So just to summarize, **George Conway** to the committee: "Call psychologists, add the Mueller stuff." Third question, how fast should all this go?

**George Conway:** As fast as reasonably possible. I think they need to do it in the next several weeks. I don't think ... Now, the problem is the White House is clearly engaging in obstructionist tactics, not allowing these diplomats to testify, including and especially Taylor. Taylor's story would be fascinating to hear it. That's [crosstalk 00:07:28].

**Preet Bharara:** Taylor, the interim ambassador to Ukraine?

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**George Conway:** Exactly.

**Preet Bharara:** He knew what he was doing.

**George Conway:** He knew what he was doing, and then Sondheim had to go back to ... What's his name? Sondheim, yeah. He had to go back and talk to Trump to figure out how to respond to that. "Oh, there is no quid ..." And by that time the whistleblower had surfaced. They knew they were in crosshairs already, right?

**Preet Bharara:** Should the articles make it a point to set forth the quid pro quo, or is that not?

**George Conway:** I don't think a quid pro quo is necessary to establish an impeachable offense. I think the quid pro quo is pretty much apparent, at least by circumstantially.

**Preet Bharara:** So put it in.

**George Conway:** I'd put it in, but I think you want to make clear that it's not essential. I mean, merely raising Biden in the attempt to pressure a foreign government into investigating a conspiracy theory against Joe Biden and Hunter Biden is, in and of itself, impeachable. And, conditioning, which is pretty clear, conditioning a White House meeting on that, and then the evidence of the quid pro quo for the money. I mean, you have Taylor's texts, and you actually have Senator Johnson saying that there was an admission made to him, I believe.

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going to get impeached, which that the Supreme Court ruled yesterday,

...

**Preet Bharara:** Virtually guarantees it.

**George Conway:** Virtually guarantees it.

**Preet Bharara:** What grade would you give to Adam Schiff in his performance so far?

**George Conway:** I don't want to lend credence to ... I think he's doing fine. I don't want to lend credence to this notion that he ... I don't know that I would have done the dramatization that he did. It wasn't meant to be deceptive in any way.

**Preet Bharara:** He had a disclaimer, but ...

**George Conway:** He had a disclaimer.

**Preet Bharara:** It was not a good move.

**George Conway:** I just think when you've got the facts on your side, there's no need to dramatize them, so I think that's more of a lesson learned kind of thing.

**Preet Bharara:** You don't think it was treason?

**George Conway:** No, I don't think it was treason. It's easy to be critical.

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~~George Conway:~~ ...  
you've given advice to Donald Trump.

**Preet Bharara:** Oh, jeez. Oh no.

**George Conway:** I've waited an entire hour to ask you this question.

**Preet Bharara:** You've worn me down.

**George Conway:** Giving advice to him is a futile task.

**Preet Bharara:** Well, I guess that's true, but there was an article in The Washington Post back in March ...

**George Conway:** Fake news.

**Preet Bharara:** ... that says the following: "Trump quizzed Conway ..." This is on an airplane flight.

**George Conway:** Oh.

**Preet Bharara:** You were on a plane. You didn't think I was going to ask you this?

**George Conway:** Oh, yeah.

**Preet Bharara:** Ladies and gentlemen, you're going to hear it now.

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**George Conway:** It was at night.

**Preet Bharara:** He called me two days before the inauguration, and I spoke to him and he made nice. But The Washington Post claims that on a flight, I guess that evening, "Trump quizzed Conway about whether he should fire **Preet Bharara**, then the U.S. Attorney in Manhattan. Conway said, 'I said in general it's better to have your people in terms of important positions.'"

**George Conway:** Yeah, that's essential.

**Preet Bharara:** "And others, and he said ..."

**George Conway:** No offense, Preet.

**Preet Bharara:** So did you get me fired, man?

**George Conway:** I didn't mean to. The question was, it took me a little off guard. I didn't know why he was asking the question, and I still don't know why he was asking me the question.

**Preet Bharara:** But he asked specifically about me.

**George Conway:** He asked specifically about you, and it came out of the blue. It was on his Trump 757, which we flew from LaGuardia to DCA.

**Preet Bharara:** The best plane.

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**George Conway:** The perfect plane. We were sitting there, and it was me and there was Hope Hicks and there was my wife and I and the congressman. For some reason, that question just popped out. I didn't know what he had in mind, so I kind of gave a responsive of non-response. It's like, "Yeah, if you want to have your own person in there, I guess that makes sense." Essentially, that's what that was meant to convey. The language I used was pretty much what I just said to The Post.

**Preet Bharara:** Did anyone else chime in?

**George Conway:** No, but I didn't attach any nefarious significance to it at that time, and I still don't, I just don't know what he was thinking at that time.

**Preet Bharara:** So we've spent a lot of time talking about-

**George Conway:** But I don't think I got your fire, Preet.

**Preet Bharara:** Well, it would be fine because now we get to have this relationship, which just means a lot to me, George. We spent a lot of time talking about Trump's narcissistic personality disorder. What personality disorder does Rudy Giuliani have?

**George Conway:** I have no idea. I don't dare.

**Preet Bharara:** That's too much for you? That's where you reach your limit?

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know. But he's been wacky. Oh my gosh.

**Preet Bharara:** Did you know Bill Barr, the attorney general, personally?

**George Conway:** No.

**Preet Bharara:** What grade do you give him?

**George Conway:** F.

**Preet Bharara:** F? That's an easy F. You gave advice to Donald Trump about what lawyers he should hire?

**George Conway:** I was asked right after. I think it was the week that Rod Rosenstein appointed Mueller, and it was the day that Trump went off to Saudi Arabia. It was within a couple of hours of him leaving. I basically got a call saying that the president wanted to talk to me about lawyers and who he should hire, and I knew that he was considering some people that I knew, in particular, a close friend of mine. So I did the White House switchboard call, and it was the president and about ten people in the room. It was crazy. There were so many people. There was the vice president, there was the chief of staff, Reince Priebus. Jared was in the room. There were a slew of other peoples. He went through the whole thing, and he basically went through a list of people and asked me my thoughts about each of them, and I did the best I could to say what their merits were.

**Preet Bharara:** Did he follow your advice?

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**Preet Bharara:** Do the job.

**George Conway:** Would do the job, because he has this ... First of all, everybody thinks he's nuts, and secondly, he doesn't pay his bills. He's stiffed every law firm. Not every law firm company.

**Preet Bharara:** Including bankers and contractors.

**George Conway:** He's stiffed a lot of law firms in this town.

**Preet Bharara:** Can we talk about 2020?

**George Conway:** Yeah, 2020.

**Preet Bharara:** Should Mitt Romney get in the race? Primary with the president?

**George Conway:** That would be a great thing. I don't think he's going to do it. I've heard-

**Preet Bharara:** Would you support him?

**George Conway:** Yeah, sure. Absolutely.

**Preet Bharara:** Do you support Joe Walsh getting in the race, Congressman?

**George Conway:** I support basically anybody who's in the race who's going to take it to him and point out his unfitness.

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**George Conway:** ... I was asked for it's not something really ...  
It's not really my cup of tea. I don't think I'd be good at it, and it's not something I think I would do. I thought about it for a New York minute.

**Preet Bharara:** Right. I ask about Joe Walsh only because I wonder how far afield one has to go [crosstalk 00:59:14].

**George Conway:** He's a great guitarist.

**Preet Bharara:** He also said of the Sandy Hook parents, he's sick and tired of them.

**George Conway:** Yeah. I'm not going to defend things that he said in the past, but I will say that he's right on target with regard to Donald Trump today.

**Preet Bharara:** Who do you think in the Republican Party is the voice of reason?

**George Conway:** I don't think there really is, and this is a sad thing. I don't think there is a voice of moral clarity of any weight in the Republican Party today, and I think that's just terribly sad.

**Preet Bharara:** Are there people you're most disappointed in in this regard?

**George Conway:** I just think that the disappointment runs very broadly. I think it's just amazing to me that there really isn't anyone. I don't mean to be ... It's just disappointing to me that there isn't somebody of some stature who's willing to just say "this man is unfit,"

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he just comes to pass. I mean, I understand early on you could say, "Well, let's hope he gets better. Let's see if we can work with him," but we've seen so much now. It's just-

**Preet Bharara:** What about the generals who are now gone, like Mattis and McMaster and Kelly? Do you hold any hope that they'll speak?

**George Conway:** No, I don't, because I think they would have by now, and I think there's another ... I wish they would speak out. I guess I'm a little less critical of them, because I think it's hard for them to lose. There's an ethos there of not politicizing the military, and I think they don't want to go out and be openly critical of a Commander-in-Chief, especially when the Commander-in-Chief is Commander-in-Chief. I think that's just ingrained in them.

**Preet Bharara:** Right. It seems to be that there's a devotion to norms.

**George Conway:** But the thing is about this, but they're civilians now is sort of my response to that. But I just think they're just not going to do it.

**Preet Bharara:** Yeah.

**George Conway:** I wish they would. We saw that article in The Atlantic two days ago where active duty general officers are, at least on background, saying the man's unfit and he's a disaster.

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**George Conway:** Yeah.

**Preet Bharara:** On the democratic side, I don't know if you've weighed in on the assortment of candidates available, and I don't know if you talk about your future voting preferences. Are there Democrats that you would vote for over Donald Trump?

**George Conway:** Look, I've said previously that I will vote for any candidate who does not have a significant personality disorder who has a chance of beating Donald Trump.

**Preet Bharara:** Including Elizabeth Warren?

**George Conway:** Yeah. If she fits that bill, yes.

**Preet Bharara:** Does she fit that bill?

**George Conway:** I would assume so, yes.

**Preet Bharara:** You haven't done the analysis?

**George Conway:** I haven't done the analysis, but I will tell you this. There is no way that I will ever cast a vote for Donald Trump. I'll stay home. I'll write you in, Preet.

**Preet Bharara:** Even though I wasn't born here? It could be one way to make amends though.

**George Conway:** Oh, well. Do you have a dog? I'll write in your dog.

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**George Conway:** That's a hard question. I mean, I'd like to think that any of them would. I hope that they, whoever it is, will, but I haven't done the comparative thinking about it.

**Preet Bharara:** If Donald Trump is impeached, in the rare likelihood that he gets removed from office, do you think he actually will leave?

**George Conway:** I think he'll have no choice.

**Preet Bharara:** You think so?

**George Conway:** Right. Because I think that basically the rest of the system will ... I mean, if there's a Senate judgment of conviction that is signed sealed, and delivered.

**Preet Bharara:** Some people have that worry.

**George Conway:** I guess the Chief Justice would sign the judgment, I guess. I don't know. It would have legal effect, and I think everyone would obey that. I think that his actions would become null and void as of that moment, and I think everybody would obey that judgment. We're still a nation of laws, and I think people would obey that judgment, yes. Even if he asserted that it was invalid, I don't think that would carry any weight.

**Preet Bharara:** So one of the things you've done is you have helped to create an organization called Checks and Balances.

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**George Conway:** Right. On Thursday, it's our plan to issue a statement in support of the impeachment inquiry and making a strong statement about how the president's conduct with respect to Ukraine is a violation of his solemn duties to the nation, and in support of holding an impeachment vote on the House floor and a potential trial in the Senate.

**Preet Bharara:** **George Conway**, thank you for being on the show.

**George Conway:** Thank you for having me, Preet. It was a pleasure.

**Preet Bharara:** Great.

**George Conway:** It was fun.

PART 3 OF 3 ENDS [01:05:12]

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# TAKE CARE

Ensuring the President “shall take Care that the Laws be faithfully executed”

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## Risk-Risk Tradeoffs in Presidential Impeachment

David Pozen // 6/6/18 // In-Depth Analysis

**Take Care** is pleased to [host a symposium](/blog/to-end-a-presidency) on **To End A Presidency: The Power of Impeachment** (<https://www.amazon.com/End-Presidency-Power-Impeachment/dp/1541644883>)—a new book by Larry Tribe & Joshua Matz.

Laurence Tribe and Joshua Matz’s *To End a Presidency* is not quite what it seems. Initially billed as “a helpful how-to for impeaching the president,” the book offers little in the way of practical pointers. Described by its publisher as advancing “a bold argument about [impeachment’s] proper role today,” the book for the most part eschews confident claims in favor of highly qualified, ambivalent assessments.\* Written by prominent constitutional scholars, the book devotes greater attention to issues of political sociology than to constitutional law proper. *To End a Presidency* is neither a user’s guide to the impeachment process nor a polemic against President Trump nor a novel reinterpretation of the Constitution, but is instead something even rarer: an exceptionally balanced, wise, and wide-ranging exploration of the dynamics that shape presidential impeachment.

One theme that emerges is that, across many aspects of presidential impeachment, the law allows for a great deal of play in the joints. The relevant constitutional clauses are spare, and the key substantive phrase (“Treason, Bribery, or other high Crimes and Misdemeanors”) was deliberately left open-ended. The historical record of presidential impeachment is thin and dismal; lived experience has largely failed to fill in, or liquidate, what the text leaves open. Both chambers of Congress enjoy vast discretion in how they run impeachment proceedings. The House enjoys complete

discretion over whether to initiate them. Within broad legal limits, presidential impeachment is a fluid and ad hoc affair—a game with high stakes and few rules. Playing this sort of game well demands practical political judgment.

And yet, as Tribe and Matz emphasize, the strategic calculations that must inform such judgment will often be enormously challenging. A second major theme of *To End a Presidency*, and a subject on which the book is especially insightful, is that presidential impeachment decisions are made under conditions of extreme uncertainty and danger. On the one hand, efforts to impeach a wayward President run the risk of inflaming her and her supporters, unleashing social conflict, undercutting alternative accountability mechanisms, and normalizing what ought to be a tool of last resort. On the other hand, the failure to pursue a justified impeachment, or the failure to pursue it quickly or vigorously enough, runs the risk of legitimating presidential abuses and enabling grave damage to the constitutional system. It is perilous to impeach a demagogue, and it is perilous not to.

Presidential impeachment, in other words, involves *risk-risk tradeoffs*. There are serious risks on all sides of the situation. While some of these risks might be mitigated, and while all deserve to be identified and weighed, the basic dilemma is inescapable.

Open-ended as it is, the constitutional structure of impeachment—in particular, the two-stage decision procedure and the two-thirds requirement for Senate conviction—affects these tradeoffs. In some cases, for example, House leadership may feel all but certain that the Senate will acquit an individual, given partisan pressures and the supermajority voting rule in that body. Such cases present a very different risk profile, both for the House and for the nation as a whole, from scenarios where there is a reasonable chance of Senate conviction and removal from office.

When decisionmakers are confronted with risk-risk tradeoffs, policy theorists generally urge that they assess the probability, magnitude, and reversibility of the full range of potential adverse outcomes in search of “risk-superior” moves. But in the context of presidential impeachment, Tribe and Matz suggest, such predictions are not only empirically vexed but also normatively vexed—with any number of incommensurable values on the line and, in many cases, with deep disagreement over what constitutes an adverse outcome in the first place. Other theorists of risk management have proposed that special government committees be tasked with formulating responses to particular risk-risk tradeoffs. That proposal seems ill-suited to the politically supercharged field of presidential impeachment. Still other theorists defend the precautionary principle as the north star of risk regulation. While certain versions of the precautionary principle that would presumptively prohibit risk-

generating activities might be thought to counsel against impeachment, that way of thinking is unhelpful when risks are going to be generated regardless of what is done, as Cass Sunstein has observed in another context.

Add this all up, and the absence of a "bold" argument about impeachment's proper role today turns out to be a virtue, not a vice, of *To End a Presidency*, as the complexities and contingencies of the phenomenon are apt to overwhelm general prescriptions. Tribe and Matz have provided an important service by illuminating the nature of the risk-risk tradeoffs that may be involved in presidential impeachment. When it comes to resolving such tradeoffs, however, analytical progress is going to prove much more difficult. If and when Robert Mueller issues a damning report on President Trump, let us hope that Trump's congressional opponents carefully and conscientiously consider all the risks associated with impeaching and not impeaching him—and that they do something politically savvy when the experts' understanding of those risks runs out.

\* The book's concluding argument is not just ambivalent but gnostic, with shades of Justice Kennedy. "Maybe impeachment should play a role in [the effort to save our democracy]; maybe it will only make things worse," the authors reflect. "Either way, reversing the rot in our political system will require creative and heroic efforts throughout American life. And at the heart of those efforts will be the struggle to transcend our deepest divisions in search of common purpose and mutual understanding."

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Charlie Gerstein, Jason Harrow // 12/29/19 // Commentary



## DOCUMENT:

## Transcript of David Frost's Interview with Richard Nixon

Richard Nixon | 1977

**Introduction**

In 1977, former president Richard Nixon agreed to be interviewed by British journalist David Frost for recordings broadcast on television. The interview tapes went over twenty-eight hours, and were produced as four television episodes, viewed by millions of people worldwide. In this selection, Nixon defends the Huston Plan, which included illegal efforts to monitor anti-war and countercultural activists.

In doing so, Nixon offers a theory of executive prerogative that goes beyond that offered by Jefferson and Lincoln ([Letter to John B. Colvin](https://teachingamericanhistory.org/library/document/letter-to-john-b-colvin/)) and [Letter to Albert G. Hodges](https://teachingamericanhistory.org/library/document/letter-to-albert-hodges/)). Unlike Jefferson, Nixon argues that the Constitution itself allows the president to break the law. Unlike Lincoln, Nixon assumes that this power can be used even when the Union is not at stake.

**Source: Sir David Frost, *Frost/Nixon: Behind the Scenes of the Nixon Interviews* (New York: Harper Perennial, 2007), 254-6, 266-71.**

Frost: You called a meeting on June the fifth, 1970, about the Huston plan and eventually approved it in July. It got your okay on July the fourteenth, didn't it? And in the Huston plan it stated very clearly, with reference to the entry that was being proposed, it said very clearly, use of this technique is clearly illegal, it amounts to burglary ... however, it is also one of the most fruitful tools and it can produce the type of intelligence which cannot be obtained in any other fashion. Why did you approve a plan that included an element like that ... that was clearly illegal?

Nixon: Because as president of the United States ... ah ... I had to make a decision, as has faced most presidents, in fact, all of them, ah ... in which, ah ... the national security in terms of a threat from abroad, ah ... and the security of the individual ... individual violence at home had to be put first.<sup>[1]</sup> Ah ... I think Abraham Lincoln has stated it better than anybody else, as he does in so many cases. When he said, "Must a government be too strong for the liberties of its people? Or too weak to defend or maintain its own existence?"<sup>[2]</sup> That's the dilemma that presidents have had to face, ah ... Roosevelt had to face it in World War II. Truman and Eisenhower in the Cold War period. Kennedy and Johnson as Vietnam began to come in. And Kennedy, of course, even before Vietnam began to escalate, had the beginning of the violent racial disturbances ... ah ... which led to some activities in this category. Now let's first, let's second understand what the surreptitious entry is limited to. You will note that a surreptitious entry in cases involving national security and specifically mentions, ah ... two, ah ... groups of, ah ... internal organizations who had no foreign connections as far as we know. Ah ... the Weathermen and the Black Panthers.<sup>[3]</sup>

Now, why were we concerned? Let's look at the year, 1970. We had a situation where thirty-five thousand people, ah ... had been victims of assaults. A number of them had been killed. It was a year in which we had, ah ... sixteen airplane hijackings. There had been about eleven the year before. Ah ... but most significantly, it was a year in which there had been thirty thousand bombings and fifty thousand ... I mean, sorry, three thousands bombings, three thousand bombings and fifty thousand bomb threats ... which caused, ah ... the evacuation of buildings. Ah ... it was a year of turbulence in American society. Ah ... '68 ... '69 ... '70 ... the residue of the terrible period of '68. Washing over into '69 and continued through '70 and then,

thank God, began to go down in '71 and '72, when calm was restored to the campuses. The cities did cease to be burned, and bombings did go down. And while we've argued about our crime statistics, where at least in '72 there was a decrease rather than an increase. Alright, now, now in 1970, in the middle of 1970, ah ... we were faced with a situation here, first, where the intelligence agencies weren't working together. Ah ... there were CIA ... was not speaking to the FBI ... the NSA, the National Security Agency, which of course does all of our [cryptographic] work. That's the highly sensitive, technical work, you know, to break codes and that sort of thing ... had very little communication with the other two. Ah ... under the circumstances I felt that we had to coordinate these activities and get a more effective program for dealing with, first, foreign-directed, ah ... espionage, ah ... or foreign-supported, ah ... subversion. And in addition with domestic groups that used and advocated violence...

Frost: So, what in a sense you're saying is that there are certain situations and the Huston plan or that part of it was one of them where the president can decide that it's in the best interest of the nation or something and do something illegal.

Nixon: Well, when the president does it ... that means that it is not illegal.<sup>14</sup>

Frost: By definition –

Nixon: Exactly ... exactly... if the president ... if, for example, the president approves something ... approves an action, ah ... because of the national security or in this case because of a threat to internal peace and order of, ah ... ah ... significant magnitude ... then ... the president's decision in that instance is one, ah ... that enables those who carry it out to carry it out without violating a law. Otherwise they're in an impossible position.

Frost: So that the black-bag jobs that were authorized in the Huston plan ... if they'd gone ahead, would have been made legal by your action?

Nixon: Well ... I think that we would ... I think that we're splitting hairs here. Burglaries per se are illegal. Let's begin with that proposition. Second, when a burglary, as you have described a black-bag job, ah ... when a burglary, ah ... is one that is undertaken because of an expressed policy decided by the president, ah ... in the interests of the national security ... or in the interests of domestic tranquility ... ah ... when those interests are very, very high ... and when the device will be used in a very limited and cautious manner and responsible manner ... when it is undertaken, then, then that means that what would otherwise be technically illegal does not subject those who engage in such activity to criminal prosecution. That's the way I would put it. Now, that isn't trying to split hairs ... but I do not mean to suggest the president is above the law ... what I am suggesting, however, what we have to understand, is, in wartime particularly, war abroad, and virtually revolution in certain concentrated areas at home, that a president does have under the Constitution extraordinary powers and must exert them with ... as little as possible. . . .

### Study Questions

- A. Does it matter whether the Huston Plan was designed to counteract foreign espionage or domestic opposition? Could Nixon have sought approval from Congress for this operation?
- B. Nixon's assertion of executive prerogative clearly goes beyond that of Thomas Jefferson (in his [letter to John Colvin](https://teachingamericanhistory.org/library/document/letter-to-john-colvin/)) and Abraham Lincoln (in his [message to Congress](https://teachingamericanhistory.org/library/document/message-to-congress-in-special-session/) or his [letter to Albert Hodges](https://teachingamericanhistory.org/library/document/letter-to-albert-hodges/)). But the more interesting question is whether Lincoln and Jefferson's arguments necessarily lead to something like Nixon's claim. Is there a way to make their arguments without leading to what Nixon says? Or, does either Jefferson or Lincoln offer the safer path for constitutional government?

### Footnotes

1. Frost indicates the pauses characteristic of Nixon's speaking style by means of ellipses. Hence, in this document excerpt, we indicate omitted text by means of footnotes.
2. Nixon paraphrases a sentence from Lincoln's Special Message to Congress on July 4, 1861 (Document 16).

3. The Black Panther Party was founded in Oakland, California in 1966, initially to monitor police treatment of black citizens; the group espoused a Marxist, black nationalist ideology and became involved in violent conflicts with police. The Weathermen, also known as the Weather Underground, formed in 1969 as a militant faction of the campus-based socialist organization Students for a Democratic Society. Seeing themselves as leaders of a revolutionary movement that would put an end to US "imperialism," they engaged in domestic terrorism.
4. At this point in Frost's published transcript of the interview, he injects an editorial comment, which we omit.

## Rudy Giuliani Is in Europe ‘Interviewing’ Ukrainians Tied to Trump Impeachment Hearings: Report

 [thedailybeast.com/rudy-giuliani-is-in-europe-to-interview-yuriy-lutsenko-ukrainians-tied-to-trump-impeachment-probe-](https://www.thedailybeast.com/rudy-giuliani-is-in-europe-to-interview-yuriy-lutsenko-ukrainians-tied-to-trump-impeachment-probe-)

Updated Dec. 04, 2019 6:39PM ET

While all eyes are on the House Judiciary Committee’s hearings in Washington about possibly impeaching his personal client, Rudy Giuliani is in Europe meeting with former Ukrainian prosecutors who are key figures in the impeachment inquiry against President Trump. *The New York Times* reports Trump’s personal lawyer went to Budapest on Tuesday to interview former Ukrainian prosecutor Yuriy Lutsenko—who is also a key figure in the impeachment inquiry—for a series on the right-wing One America News TV channel. On Wednesday, Giuliani reportedly went to Kyiv to meet with former Ukrainian prosecutors Viktor Shokin and Kostiantyn Kulyk, who have promoted baseless claims of corruption about Joe Biden and his son Hunter. Those disputed claims were the foundation of Trump’s push to get the new Ukrainian government to open an investigation into the Bidens—which led to the current impeachment proceeding in the House. Both trips, according to the *Times*, were made to help prepare episodes for a documentary series to debunk the impeachment proceedings for the outlet.

Read it at [The New York Times](https://www.nytimes.com)

## Rudy's New Ukraine Jaunt Is Freaking Out Trump's Lieutenants—and He Doesn't Care

 [thedailybeast.com/rudy-giuliani-new-ukraine-jaunt-is-freaking-out-trump-lieutenants-and-he-doesnt-care](https://www.thedailybeast.com/rudy-giuliani-new-ukraine-jaunt-is-freaking-out-trump-lieutenants-and-he-doesnt-care)

Updated Dec. 06, 2019 4:15AM ET

Rudy Giuliani's decision to travel to multiple European countries this week, during the height of an impeachment probe involving his client President Trump, was so startling to senior administration officials and national security brass that they began tracking his movements in an effort to get a read on his objectives abroad.

Other officials in the West Wing and numerous Trump associates learned about his latest foreign adventure, which included a stop in Ukraine, by reading the news. Many of them expressed exasperation at the thought of Giuliani—himself reportedly in the crosshairs of federal investigators—continuing to cause headaches for the White House. Others feared he would cause tangible damage to U.S. foreign policy.

"I do not see why [any] lawyer would see this as serving the best interests of their client," said a senior White House official. "Especially now."

Senior U.S. officials in the State Department and in the national security apparatus were concerned that Giuliani was speaking with politicians in both Budapest and Kiev who have interests in domestic American politics. According to five sources with knowledge of the situation, there is renewed fear that the president's lawyer is still shopping for dirt about former Vice President Joe Biden and his son Hunter as well as speaking with foreign officials who, against all evidence, have promoted the idea that Ukraine, not Russia, interfered in the 2016 presidential election.

The concerns about Giuliani's trip to Kiev were so pronounced that they reached officials close to President Volodymyr Zelensky, who were advised by Americans and politicians in Ukraine not to meet with Giuliani when he was in town, according to an individual familiar with those conversations.

The president's attorney, who has been defiant in the face of criticism for his prior efforts to target the Bidens, was similarly unmoved by the idea that his current expedition was both unseemly and unwise.

"I would hope they have more important things to do than intrude on the work being done by a lawyer defending his client against another set of false and contrived charges," Giuliani told The Daily Beast on Wednesday, while still overseas.

Giuliani's trip comes at a time when many in Trump's circle put blame squarely at his feet for the president's impending impeachment. But some have not bothered intervening or even reaching out directly to Giuliani about his current travel plans, in part out of concern that he would complain about them to Trump, thus prompting the president's ire, according to a senior administration official.

This official also noted that it could be “unwise” to contact the president’s lawyer at this time, given how Giuliani’s text messages and phone records have become a topic of congressional investigation and public scandal.

In addition to meeting with foreign officials, Giuliani also appears to be conducting a public relations venture on behalf of the president. As *The New York Times* first reported, he flew to Europe, in part, to participate in a pro-Trump documentary series produced by One America News Network.

“Mr. Giuliani has occasionally appeared on OAN programs, thus we have had a relationship with America’s Mayor,” One America News president Charles Herring said in an email on Wednesday. “Mr. Giuliani, along with other individuals, have been helpful to OAN’s investigative efforts.”

When asked for more details on the trip and who he was meeting with, Giuliani demurred. When asked by *The Daily Beast* if he had gotten President Trump’s blessing for this excursion or had given his client a heads-up before he flew out, he replied: “I don’t tell you or [the White House] what I tell my client or he tells me.”

While it’s unclear if the president has been made aware of Giuliani’s ventures, sources did say that other top administration officials were not in the loop right up until the moment *The New York Times* story broke.

According to the *Times*, Giuliani did meet with former Ukrainian prosecutor Yuriy Lutsenko, who pushed Giuliani and his associates Lev Parnas and Igor Fruman to push for the ouster of former U.S. Ambassador to Ukraine Marie Yovanovitch. Giuliani also reportedly spoke with Andriy Derkach, a Ukrainian member of parliament who has publicly pushed for a probe into meddling by former President Petro Poroshenko in the U.S. 2016 elections. Derkach is also known for peddling allegations that Ukrainian government bodies misused U.S. taxpayer money, according to a former U.S. official.

On Thursday evening, Andrii Telizhenko, a former Ukrainian diplomat, posted on his Twitter account that he too had met with Giuliani to prepare for “another hard working day in meetings with Mr. Shokin and Mr. Lutcenko.”

“To all conspiracy theorist there is no secret on what we are doing. The truth will come out,” he posted on Twitter alongside a photo of him with Giuliani. Telizhenko sits at the center of allegations that Kiev meddled in the 2016 presidential election. *The Daily Beast* previously reported that Telizhenko met with Rep. Devin Nunes (R-CA).

When asked by *The Daily Beast* about who else he met with in Europe this week and what they discussed, Giuliani responded, “I will have plenty to say soon.”

On Thursday, he gave some hints of what he has in store. “The American people will learn that Biden & other Obama administration officials, contributed to the increased level of corruption in Ukraine between 2014 to 2016,” Giuliani posted to Twitter. “This evidence will all be released very soon.”

—*With additional reporting by Will Sommer*

## Trump Tells Rudy to Keep Pushing the Biden Conspiracies

 [thedailybeast.com/trump-tells-rudy-giuliani-to-keep-pushing-biden-dirt](https://www.thedailybeast.com/trump-tells-rudy-giuliani-to-keep-pushing-biden-dirt)

Updated Dec. 18, 2019 9:16AM ET

Rudy Giuliani's investigation into Ukraine-related matters is largely why his client, Donald Trump, is hours away from becoming one of only three American presidents ever to be impeached by the House.

Yet somehow, Trump hasn't instructed his personal lawyer to knock it off. In fact, the president has told the former New York City mayor to kick things up a notch, even as the impeachment process continues to bedevil his administration.

Shortly after Giuliani arrived at the White House on Friday, he met with the president and discussed some of the findings from his recent travel to multiple European countries, where the Trump attorney had collected documents and interviews with Ukrainian figures claiming to have dirt on Trump's political enemies and the Bidens. During their private discussion, the president approved of the work his lawyer had conducted, and told him to keep digging and pushing the narrative on former vice president and 2020 Democratic contender Joe Biden and his son Hunter Biden, according to two people with knowledge of the conversation.

One of these sources described Trump as telling Giuliani to "keep at it" and to not let up, even in the face of intense public criticism.

In the West Wing, the president's enthusiasm puts him at odds with some of his top lieutenants. One senior White House official told *The Daily Beast* this week that they go out of their way to not be involved with, or read-in on, the ongoing Biden and Ukraine-related work between Trump and Giuliani, out of concern that doing so could potentially drag them into the scandal.

"I do not want my name showing up in a [news] story about what Rudy and the president discuss," said the official. "I don't want my text messages with [Giuliani] being all over cable news," the senior official added, a reference to how Trump's lawyer had revealed on Fox News private texts between him and former U.S. special envoy to Ukraine Kurt Volker.

When asked on Monday about Giuliani's investigation and jaunt overseas, the president told reporters at the White House, "He's a great person who loves our country, and he does this out of love, believe me. He does it out of love." When asked about the material that Giuliani had shared with Trump, the president simply said, "not too much," without elaborating.

Of course, not everybody in Trumpworld appreciates Giuliani's act of "love" as much as the president does, apparently.

"I think [Giuliani] adds a distracting sideshow which he should postpone until the Senate is finished with their trial," said former Rep. Jack Kingston (R-GA), a current Trump surrogate. "It's not about the senators who are from conservative states; it's about the moderate three GOP senators. If he makes them feel uncomfortable or detracts from their message, it's not helpful."

Trump himself, however, has often acted as his own messaging and communications director, with results frequently veering into flamboyant, unhinged territory. On Tuesday, the president sent a letter to Capitol Hill trashing Democratic lawmakers and bizarrely claiming that “more due process was afforded to those accused in the Salem Witch Trials.”

“It is a terrible thing you [House speaker Nancy Pelosi] are doing, but you will have to live with it, not !” Trump’s six-page letter reads. “You are offending Americans of faith by continually saying ‘I pray for the president’ when you know this statement is not true, unless it is meant in a negative sense.”

Trump’s encouragement of Giuliani’s ongoing antics, which have included the trip to Ukraine earlier this month, is the latest instance of the president continuing to egg on the very same activity and shadow foreign policy that landed his inner circle in the middle of scandal and impeachment hearings in the first place. Trump keeps encouraging this not only in the face of the impending impeachment vote, but as his own senior administration officials and national-security aides are internally expressing their horror at what the president’s personal attorney has continued to do.

It got to the point earlier this month that top officials in the State Department and the national-security apparatus began tracking Giuliani’s movements abroad out of fear that his activities in Europe would bring the administration yet more grief or disrupt American foreign policy.

Predictably, the former New York mayor remains unmoved by their concerns.

“I would hope they have more important things to do than intrude on the work being done by a lawyer defending his client against another set of false and contrived charges,” Giuliani said early this month.

Two other knowledgeable people said that Giuliani was at the White House late last week in his capacity as the president’s outside counsel, and that Giuliani deemed the conversation covered by attorney-client privilege. These sources added that the Trump lawyer is reviving his work on his “counter-report,” a thus-far unreleased document that Giuliani and other Trump attorneys, including Jay Sekulow, had worked on starting last year as a rebuttal to Special Counsel Robert Mueller’s probe and to attack the very legitimacy of that two-year Russia investigation.

The “counter-report” has yet to be publicly released, even though its creation was personally approved by the president last year—and some of its contents are highly relevant to Giuliani’s ongoing crusade.

“That outline that I gave to the State Department was originally prepared to be included in the counter-report,” Giuliani told *The Daily Beast* in October. “It was prepared to provide a guide for text that could be included in the [finalized] counter-report.” He continued, “I undertook the [Ukraine] investigation” as part of a broader mission “to find out how much evidence existed that could exonerate” Trump.

It is unclear how much of Giuliani’s more recent findings would find its way into this “counter-report,” and if Trump’s lawyer has a timeline for release or distribution. White House spokespeople and Giuliani did not provide comment for this story.

Still, Trump's insistence that his lawyer charge forth, despite the precarious and historic impeachment proceedings slated for this week in the Democratic-held House, is likely driven, at least in part, by the president's desire to flood as much media as possible with his pro-Trump messaging.

"Control the agenda," Trump has privately told Giuliani on numerous occasions since the days of the Mueller investigation, according to three people who've heard the president say this. Trump has said this specifically while reviewing with his personal attorney the vast amount of TV hits and media appearances that Giuliani has been willing to do to defend his embattled client.

## Ukrainians: Trump Just Sent Us ‘a Terrible Signal’

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 [thedailybeast.com/ukrainians-trump-just-sent-us-a-terrible-signal](https://thedailybeast.com/ukrainians-trump-just-sent-us-a-terrible-signal)

Updated Dec. 11, 2019 6:23PM ET

Ukrainian officials spent last weekend glued to Trump’s Twitter feed.

People working closely with Ukrainian President Volodymyr Zelensky have been in contact with Trump administration officials over the past several weeks discussing the relationship between the two presidents, according to four people with knowledge of the talks. Based on those conversations, Ukrainian officials came to expect that President Donald Trump would make a statement of support before Zelensky met with Russian President Vladimir Putin in France for peace talks. A statement might even come via Twitter, they said they were told.

“Through all the signals we got, we firmly believed there would be a statement,” a senior Zelensky administration official told *The Daily Beast*.

But as Saturday and Sunday ticked by, there was only silence from the White House. Even as Ukrainian officials have publicly been loath to criticize Trump’s pressure campaign on their country, frustrations with Washington have quietly percolated. And last weekend, they were especially acute.

On Monday, Zelensky and Putin met in Normandy, France for face-to-face negotiations on the war in eastern Ukraine. Russia had seized Ukraine’s Crimean peninsula in 2014, and has ever since backed separatists in the eastern part of the country. French President Emmanuel Macron and German Chancellor Angela Merkel were on hand for the talks. Putin and Zelensky agreed to exchange “all known prisoners,” according to *The Washington Post*. Another round of talks is expected in several months.

Words of support from the United States in the lead-up to the Normandy talks could have given the Ukrainian president more leverage with Putin, according to the Zelensky administration official and two additional people close to his administration. Instead, Trump spent the weekend on Twitter tweeting about Fox News pundits, House Speaker Nancy Pelosi, and CNN. It was a particularly busy weekend of social media for him, with more than 100 tweets and retweets by Politico’s count. But no word on Normandy.

And the next week put salt in the wound. On Tuesday, Russia’s Foreign Minister Sergey Lavrov held a joint press conference with U.S. Secretary of State Mike Pompeo and made an appearance at the White House.

One of the people close to the Zelensky administration said the silence from White House—combined with Lavrov’s photo-friendly visit to Washington—sent “a terrible signal” and was “most unfortunate.” According to a read-out of Trump’s meeting with Lavrov, the president “urged Russia to resolve the conflict with Ukraine.” The Ukrainian official called the episode “frustrating.” Ukrainians say they view the coupling of Trump’s pre-Normandy silence and the administration’s decision to welcome Lavrov as a signal in an of itself—and not a good one.

Zelensky administration officials are now reconsidering their strategy on communication with and about the Trump administration, the official said. Thus far, Zelensky administration officials have stayed in line with the Trump administration's narrative on the president's personal attorney Rudy Giuliani's Ukraine activity and the focuses of the impeachment inquiry. But they say they have little to show for it, and may take a different public relations strategy in the future.

A *Time* interview published earlier this week captured Kyiv's willingness to publicly bolster Trump's version of events. Andriy Yermak, a top aide to Zelensky, contradicted a key assertion that European Union Ambassador Gordon Sondland made in congressional testimony last month. Sondland had said he pulled Yermak aside during an event in Warsaw and urged him to have Kyiv announce Trump-friendly investigations. Yermak, meanwhile, told *Time* that no such conversation happened. The statement was a body blow to a key impeachment witness's testimony, though Sondland's lawyer said he stood by his description of events.

In a separate interview, Zelensky said he did not speak to Trump in terms of "you give me this, I give you that." Trump tweeted out a link to the interview and thanked Zelensky for the comment.

Trump's relationship with Ukrainian President Volodymyr Zelensky was a key focus of Democrats' impeachment inquiry. The inquiry began after an anonymous Intelligence Committee official filed a whistleblower complaint in August alleging that Trump pressured Zelensky to announce investigations of a company linked to the Bidens and of alleged Ukrainian meddling in the 2016 election. The complaint said that Trump was withholding military aid from Ukraine until those investigations were announced. Trump has vehemently denied allegations that withholding the military aid—which happened for a short time at his orders—was part of a pressure campaign. Sondland, meanwhile, told Congress that the administration was explicit that it refused to arrange a White House meeting between Trump and Zelensky until Kyiv announced the two investigations.

After weeks of closed-door depositions and hearings, Pelosi announced the introduction of two articles of impeachment based on Trump's pressure on Ukraine. House Democrats are expected to vote on those articles as soon as next week. If they pass—which is extremely likely—then they will be referred to the Senate for a trial.

—with additional reporting by Erin Banco

**Trump impeachment****Cleaning up Ukraine in the shadow of Trump**

The country's anti-graft prosecutor Ruslan Ryaboshapka says 'there are no untouchables'



© Konstantin Chernichkin/FT

**Roman Olearchyk in Kyiv NOVEMBER 27 2019**

Ruslan Ryaboshapka, a lawyer and anti-fraud whistleblower appointed general prosecutor of Ukraine in August, faces more than the task of cracking widespread corruption at home.

As the new face leading the effort, he also has to convince US president Donald Trump that his country is changing under the administration of Volodymyr Zelensky, a former comedian who was elected president in the spring on promises to root out corruption and end a smouldering undeclared war with Russia that has claimed nearly 14,000 lives.

It will be difficult, to judge from recent Congressional testimony in Washington given by former US special envoy Kurt Volker, who cited Mr Trump describing Ukraine as “a terrible place” of “terrible people” who are “all corrupt”.

In an interview, the 43-year-old prosecutor said he was “bothered” by daily depictions of a lawless Ukraine in the US impeachment inquiry. “This is not fair,” he told the Financial Times. “Ukraine is not as corrupt as is being presented there . . . We have made significant progress as of late.”

Mr Ryaboshapka first served as deputy head of Mr Zelensky’s office and was appointed prosecutor weeks after the Ukrainian leader’s infamous July phone call in which Mr Trump pressed him to launch probes into past Ukraine dealings of former vice-president Joe Biden and his son Hunter. In a non-verbatim transcript of that call, Mr Zelensky, in an apparent bid to appease his US counterpart, refers to the forthcoming appointment of a prosecutor who will be “100 per cent my person”.

**There is also a good chance to reboot the entire prosecution and judiciary. Ruslan [Ryaboshapka] was moving all these reforms when he worked in the presidential office, now he is focused on implementing prosecution reform**

**Daria Kaleniuk, anti-corruption watchdog Antac**

Ukraine’s National Agency for the Prevention of Corruption in protest at cover-ups in probes of asset declarations made by public servants.

Daria Kaleniuk, director of anti-corruption watchdog Antac, said Mr Ryaboshapka has been “instrumental” in preparing a set of anti-corruption laws under Mr Zelensky which

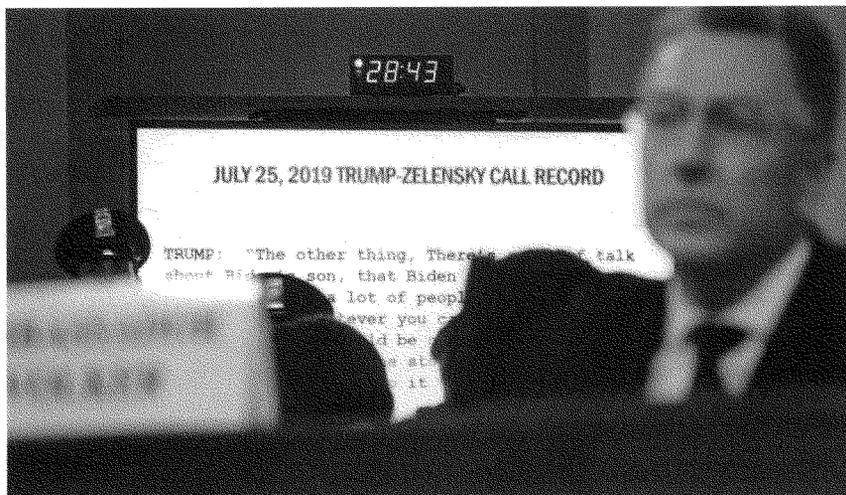
Mr Ryaboshapka insisted other candidates were being considered at the time. “I am 100 per cent my own person . . . The general prosecutor, not of Zelensky, but of the country,” he said.

Asked about a potential probe focusing on the Bidens and their connection with Ukrainian energy company Burisma, Mr Ryaboshapka said Mr Trump’s attorney-general William Barr had made no contact to formally request a joint investigation. A broader audit into past and current cases, including those involving Burisma, were under way, he said.

Having years earlier worked at the Ukraine office of Transparency International, Mr Ryaboshapka won the respect of activists in 2017 when he resigned as deputy head of

are “already adopted and are being implemented”, including some which were “stalled” under Petro Poroshenko, the previous Ukraine president.

“There is also a good chance to reboot the entire prosecution and judiciary,” Ms Kaleniuk said. “Ruslan was moving all these reforms when he worked in the presidential office, now he is focused on implementing prosecution reform.”



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Ukraine, which received financial backing from the IMF, the US and EU after Russia’s annexation of Crimea in 2014, is “not in bad shape with regards to anti-corruption infrastructure” formed in recent years, including the creation of a new anti-corruption court, Mr Ryaboshapka said.

Mr Zelensky’s parliamentary majority has reintroduced criminal responsibility for illicit enrichment by public servants, established protection for whistleblowers and will soon reshuffle leadership of the anti-corruption agency Mr Ryaboshapka quit years earlier. Mr Ryaboshapka’s office has handed investigative powers to anti-corruption bureaus set up as part of the IMF and western support packages.

The prosecutor described reform of a dysfunctional court system as a challenge that will take years and pointed to near-term plans to streamline the country’s Supreme Court, slashing its number of judges in half from 200.

He hinted at the likely replacement of Roman Truba, head of the recently formed State Bureau of Investigations, whose independence was questioned by leaked audio recordings suggesting he received orders from Mr Zelensky's chief of staff Andriy Bogdan. Mr Truba has described the recordings as "fakes."

Mr Ryaboshapka said he would also downsize 11,000 nationwide prosecutors by a third by vetting out dishonest and qualified personnel.

"This is the largest number of prosecutors per capita worldwide with the exception of the Russian Federation," he said. Those staying will get a 50 per cent salary increase to reduce temptation of fraud.

Mr Ryaboshapka spoke before an IMF delegation ended its second visit to Kyiv without approving a new multi-billion-dollar programme, in part owing to concerns over PrivatBank.

The largest commercial lender was nationalised in 2016 after a massive balance sheet hole was identified. Former owners led by oligarch Igor Kolomoisky, who backed Mr Zelensky's presidential bid, seek through litigation to reclaim control over the bank and rebuff government attempts to recover losses from them.

They have not been among a handful of politicians and businessmen arrested or charged in a flurry of probes that also targeted allies of Mr Poroshenko.

Describing the PrivatBank case as "one of the highest priorities," Mr Ryaboshapka said probes linked to Mr Kolomoisky were in the hands of an independent anti-corruption bureau.

"The PrivatBank case is truly being investigated . . . There are no untouchables," he said.

Turning back to Washington, where the US House of Representatives is moving to impeach Mr Trump, he said: "It's critically important for the west not to pull us into some conflicts between their ruling elites, but to continue to support so that we can cross the point of no return.

"We have a historical moment in Ukraine now where cardinal change is possible . . . where we can go from an oligarch system of governance to a European and democratic one."

# The Guardian



## Roger Stone to Michael Cohen: the men in Trump's orbit implicated in crimes

Roger Stone is the latest among a growing list of people once in the president's inner circle who have been convicted on federal charges

**Victoria Bekiempis**

Fri 15 Nov 2019 15.44 EST

Roger Stone, Donald Trump's longtime adviser, was convicted on Friday of obstructing a congressional investigation into Russian meddling in the 2016 election.

The verdict makes Stone only the latest among a growing list of people once in the president's inner circle who have been convicted on federal charges. Below is a list of others in Trump's orbit - or that of his associates - implicated in federal crimes.

### Michael Cohen

The president's former lawyer and fixer, Cohen pleaded guilty to bank fraud, tax fraud, and campaign violations involving hush-money payouts to two women - the adult film star Stormy Daniels, and former Playboy model Karen McDougal. Cohen was sentenced to 36 months in federal prison.

### **Paul Manafort**

The once powerful lobbyist who worked as Trump's campaign chairman was convicted in August 2018 of bank fraud, tax fraud and failing to disclose foreign bank accounts. The next month, Manafort admitted to conspiracy, such as money laundering and unregistered lobbying, as well as a second conspiracy count involving witness tampering. Manafort, who will spend about seven and a half years in prison for the federal cases, also faces state criminal charges in New York for alleged fraud and conspiracy.

### **Michael Flynn**

Trump's former national security adviser pleaded guilty to lying to the FBI over his communication with Russia amid the presidential transition in 2016. Flynn lied about his contact with Russia's ambassador, such as urging Russia not to react to sanctions placed by Barack Obama.

### **Rick Gates**

Manafort's business partner pleaded guilty in February 2018 to conspiring to defraud the US and lying to the FBI. He also admitted to helping Manafort manipulate financial documents, conceal foreign income, cheat tax authorities and mislead banks for credit. Gates, who was also a Trump campaign official, brokered a deal with Robert Mueller - serving as a star witness against Manafort and Stone.

### **George Papadopoulos**

In 2017, Papadopoulos pleaded guilty to lying to the FBI about the schedules of meetings with purported Russian intermediaries. Papadopoulos in March 2016 met with a Maltese professor in London, who claimed that the Russians had incriminating information on Trump's then rival, Hillary Clinton - "thousands of emails". Papadopoulos was sentenced to 14 days in prison.

### **Alex van der Zwaan**

A Dutch lawyer who worked with Manafort, Van der Zwaan pleaded guilty to lying to the FBI about his communications with Gates and a person potentially linked to Russian intelligence. Van der Zwaan worked on a Manafort-commissioned report to defend ex-Ukrainian president Viktor Yanukovich from international scrutiny. He was incarcerated for 12 days.

### **Richard Pinedo**

The online fraudster pleaded guilty after it was revealed that his business setting up US bank accounts, and then illegally peddling them over the internet, had enabled a Russian operation that utilized social media to meddle with the election. His cooperation enabled Mueller's pursuit of Russian troll farms.

### **Konstantin Kilimnik**

The Russian political operative and Manafort associate is charged with obstructing justice. He was swept up in Manafort's plan to leverage his relationship with Trump to settle multimillion-dollar debts to an oligarch.

### **Sam Patten**

Lobbyist Patten had ties to Kilimnik. He admitted to diverting \$50,000 from a Ukrainian oligarch to Trump's presidential inauguration committee. He pleaded guilty and agreed to cooperate with Mueller.

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# As Russia collusion fades, Ukrainian plot to help Clinton emerges

BY JOHN SOLOMON — 03/20/19 07:30 PM EDT  
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## Senior Ukrainian official says he's opened probe i...

Ukrainian Prosecutor General Yuriy Lutsenko told Hill.TV's John Solomon in an int...

After nearly three years and millions of tax dollars, the Trump-Russia collusion probe is about to be resolved. Emerging in its place is newly unearthed evidence suggesting another foreign effort to influence the 2016 election — this time, in favor of the Democrats.

Ukraine's top prosecutor divulged in an interview aired Wednesday on Hill.TV that he has opened an investigation into whether his country's law enforcement apparatus intentionally leaked financial records during the 2016 U.S. presidential campaign about then-Trump campaign chairman Paul Manafort in an effort to sway the election in favor of Hillary Clinton.

The leak of the so-called black ledger files to U.S. media prompted Manafort's resignation from the Trump campaign and gave rise to one of the key allegations in the Russia collusion probe that has dogged Trump for the last two and a half years.

Ukraine Prosecutor General Yuriy Lutsenko's probe was prompted by a Ukrainian parliamentarian's release of a tape recording purporting to quote a top law enforcement official as saying his agency leaked the Manafort financial records to help Clinton's campaign.

The parliamentarian also secured a court ruling that the leak amounted to "an illegal intrusion into the American election campaign," Lutsenko told me. Lutsenko said the tape recording is a serious enough allegation to warrant opening a probe, and one of his concerns is that the Ukrainian

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law enforcement agency involved had frequent contact with the Obama administration's U.S. Embassy in Kiev at the time.

"Today we will launch a criminal investigation about this and we will give legal assessment of this information," Lutsenko told me.

Lutsenko, before becoming prosecutor general, was a major activist against Russia's influence in his country during the tenure of Moscow-allied former President Viktor Yanukovich. He became chief prosecutor in 2016 as part of anti-corruption reforms instituted by current President Petro Poroshenko, an ally of the U.S. and Western countries.

Unlike the breathless start to the Russia collusion allegations — in which politicians and news media alike declared a Watergate-sized crisis before the evidence was fully investigated — the Ukraine revelations deserve to be investigated before being accepted.

After all, Ukraine is dogged by rampant corruption. It is a frequent target of Russian President Vladimir Putin's dirty tricks. And it is a country that, just last year, faked a journalist's death for one day, reportedly to thwart an assassination plot.

But the chief prosecutor, a member of parliament and a court seemingly have enough weight to warrant serious scrutiny of their allegations and an analysis of the audio tape.

Furthermore, the mystery of how the Manafort black ledger files got leaked to American media has never been solved. They surfaced two years after the FBI investigated Manafort over his Ukraine business activities but declined to move forward in 2014 for lack of evidence.

We now have strong evidence that retired British spy Christopher Steele began his quest in what ultimately became the infamous Russia collusion dossier with a series of conversations with top Justice Department official Bruce Ohr between December 2015 and February 2016 about securing evidence against Manafort.

We know the FBI set up shop in the U.S. embassy in Kiev to assist its Ukraine-Manafort inquiry — a common practice on foreign-based probes — while using Steele as an informant at the start of its Russia probe. And we know Clinton's campaign was using a law firm to pay an opposition research firm for Steele's work in an effort to stop Trump from winning the presidency, at the same time Steele was aiding the FBI.

Those intersections, coupled with the new allegations by Ukraine's top prosecutor, are reason enough to warrant a serious, thorough investigation.

If Ukraine law enforcement figures who worked frequently with the U.S. Embassy did leak the Manafort documents in an effort to influence the American election for Clinton, the public deserves to know who knew what, and when.

Lutsenko's interview with Hill.TV raises another troubling dynamic: The U.S. Embassy and the chief Ukrainian prosecutor, who America entrusts with fighting corruption inside an allied country, currently have a dysfunctional relationship.

In our interview, Lutsenko accused the Obama-era U.S. Embassy in 2016 of interfering in his ability to prosecute corruption cases, saying the U.S. ambassador gave him a list of defendants that he would not be allowed to

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pursue and then refused to cooperate in an early investigation into the alleged misappropriation of U.S. aid in Ukraine.

Lutsenko provided me with a letter from the embassy, supporting part of his story by showing that a U.S. official did in fact ask him to stand down on the misappropriation-of-funds case. "We are gravely concerned about this investigation for which we see no basis," an embassy official named George Kent wrote to the prosecutor's office.

The State Department on Wednesday issued a statement declaring that it no longer financially supports Lutsenko's office in its anti-corruption mission and considers his allegation about the do-not-prosecute list "an outright fabrication."

My reporting, however, indicates Lutsenko isn't the only person complaining about the U.S. Embassy in Kiev.

Last year, when he served as House Rules Committee chairman, Rep. **Pete Sessions** (R-Texas) wrote a private letter asking Secretary of State **Mike Pompeo** to recall the current U.S. ambassador, alleging that she made disparaging statements about **President Trump**.

The ambassador “has spoken privately and repeatedly about her disdain for the current administration in a way that might call for the expulsion” of America’s top diplomat in Ukraine, Sessions wrote.

Such dysfunction does not benefit either country, especially when Russia is lurking around the corner, hoping to regain its influence in the former Soviet republic.

Investigating what’s going on in the U.S. Embassy in Kiev, and whether elements in Ukraine tried to influence the 2016 U.S. election to help Clinton, are essential steps to rebooting a key relationship.

*John Solomon is an award-winning investigative journalist whose work over the years has exposed U.S. and FBI intelligence failures before the Sept. 11 attacks, federal scientists’ misuse of foster children and veterans in drug experiments, and numerous cases of political corruption. He serves as an investigative columnist and executive vice president for video at The Hill.*

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# How the Obama White House engaged Ukraine to give Russia collusion narrative an early bo

BY JOHN SOLOMON, OPINION CONTRIBUTOR — 04/25/19 07:00 PM EDT  
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As Donald Trump began his meteoric rise to the presidency, the Obama White House summoned Ukrainian authorities to Washington to coordinate ongoing anti-corruption efforts inside Russia's most critical neighbor.

The January 2016 gathering, confirmed by multiple participants and contemporaneous memos, brought some of Ukraine's top corruption prosecutors and investigators face to face with members of former President Obama's National Security Council (NSC), FBI, State Department and Department of Justice (DOJ).

The agenda suggested the purpose was training and coordination. But Ukrainian participants said it didn't take long — during the meetings and afterward — to realize the Americans' objectives included two politically hot investigations: one that touched [Vice President Joe Biden's family](#) and one that involved a lobbying firm linked closely to then-candidate Trump.

U.S. officials "kept talking about how important it was that all of our anti-corruption efforts be united," said Andrii Telizhenko, then a political officer in the Ukrainian Embassy in Washington tasked with organizing the meeting.

Telizhenko, who no longer works for the Ukrainian Embassy, said U.S. officials volunteered during the meetings — one of which was held in the

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White House's Old Executive Office Building — that they had an interest in reviving a closed investigation into payments to U.S. figures from Ukraine's Russia-backed Party of Regions.

That 2014 investigation was led by the FBI and **focused heavily on GOP lobbyist Paul Manafort**, whose firm long had been tied to Trump through his partner and Trump pal, **Roger Stone**.

Agents interviewed Manafort in 2014 about whether he received undeclared payments from the party of ousted Ukrainian President Viktor Yanukovich, an ally of Russia's **Vladimir Putin**, and whether he engaged in improper foreign lobbying.

The FBI shut down the case without charging Manafort.

Telizhenko said he couldn't remember whether Manafort was mentioned during the January 2016 meeting. But he and other attendees recalled DOJ officials asking investigators from Ukraine's **National Anti-Corruption Bureau (NABU)** if they could help locate new evidence about the Party of Regions' payments and its dealings with Americans.

"It was definitely the case that led to the charges against Manafort and the leak to U.S. media during the 2016 election," he said.

That makes the January 2016 meeting one of the earliest documented efforts to build the now-debunked Trump-Russia collusion narrative and one of the first to involve the Obama administration's intervention.

Spokespeople for the NSC, DOJ and FBI declined to comment. A representative for former Obama national security adviser Susan Rice did not return emails seeking comment.

Nazar Kholodnytskyy, Ukraine's chief anti-corruption prosecutor, told me he attended some but not all of the January 2016 Washington meetings and couldn't remember the specific cases, if any, that were discussed.

But he said he soon saw evidence in Ukraine of **political meddling in the U.S. election**. Kholodnytskyy said the key evidence against Manafort — a ledger showing payments from the Party of Regions — was known to Ukrainian authorities since 2014 but was suddenly released in May 2016 by the U.S.-friendly NABU, after Manafort was named Trump's campaign chairman: "Somebody kept this black ledger secret for two years and then showed it to the public and the U.S. media. It was extremely suspicious."

Kholodnytskyy said he explicitly instructed NABU investigators who were working with American authorities not to share the ledger with the media. "Look, Manafort's case is one of the cases that hurt me a lot," he said.

"I ordered the detectives to give nothing to the mass media considering this case. Instead, they had broken my order and published themselves these one or two pages of this black ledger regarding Paul Manafort."

"For me it was the first call that something was going wrong and that there is some external influence in this case. And there is some other interests in this case not in the interest of the investigation and a fair trial," he added.

Kostiantyn Kulyk, deputy head of the Ukraine prosecutor general's international affairs office, said that, shortly after Ukrainian authorities returned from the Washington meeting, there was a clear message about helping the Americans with the Party of the Regions case.

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"Yes, there was a lot of talking about needing help and then the ledger just appeared in public," he recalled.

Kulyk said Ukrainian authorities had evidence that other Western figures, such as former Obama White House counsel Gregory Craig, also received money from Yanukovich's party. But the Americans weren't interested: "They just discussed Manafort. This was all and only what they wanted. Nobody else."

Manafort joined Trump's campaign on March 29, 2016, and then was promoted to campaign chairman on May 19, 2016.

NABU leaked the existence of the ledgers on May 29, 2016. Later that summer, it told U.S. media the ledgers showed payments to Manafort, a revelation that forced him to resign from the campaign in August 2016.

A Ukrainian court in December concluded NABU's release of the ledger was an illegal attempt to influence the U.S. election. And a member of Ukraine's parliament has released a recording of a NABU official saying the agency released the ledger to help Democratic nominee Hillary Clinton's campaign.

The other case raised at the January 2016 meeting, Telizhenko said, involved Burisma Holdings, a Ukrainian energy company under investigation in Ukraine for improper foreign transfers of money. At the time, Burisma allegedly was paying then-Vice President Joe Biden's son Hunter as both a board member and a consultant. More than \$3 million flowed from Ukraine to an American firm tied to Hunter Biden in 2014-15, bank records show.

According to Telizhenko, U.S. officials told the Ukrainians they would prefer that Kiev drop the Burisma probe and allow the FBI to take it over. The Ukrainians did not agree. But then Joe Biden pressured Ukrainian President Petro Poroshenko to fire Ukraine's chief prosecutor in March 2016, as I previously reported. The Burisma case was transferred to NABU, then shut down.

The Ukrainian Embassy in Washington on Thursday confirmed the Obama administration requested the meetings in January 2016, but embassy representatives attended only some of the sessions.

"Unfortunately, the Embassy of Ukraine in Washington, D.C., was not invited to join the DOJ and other law enforcement-sector meetings," it said. It said it had no record that the Party of Regions or Burisma cases came up in the meetings it did attend.

Ukraine is riddled with corruption, Russian meddling and intense political conflicts, so one must carefully consider any Ukrainian accounts.

But Telizhenko's claim that the DOJ reopened its Manafort probe as the 2016 election ramped up is supported by the DOJ's own documents, including communications involving Associate Attorney General Bruce Ohr, his wife, Nellie, and ex-British spy Christopher Steele.

Nellie Ohr and Steele worked in 2016 for the research firm, Fusion GPS, that was hired by Clinton's campaign and the Democratic National Committee (DNC) to find Russia dirt on Trump. Steele wrote the famous dossier for Fusion that the FBI used to gain a warrant to spy on the Trump campaign. Nellie Ohr admitted to Congress that she routed Russia dirt on Trump from Fusion to the DOJ through her husband during the election.

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DOJ emails show Nellie Ohr on May 30, 2016, directly alerted her husband and two DOJ prosecutors specializing in international crimes to the discovery of the "black ledger" documents that led to Manafort's prosecution.

"Reported Trove of documents on Ukrainian Party of Regions' Black Cashbox," Nellie Ohr [wrote to her husband and federal prosecutors](#) Lisa Holtyn and Joseph Wheatley, attaching a [news article](#) on the announcement of NABU's release of the documents.

Bruce Ohr and Steele worked on their own effort to get dirt on Manafort from a Russian oligarch, Oleg Deripaska, who had a soured business relationship with him. Deripaska was "almost ready to talk" to U.S. government officials regarding the money that "Manafort stole," Bruce Ohr wrote in notes from his conversations with Steele.

The efforts eventually led to a September 2016 meeting in which the [FBI asked Deripaska](#) if he could help prove Manafort was helping Trump collude with Russia. Deripaska laughed off the notion as preposterous.

Previously, [Politico reported](#) that the Ukrainian Embassy in Washington assisted Clinton's campaign through a DNC contractor. The Ukrainian Embassy acknowledges it got requests for assistance from the DNC staffer to find dirt on Manafort but denies it provided any improper assistance.

Now we have more concrete evidence that the larger Ukrainian government also was being pressed by the Obama administration to help build the Russia collusion narrative. And that onion is only beginning to be peeled.

But what is already confirmed by Ukrainians looks a lot more like assertive collusion with a foreign power than anything detailed in the [Mueller report](#).

*John Solomon is an award-winning investigative journalist whose work over the years has exposed U.S. and FBI intelligence failures before the Sept. 11 attacks, federal scientists' misuse of foster children and veterans in drug experiments, and numerous cases of political corruption. He serves as an investigative columnist and executive vice president for video at The Hill. Follow him on Twitter [@jsolomonReports](#)*

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# Joe Biden's 2020 Ukrainian nightmare: A closed probe is revived

BY JOHN SOLOMON, OPINION CONTRIBUTOR — 04/01/19 09:37 PM EDT  
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Two years after leaving office, Joe Biden couldn't resist the temptation last year to brag to an audience of foreign policy specialists about the time as vice president that he strong-armed Ukraine into firing its top prosecutor.

In his own words, with video cameras rolling, Biden described how he threatened Ukrainian President Petro Poroshenko in March 2016 that the Obama administration would pull \$1 billion in U.S. loan guarantees, sending the former Soviet republic toward insolvency, if it didn't immediately fire Prosecutor General Viktor Shokin.

"I said, 'You're not getting the billion.' I'm going to be leaving here in, I think it was about six hours. I looked at them and said: 'I'm leaving in six hours. If the prosecutor is not fired, you're not getting the money,'" Biden recalled telling Poroshenko.

"Well, son of a bitch, he got fired. And they put in place someone who was solid at the time," Biden told the Council on Foreign Relations event, insisting that President Obama was in on the threat.

Interviews with a half-dozen senior Ukrainian officials confirm Biden's account, though they claim the pressure was applied over several months in late 2015 and early 2016, not just six hours of one dramatic day.

Whatever the case, Poroshenko and Ukraine's parliament obliged by ending Shokin's tenure as prosecutor. Shokin was facing steep criticism in Ukraine, and among some U.S. officials, for not bringing enough corruption prosecutions when he was fired.

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But Ukrainian officials tell me there was one crucial piece of information that Biden must have known but didn't mention to his audience: The prosecutor he got fired was leading a wide-ranging corruption probe into the natural gas firm [Burisma Holdings](#) that employed Biden's younger son, Hunter, as a board member.

U.S. banking records show Hunter Biden's American-based firm, Rosemont Seneca Partners LLC, received regular transfers into one of its accounts — usually more than \$166,000 a month — from Burisma from spring 2014 through fall 2015, during a period when Vice President Biden was the main U.S. official dealing with Ukraine and its tense relations with Russia.

The general prosecutor's official file for the Burisma probe — shared with me by senior Ukrainian officials — shows prosecutors identified Hunter Biden, business partner Devon Archer and their firm, Rosemont Seneca, as potential recipients of money.

Shokin told me in written answers to questions that, before he was fired as general prosecutor, he had made "specific plans" for the investigation that "included interrogations and other crime-investigation procedures into all members of the executive board, including Hunter Biden."

He added: "I would like to emphasize the fact that presumption of innocence is a principle in Ukraine" and that he couldn't describe the evidence further.

William Russo, a spokesman for Joe Biden, and Hunter Biden did not respond to email messages Monday seeking comment. The phone number at Rosemont Seneca Partners LLC in Washington was no longer in service on Monday.

The timing of Hunter Biden's and Archer's appointment to Burisma's board has been highlighted in the past, by [The New York Times in December 2015](#) and in a 2016 book by conservative author [Peter Schweizer](#).

Although Biden made no mention of his son in his 2018 speech, U.S. and Ukrainian authorities both told me Biden and his office clearly had to know about the general prosecutor's probe of Burisma and his son's role. They noted that:

- Hunter Biden's appointment to the board was widely reported in American media;
- The U.S. Embassy in Kiev that coordinated Biden's work in the country repeatedly and publicly discussed the general prosecutor's case against Burisma;
- Great Britain took very public action against Burisma while Joe Biden was working with that government on Ukraine issues;
- Biden's office was quoted, on the record, acknowledging Hunter Biden's role in Burisma in a New York Times article about the general prosecutor's Burisma case that appeared four months before Biden forced the firing of Shokin. The vice president's office suggested in that article that Hunter Biden was a lawyer free to pursue his own private business deals.

President Obama named Biden the administration's point man on Ukraine in February 2014, after a popular revolution ousted Russia-friendly President [Viktor Yanukovich](#) and as Moscow sent military forces into Ukraine's Crimea territory.

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According to Schweizer's book, Vice President Biden met with Archer in April 2014 right as Archer was named to the board at Burisma. A month later, Hunter Biden was named to the board, to oversee Burisma's legal team.

But the Ukrainian investigation and Joe Biden's effort to fire the prosecutor overseeing it has escaped without much public debate.

Most of the general prosecutor's investigative work on Burisma focused on three separate cases, and most stopped abruptly once Shokin was fired. The most prominent of the Burisma cases was transferred to a different Ukrainian agency, closely aligned with the U.S. Embassy in Kiev, known as the National Anti-Corruption Bureau of Ukraine (NABU), according to the case file and current General Prosecutor Yuriy Lutsenko.

NABU closed that case, and a second case involving alleged improper money transfers in London was dropped when Ukrainian officials failed to file the necessary documents by the required deadline. The general prosecutor's office successfully secured a multimillion-dollar judgment in a tax evasion case, Lutsenko said. He did not say who was the actual defendant in that case.

As a result, the Biden family appeared to have escaped the potential for an embarrassing inquiry overseas in the final days of the Obama administration and during an election in which Democrat Hillary Clinton was running for president in 2016.

But then, as Biden's 2020 campaign ramped up over the past year, Lutsenko — the Ukrainian prosecutor that Biden once hailed as a "solid" replacement for Shokin — began looking into what happened with the Burisma case that had been shut down.

Lutsenko told me that, while reviewing the Burisma investigative files, he discovered "members of the Board obtained funds as well as another U.S.-based legal entity, Rosemont Seneca Partners LLC, for consulting services."

Lutsenko said some of the evidence he knows about in the Burisma case may interest U.S. authorities and he'd like to present that information to new U.S. Attorney General William Barr, particularly the vice president's intervention.

"Unfortunately, Mr. Biden had correlated and connected this aid with some of the HR (personnel) issues and changes in the prosecutor's office," Lutsenko said.

Nazar Kholodnytskyi, the lead anti-corruption prosecutor in Lutsenko's office, confirmed to me in an interview that part of the Burisma investigation was reopened in 2018, after Joe Biden made his remarks. "We were able to start this case again," Kholodnytskyi said.

But he said the separate Ukrainian police agency that investigates corruption has dragged its feet in gathering evidence. "We don't see any result from this case one year after the reopening because of some external influence," he said, declining to be more specific.

Ukraine is in the middle of a hard-fought presidential election, is a frequent target of intelligence operations by neighboring Russia and suffers from rampant political corruption nationwide. Thus, many Americans might take the restart of the Burisma case with a grain of salt, and rightfully so.

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But what makes Lutsenko's account compelling is that federal authorities in America, in an entirely different case, uncovered financial records showing just how much Hunter Biden's and Archer's company received from Burisma while Joe Biden acted as Obama's point man on Ukraine.

Between April 2014 and October 2015, more than \$3 million was paid out of Burisma accounts to an account linked to Biden's and Archer's Rosemont Seneca firm, according to the financial records placed in a federal court file in Manhattan in an unrelated case against Archer.

The bank records show that, on most months when Burisma money flowed, two wire transfers of \$83,333.33 each were sent to the Rosemont Seneca-connected account on the same day. The same Rosemont Seneca-linked account typically then would pay Hunter Biden one or more payments ranging from \$5,000 to \$25,000 each. Prosecutors reviewed internal company documents and wanted to interview Hunter Biden and Archer about why they had received such payments, according to interviews.

Lutsenko said Ukrainian company board members legally can pay themselves for work they do if it benefits the company's bottom line, but prosecutors never got to determine the merits of the payments to Rosemont because of the way the investigation was shut down.

As for Joe Biden's intervention in getting Lutsenko's predecessor fired in the midst of the Burisma investigation, Lutsenko suggested that was a matter to discuss with Attorney General Barr: "Of course, I would be happy to have a conversation with him about this issue."

As the now-completed Russia collusion investigation showed us, every American deserves the right to be presumed innocent until evidence is made public or a conviction is secured, especially when some matters of a case involve foreigners. The same presumption should be afforded to Joe Biden, Hunter Biden, Devon Archer and Burisma in the Ukraine case.

Nonetheless, some hard questions should be answered by Biden as he prepares, potentially, to run for president in 2020: Was it appropriate for your son and his firm to cash in on Ukraine while you served as point man for Ukraine policy? What work was performed for the money Hunter Biden's firm received? Did you know about the Burisma probe? And when it was publicly announced that your son worked for Burisma, should you have recused yourself from leveraging a U.S. policy to pressure the prosecutor who very publicly pursued Burisma?

*John Solomon is an award-winning investigative journalist whose work over the years has exposed U.S. and FBI intelligence failures before the Sept. 11 attacks, federal scientists' misuse of foster children and veterans in drug experiments, and numerous cases of political corruption. He serves as an investigative columnist and executive vice president for video at The Hill.*

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# Senate GOP wants speedy Trump acquittal

BY JORDAIN CARNEY · 12/28/19 08:16 AM EST

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Senate Republicans are plotting a speedy acquittal of President Trump as they strategize ahead of the impeachment trial.

After weeks of public haggling from within the caucus, GOP senators are largely lining up behind a shorter proceeding with few, if any, witnesses, paving the way for them to hand Trump an early election-year victory.

Sen. Lindsey Graham (R-S.C.) said his goal is “to have as short a trial as possible.”

“I think there’s a desire by senators, quite honestly, to get this chapter closed and moved forward,” Graham told reporters.

Sen. Kevin Cramer (R-N.D.) said that when it comes to a trial “shorter is better,” and that he thought his colleagues were coalescing behind that.

“I think shorter is better for lots of reasons,” Cramer said. “I think people are ready to move on.”

Republicans are also stressing though that they don’t want to simply dismiss the articles against Trump. The House voted earlier this month to impeach Trump on two counts: one charging him with abuse of power in his dealings with Ukraine and the second with obstructing Congress during its investigation of those actions.

“I’m ready to get this thing and get it done,” said Sen. David Perdue (R-Ga.). “It’s time for him to have his day in court. ... I don’t want to a vote to

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dismiss. I want a vote to acquit. The president deserves to have due process."

Graham, who previously advocated dismissing the articles, added that a "motion dismissed will not stand. ... I don't want a motion to dismiss. I want a vote on the articles themselves."

Sen. Rand Paul (R-Ky.), who has emerged as a close ally of Trump's, has floated trying to dismiss the article, including [telling The Washington Post](#) in November that he would make the motion "as soon as we possibly can." A motion to dismiss would need 51 votes, and members of GOP leadership have suggested it would fall short.

Asked after the House impeachment vote if he still wanted to dismiss the articles instead of going through a trial, Paul sidestepped, telling The Hill that the "whole idea of the impeachment inquiry was ill-conceived ... so I think the quicker it can be done the better."

The embrace of a brief impeachment trial comes after the White House and top congressional allies initially called for a lengthy trial that would ground 2020 contenders in Washington into the early voting states and give Trump a public forum to probe former Vice President Joe Biden, Hunter Biden and Ukraine.

Sen. Josh Hawley (R-Mo.), who has left the door open to having witnesses, said if the White House is okay with skipping calling individuals to testify that he is ready to vote on the articles and move on.

"I'm ready to vote now," Hawley said. "I think the articles are a joke."

The change among GOP senators mirrors a similar shift in tone coming from the White House.



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White House spokesman Hogan Gidley told reporters earlier this month that the president "has made clear" that he wants witnesses including the Bidens and House Intelligence Committee Chairman Adam Schiff (D-Calif.).

But White House director of legislative affairs Eric Ueland told CBS News late last week that, similar to former special counsel Robert Muller's investigation into the 2016 election, "the facts belie the allegation and the facts speak very strongly for themselves."

"The president is working closely and collaboratively with Leader McConnell," Ueland added, asked if the president wants witnesses or not.

McConnell hasn't given an exact timeframe for how long he thinks a trial should take. While he's repeatedly stressed that the Senate GOP caucus writ large hasn't made a final decision on witnesses, he told Fox News Radio that he does not believe witnesses are necessary.

"Do we know enough? Have we learned enough after listening to all this to go on and vote on the two very weak articles of impeachment? Or do we want to have a show trial in which both sides try to embarrass the other and put on a, you know, an embarrassing scene, frankly, for the American people?" McConnell said, characterizing the decision on witnesses.

"Obviously, I think we've heard enough. After we've heard the arguments, we ought to vote and move on," he added.

The timeframe, and whether or not to call witnesses, isn't completely up to McConnell. The GOP leader, who likes to keep a tight grip on the floor, has said he doesn't have as much "ball control" during an impeachment trial.

Fifty-one senators will decide whether or not to call witnesses. During the Clinton impeachment trial senators voted along party lines to sign off on closed-door depositions with three individuals.

Democrats say they also want a quick trial, but one that would include testimony from witnesses and document requests. Minority Leader Charles Schumer (D-N.Y.) said his caucus's priority for the trial was that it was "fair and speedy."

"I have proposed a very reasonable structure that would do just that," he told reporters.

Schumer, in a letter sent earlier this month to McConnell, outlined a roughly two-week timeframe for the first phase of the trial, including 24 hours each for the House impeachment managers and Trump's team to submit their case, followed by 16 hours for senators to ask questions.

Republicans, while taking issue with Schumer's call for witnesses, have signaled they could support his outline for how the first part of a trial should go and how long it should last.

"I think we should take that on the first phase," said Sen. Ron Johnson (R-Wis.), referring to the Democratic proposal. "That seemed pretty reasonable."

Sen. Roy Blunt (Mo.), the No. 4 Senate Republican, said that Schumer's estimate for phase one "sounded about right."

No Republican senators have signaled that they will support Schumer's witness request, which includes former national security adviser John Bolton and acting White House chief of staff Mick Mulvaney, nor his request that the Senate passes a resolution at the start of the trial that would cover both witnesses and procedure.

During the Clinton trial the Senate passed a resolution at the outset on the rules and then a second resolution after the proceeding started calling for three witnesses to testify behind closed doors.

Sen. Susan Collins (R-Maine), one of the senators Democrats are hoping to win over, told WGAN, a Maine radio station, that she thought the Clinton process was a "good model."

In an attempt to get Democrats to back down on witnesses, some Republicans are warning that if Democrats push the issue they could try to call individuals that Democrats oppose asking to testify, including Hunter Biden.

“Well, if we go down in the witness path, we're going to want the whistleblower. We're going to want Hunter Biden. You can see here that this is the kind of mutual assured destruction episode that will go on for a long time,” McConnell told Fox News Radio.

Republicans believe they could have an advantage because the administration is expected to exert executive privilege to prevent Mulvaney or Bolton from testifying, setting up a lengthy court battle for Senate Democrats.

Sen. John Kennedy (R-La.) made that point during a recent closed-door caucus lunch, telling his colleagues that while Democrats' witnesses could be tied up in a months-long court battle the GOP witness wish list would not currently face the same fight, according to a Republican senator who attended the lunch.

Kennedy echoed his warning publicly during a Fox News interview pledging that if Democrats want a “full-blown trial,” by calling witnesses Republicans oppose, GOP senators would follow suit.

“If they want a trial,” he said, “my God, we are going to have a trial.”

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# Senate Intel chair doesn't want whistleblower's identity disclosed

BY JORDAIN CARNEY - 11/07/19 01:41 PM EST

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Senate Intelligence Committee Chairman Richard Burr (R-N.C.) said on Thursday that he does not think the identity of the whistleblower at the center of the House impeachment inquiry should be publicly disclosed.

Asked by reporters if he wanted the individual's identity to be made public, Burr told reporters that he "never" thought that.

"We protect whistleblowers. We protect witnesses in our committee," Burr added.

His comments come as President Trump and some of his allies on Capitol Hill have called for the whistleblower to come forward and for the individual's name to be publicly released.

"[But] I think we should allow the president to know who the accuser is. And I think the whistleblower statute is being terribly abused here," Sen. Lindsey Graham (R-S.C.), the chairman of the Judiciary Committee, told reporters earlier this week.

Sen. Rand Paul (R-Ky.) also called for the media to publicly out the whistleblower during a rally with Trump in Kentucky — to the consternation of many of his colleagues — telling reporters: "Do your job and print his name."

Burr's committee is reviewing the process behind the whistleblower complaint, the handling of which created a high-profile split within the

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administration.

The complaint — tied to Trump asking Ukraine to open a probe into former Vice President Joe Biden and his son Hunter Biden — is also at the center of the House impeachment inquiry, which is looking into whether or not Trump conditioned aid to the country on it agreeing to open up an investigation.

Burr, however, does want to speak with the whistleblower as part of his committee's investigation into the process.

Lawyers for the whistleblower have offered to have the individual provide written answers to questions under oath. But Burr told The Hill late last week that the setup was "not acceptable."

"We have a proven track record of protecting people's identity," Burr added at the time.

He added on Thursday that he believed the whistleblower's attorneys had done a "reversal" since they made initial contact about making the individual available.

"I just think that they were disingenuous when they ... sent us a letter saying how anxious they were to come before the committee," he added.

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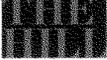
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# Ukrainian to US prosecutors: V don't you want our evidence on Democrats?

BY JOHN SOLOMON, OPINION CONTRIBUTOR — 04/07/19 07:30 AM EDT  
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Ukrainian law enforcement officials believe they have evidence of wrongdoing by American Democrats and their allies in Kiev, ranging from 2016 election interference to obstructing criminal probes. But, they say, they've been thwarted in trying to get the Trump Justice Department to act.

Kostiantyn Kulyk, deputy head of the Prosecutor General's International Legal Cooperation Department, told me he and other senior law enforcement officials tried unsuccessfully since last year to get visas from the U.S. Embassy in Kiev to deliver their evidence to Washington.

"We were supposed to share this information during a working trip to the United States," Kulyk told me in a wide-ranging interview. "However, the [U.S.] ambassador blocked us from obtaining a visa. She didn't explicitly deny our visa, but also didn't give it to us."

One focus of Ukrainian investigators, Kulyk said, has been money spirited unlawfully out of Ukraine and moved to the United States by businessmen friendly to the prior, pro-Russia regime of Viktor Yanukovych.

Ukrainian businessmen "authorized payments for lobbying efforts directed at the U.S. government," he told me. "In addition, these payments were made from funds that were acquired during the money-laundering operation. We have information that a U.S. company was involved in these

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Ukrainian to US prosecutors: Why don't you want our evidence on Democrats? | TheHill payments." That company is tied to one or more prominent Democrats, Ukrainian officials insist.

In another instance, he said, Ukrainian authorities gathered evidence that money paid to an American Democrat allegedly was hidden by Ukraine's [National Anti-Corruption Bureau \(NABU\)](#) during the 2016 election under pressure from U.S. officials. "In the course of this investigation, we found that there was a situation during which influence was exerted on the NABU, so that the name of [the American] would not be mentioned," he said.

Ukraine is infamous for corruption and disinformation operations; its police agencies fight over what is considered evidence of wrongdoing. Kulyk and his bosses even have political fights over who should and shouldn't be prosecuted. Consequently, allegations emanating from Kiev usually are taken with a grain of salt.

But many of the allegations shared with me by more than a half-dozen senior Ukrainian officials are supported by evidence that emerged in recent U.S. court filings and intelligence reports. The Ukrainians told me their evidence includes:

- Sworn statements from two Ukrainian officials admitting that their agency tried to [influence the 2016 U.S. presidential election](#) in favor of Hillary Clinton. The effort included leaking an alleged ledger showing payments to then-Trump campaign chairman [Paul Manafort](#);
- Contacts between Democratic figures in Washington and Ukrainian officials that involved passing along dirt on Donald Trump;
- Financial records showing a Ukrainian natural gas company [routed more than \\$9 million](#) to American accounts tied to Hunter Biden, younger son of then-Vice President [Joe Biden](#), who managed U.S.-Ukraine relations for the Obama administration. Biden's son served on the board of a Ukrainian natural gas company, [Burisma Holdings](#);
- Records that Vice President Biden pressured Ukrainian officials in March 2016 to fire the prosecutor who oversaw an investigation of [Burisma Holdings](#) and who planned to interview Hunter Biden about the financial transfers;
- Correspondence showing members of the State Department and U.S. Embassy in Kiev interfered or applied pressure in criminal cases on Ukrainian soil;
- Disbursements of as much as \$7 billion in Ukrainian funds that prosecutors believe may have been misappropriated or taken out of the country, including to the United States.

Ukrainian officials say they don't want to hand the evidence to FBI agents working in Ukraine because they believe the bureau has a close relationship with the NABU and the U.S. Embassy. "It is no secret in Ukrainian political circles that the NABU was created with American help and tried to exert influence during the U.S. presidential election," Kulyk told me.

Kulyk's boss, Prosecutor General Yuriy Lutsenko, told me he has enough evidence — particularly involving Biden, his family and money spirited out of Ukraine — to warrant a meeting with U.S. Attorney General [William Barr](#).

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"I'm looking forward to meeting with the attorney general of the United States in order to start and facilitate our joint investigation regarding the appropriation of another \$7 billion in U.S. dollars with Ukrainian legal origin," Lutsenko said.

I wrote last week that Biden, in 2016, pressured Ukrainian President Petro Poroshenko to fire Ukraine's top prosecutor, Viktor Shokin, who was investigating Burisma.

Kulyk confirmed Ukraine is investigating that alleged incident: "We have evidence and witnesses stating that Joe Biden applied pressure on Ukrainian law enforcement to stop the investigation."

Ukrainian officials have gone public in recent days with their frustrations after months of trying to deliver the evidence quietly to the Trump Department of Justice (DOJ) fizzled. Unable to secure visas from the U.S. Embassy, some Ukrainian law enforcement officials sought backdoor channels, Kulyk said.

One of those avenues involved reaching out last fall to a former federal prosecutor from the George W. Bush years, according to interviews. He delivered a written summary of some of the Ukrainian allegations to the U.S. attorney's office in Manhattan, along with an offer to connect U.S. investigators with individuals purporting to have the evidence. There was no response or follow-up, according to multiple people directly familiar with the effort.

More recently, President Trump's private attorney Rudy Giuliani — former mayor and former U.S. attorney in New York City — learned about some of the allegations while, on behalf of the Trump legal team, he looked into Ukrainian involvement in the 2016 election.

Since then, Lutsenko and others have talked with other American lawyers about helping to file U.S. legal action to recover money they believe was wrongly taken from their country.

"It's like no one at DOJ is listening. There is some compelling evidence that should at least be looked at, evaluated, but the door seems shut at both State and Justice," said an American who has been contacted for help and briefed on the evidence.

State Department officials declined to address whether they denied or slow-walked visas for Ukrainian officials. "Visa records are confidential under U.S. law; therefore, we cannot discuss the details of individual visa cases," a department spokesperson said.

Ukraine's evidence, if true, would mark the first documented allegation of Democrats receiving assistance from a foreign power in their efforts to help Clinton win the 2016 election.

"It looks like there is some evidence emerging that there could have been a proxy war between Russia and Ukraine to secure their preferred American president during the 2016 race," said a former top intelligence official who now advises the Trump administration on intelligence policy.

There is public-source information, in Ukraine and in the United States, that gives credence to some of what Ukrainian prosecutors allege.

A court in Ukraine formally concluded that law enforcement officials there illegally tried to intervene in the 2016 U.S. election by leaking documents of Manafort's business dealings after he was named Trump's campaign

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chairman. And a Ukrainian parliamentarian released a purported tape recording of a top Ukrainian law enforcement official bragging that he was responsible for the leak and was trying to help Clinton win.

Lutsenko [told Hill.TV](#) in an interview aired last week that he has opened a criminal investigation into those allegations.

Nellie Ohr, wife of a senior Justice official and a researcher for the Fusion GPS opposition research firm, testified to Congress last year that some of Fusion GPS's research on Trump-Russia ties [came from a Ukrainian parliamentarian](#). The Democratic Party and the Clinton campaign paid Fusion GPS to dig up dirt on Trump.

Although Ohr acknowledged the Ukrainian source, lawmakers did not press her to be more specific.

And Politico [reported in 2017](#) on evidence of Ukraine's U.S. embassy helping the Clinton campaign to discredit Trump. "A Ukrainian-American operative who was consulting for the Democratic National Committee met with top officials in the Ukrainian Embassy in Washington in an effort to expose ties between Trump, top campaign aide Paul Manafort and Russia," the newspaper reported.

Separately, the conservative nonprofit Citizens United last month filed a lawsuit seeking to force the State Department to disclose all information it possesses about Hunter Biden and his business partners involved with Ukraine-based Burisma Holdings.

If Ukrainian prosecutors can augment their allegations with real evidence, there could be a true case of collusion worth investigating.

The only question is why the U.S. government so far hasn't taken interest — and whether Attorney General Barr will change that.

*John Solomon is an award-winning investigative journalist whose work over the years has exposed U.S. and FBI intelligence failures before the Sept. 11 attacks, federal scientists' misuse of foster children and veterans in drug experiments, and numerous cases of political corruption. He serves as an investigative columnist and executive vice president for video at The Hill.*

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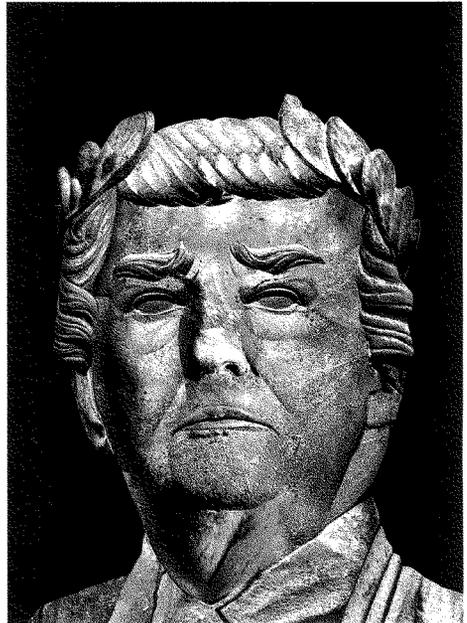
## The First Magistrate in Foreign Pay

The Founders envisioned impeachment as a potent and necessary means of defeating corruption in the nation's highest office.

By **BRIANNE GOROD** and **ELIZABETH WYDRA**

November 11, 2019

ILLUSTRATION BY DOUG CHAVKA



To fully grasp what's at stake in the impeachment of Donald Trump, it's important to understand that the nation's Founders conceived of presidential impeachment as a fundamental safeguard against corruption in office. To the Founders and other influential theorists of republican political philosophy, corruption was the great force that had undermined republics throughout history.

The Framers were thus preoccupied with stemming corruption—an age-old challenge made all the more urgent by the Founders’ experience under British rule. Talk of corruption and its remedies pervaded the debates at the Constitutional Convention. As political scientist James D. Savage has observed, James Madison’s notes on the convention indicate that 15 delegates used the word “corruption” no fewer than 54 times, and as law professor Zephyr Teachout has noted, corruption figured prominently in the constitutional delegates’ deliberations on almost a quarter of the 115 days that the Constitutional Convention met.

The Founders wanted to ensure that in the United States, unlike in Europe, the nation’s leaders would be dependent on “We the People”—not on those who would give them financial benefits. They also took pains to structure the new American government so that the people’s representatives would make policy decisions based on the national interest, not their own financial interests. As George Mason warned his fellow delegates at the Constitutional Convention, “if we do not provide against corruption, our government will soon be at an end.”

The Founders were also deeply worried that foreign powers would interfere with America’s internal affairs, undermining the nation’s republican institutions and making the country’s leaders subservient to foreign interests. Alexander Hamilton wrote that one of the vulnerabilities of republics “is that they afford too easy an inlet to foreign corruption.” During the Constitutional Convention, Elbridge Gerry warned that “[f]oreign powers will intermeddle in our affairs, and spare no expense to influence them.”

The Framers were especially mindful that the nation’s new chief executive might be subject to such influences because the Constitution’s design sharply departed from the precursor Articles of Confederation in establishing a strong executive branch headed by a single president. The Framers’ experiences under the articles had convinced them that a strong executive was essential—but they also recognized that with great power came the possibility of great abuses: A president could use the far-reaching authority of his office to benefit himself, at the expense of the people the president was supposed to be serving.

As Madison remarked, corruption “was more within the compass of probable events” because the presidency “was to be administered by a single man.” He observed further that the personal interest of a hereditary monarch was “so interwoven with that of the Nation ... that he was placed above the danger of being corrupted from abroad”—but that an elected president would, as he put it, lack “that permanent stake in the public interest which [would] place him out of the reach of foreign corruption.”

During the state debates over ratification of the Constitution, former delegate Charles Cotesworth Pinckney explained that while “kings are less liable to foreign bribery and corruption ... because no bribe that could be given them could compensate the loss they must necessarily sustain for injuring their dominions ... the situation of a President would be very different.” As a temporary officeholder, the president “might receive a bribe which would enable him to live in greater splendor in another country than his own; and when out of office, he was no more interested in the prosperity of his country than any other patriotic citizen.”





In light of these concerns, the Framers drafted the Constitution to ensure that ‘corruption was more effectually guarded against, in the manner this government was constituted, than in any other that had ever been formed.’ That’s why the Constitution provides that “[n]o Senator or Representative shall, during the Time

for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time”—a sign of the Framers’ worry that legislators’ interest in securing future employment might lead them to act at cross-purposes with the public interest. It’s also why—as the activities of President Trump have forcefully reminded us—the Constitution provides that “no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.” The Founders specifically mandated that the president “shall not receive within [the period during which he was elected to serve as president] any Emolument [other than his fixed compensation] from the United States, or any of the [states].” Indeed, the Constitution’s entire system of checks and balances was aimed, at least in part, at preventing the corruption of our nation’s leaders.

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**“Shall any man be above Justice? Above all shall that man be above it, who can commit the most extensive injustice?”**

But the Framers also determined that these checks alone were not sufficient. Instead, the ultimate check on an abusive president lies in Article II, Section 4, of the Constitution: “The President ... shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.” By empowering the Congress to remove the president for “abuse[s] or violation[s] of some public trust,” they enabled the people’s representatives to render a verdict that a president was abusing his public office to such a degree that allowing him to remain in it posed a danger to the republic. For example, Hamilton’s close ally, Gouverneur Morris, concluded that impeachment was necessary because “no one would say that we ought to expose ourselves to the danger of seeing the first magistrate in foreign pay, without being able to guard against it by displacing him.” James Madison argued in favor of impeachment because, in part, he worried that a president might “betray his trust to foreign powers.” And George Mason argued that the impeachment power was particularly necessary to guard against abuses by the president, whose vulnerability to corruption represented the most dangerous threat to democratic governance: “Shall any man be above Justice? Above all shall that man be above it, who can commit the most extensive injustice?”

In specifying that the president shall be removed for “Treason, Bribery, or other high Crimes and Misdemeanors,” the Framers were plainly concerned, as Laurence Tribe and Joshua Matz have put it, about “abuse of power, corruption, and injury to the nation.” As they explain, bribery at the time of the Constitution’s framing did not refer exclusively to quid pro quo corruption as it is often defined today; instead, the term was used far more broadly. And in using that term in the Constitution, the Framers were making clear that a president who would engage in the “corrupt exercise of power in exchange for a personal benefit” should not be able to remain in office. Likewise, while the term “high Crimes and Misdemeanors” was not defined in the Constitution, this term reflects the Framers’ preoccupation with abuses of the public trust that could harm the national interest. As Professor Michael J. Gerhardt has written in *The George Washington Law Review*, the Framers were concerned about “the kinds of abuses of power or injuries to the Republic that only could be committed by public officials by virtue of the public offices or privileges that they held.” That characterization doubles as a concise account of President Donald Trump’s many abuses of the office of the presidency.

Brianne Gorod is chief counsel for the Constitutional Accountability Center.

Elizabeth Wydra is president of the Const



interest, not their personal self-interest;

**WHEREAS** the Constitution gives Congress the impeachment power to preserve the integrity of this system of government;

**WHEREAS** for more than two years President Trump abused his office in an effort to benefit himself, his family, friends, and associates, both financially and politically;

**WHEREAS** the president has counseled the interference of foreign powers in American elections and obstructed justice to conceal the evidence of such interference;

**RESOLVED**  
**President Donald Trump should be impeached.**

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*During Friday's impeachment hearings, Marie Yovanovitch, the former U.S. Ambassador to Ukraine, discussed the country's post-Soviet legacy of corruption.*

Corruption is at the center of the impeachment inquiry. Foreign-policy officials have testified that they worked to help Ukraine fight its entrenched corruption. The Democrats are alleging that President Donald Trump and his personal lawyer Rudy Giuliani, along with Giuliani's two partner-helpers, Lev Parnas and Igor Fruman, tried to divert American foreign policy to their own corrupt ends, by instigating an investigation into ostensible corruption. Finally, the President's defenders maintain that he had valid concerns about corruption in Ukraine, and therefore did nothing wrong.

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"Soviet legacy" and reminded her audience that the Ukrainian Revolution of Dignity, in 2014, was essentially a revolt against corruption. Indeed, it was an act of obscene corruption that precipitated the revolution. In the fall of 2013, Ukraine was slated to sign a trade agreement with the European Union. But when the Russian President, Vladimir Putin, offered to buy fifteen billion dollars' worth of Ukrainian government bonds and reduce gas prices, the Ukrainian President, Viktor Yanukovich, abruptly backed out of the European agreement, and the Ukrainian people took to the streets. It's important to understand that Ukrainian revolutionaries, who went on to spend a long winter in Kiev's central square, were not united in their desire to have a treaty with the European Union. What brought them together was their desire to have an accountable government and their outrage toward Yanukovich.

The problem with Yanukovich's willingness to accept Russia's generous aid was that he was acting not in the national interest but in his own: he stood to line his pockets—or gild his bathroom fixtures, as the case may be—by siphoning off a portion of every

dollar that came from Putin. This is how corruption in post-Soviet states works. It does not look like lowly civil servants extracting bribes from citizens in exchange for services, although that happens, too. Instead, corruption looks like the people in charge using the instruments of government in order to accumulate wealth. Corruption is integral to the system.

In testimony during a closed-door impeachment hearing, Fiona Hill, a former National Security Council official in the Trump Administration, said that corruption posed a threat to democracies in post-Soviet states because many of them "weren't particularly

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post-Soviet states.

But corruption is not only an integral feature of many post-Soviet power systems, it is also a powerful weapon in the hands of post-Soviet autocrats. Dozens of former civil servants, including governors and federal ministers, have been jailed on corruption charges in Russia. Accusations of corruption have been used to persecute the theatre director Kirill Serebrennikov (because his theatre received state funding) and even the anti-corruption activist Alexei Navalny (because he acted as an unpaid consultant to a governor at one point, and because he and his brother owned a company that allegedly undercut the national postal service). Because nothing works without corruption, every civil servant is always somehow outside the law—always vulnerable to accusations of corruption and therefore always either controllable or easy to eliminate. When everyone is implicated in corruption, the fight against corruption can be waged only selectively, and this subverts the possibility of the rule of law, thereby reinforcing the structure that rests on corruption.

Perhaps Trump intuited the potential of corruption-as-cudgel, or perhaps his lawyer's associates suggested it. Either way, it was exactly the instrument that he was trying to use when he demanded that Ukraine launch a corruption investigation into Hunter Biden's business dealings. In other words, Trump was deploying both edges of the corruption sword: he was using the power of his office to his personal political ends, and he was wielding the accusation of corruption in the way an autocrat wields it. When the Republicans on the House Intelligence Committee defend the President's actions, by asserting that he was concerned about corruption in Ukraine, they become accomplices in his autocratic attempt.

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*Masha Gessen, a staff writer at The New Yorker, is the author of ten books, including, most recently, "The Future Is History: How Totalitarianism Reclaimed Russia," which won the National Book Award in 2017. Read more »*

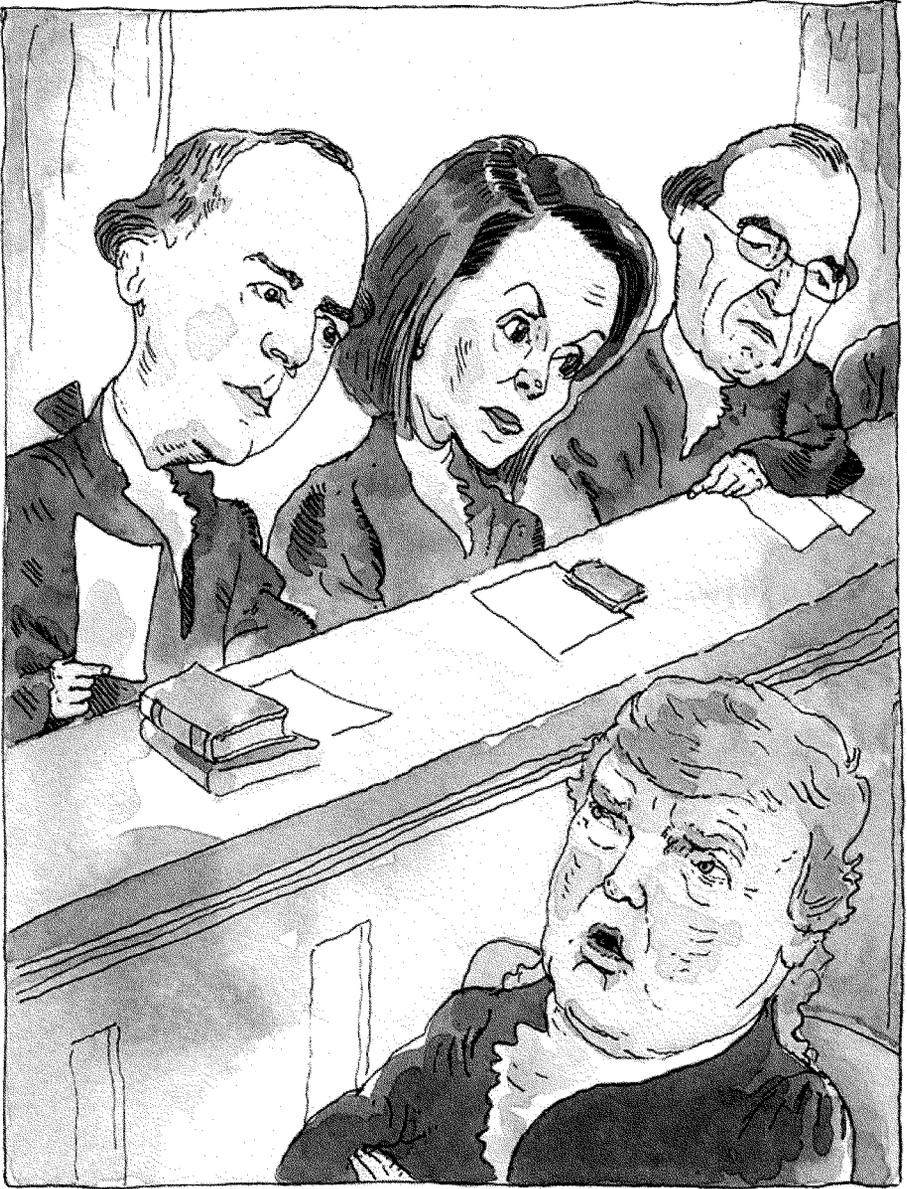
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# THE INVENTION—AND REINVENTION—OF IMPEACHMENT

*It's the ultimate political weapon. But we've never agreed on what it's for.*

By **Jill Lepore** October 21, 2019



*Impeachment is a legal instrument first used in 1376. Has time dulled its blade?*

illustration by Barry Blitt

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**B**ird-eyed Aaron Burr was wanted for murder in two states when he presided over the impeachment trial of Supreme Court Justice Samuel Chase in the Senate, in 1805. The House had impeached Chase, a Marylander, on seven articles of misconduct and one article of rudeness. Burr had been indicted in New Jersey, where, according to the indictment, “not having the fear of God before his eyes but being moved and seduced by the instigation of the Devil,” he’d killed Alexander Hamilton, the former Secretary of the Treasury, in a duel. Because Hamilton, who was shot in the belly, died in New York, Burr had been indicted there, too. Still, the Senate met in Washington, and, until Burr’s term expired, he held the title of Vice-President of the United States.

The public loves an impeachment, until the public hates an impeachment. For the occasion of Chase’s impeachment trial, a special gallery for lady spectators had been built at the back of the Senate chamber. Burr, a Republican, presided over a Senate of twenty-five Republicans and nine Federalists, who sat, to either side of him, on two rows of crimson cloth-covered benches. They faced three rows of green cloth-covered benches occupied by members of the House of Representatives, Supreme Court Justices, and President Thomas Jefferson’s Cabinet. The House managers (the impeachment-trial equivalent of prosecutors), led by the Virginian John Randolph, sat at a table covered with blue cloth; at another blue table sat Chase and his lawyers, led by the red-faced Maryland attorney general, Luther Martin, a man so steady of heart and clear of mind that in 1787 he’d walked out of the Constitutional Convention, and refused to sign the Constitution, after objecting that its countenancing of slavery was “inconsistent with the principles of the Revolution and dishonorable to the American character.” Luther (Brandybottle) Martin had a weakness for liquor. This did not impair him. As a wise historian once remarked, Martin “knew more law drunk than the managers did sober.”

Impeachment is an ancient relic, a rusty legal instrument and political weapon first wielded by the English Parliament, in 1376, to wrest power from the King by charging his ministers with abuses of power, convicting them, removing them from office, and throwing them in prison. Some four hundred years later, impeachment had all but

vanished from English practice when American delegates to the Constitutional Convention provided for it in Article II, Section 4: “The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

It’s one thing to know this power exists. It’s another to use it. In one view, nicely expressed by an English solicitor general in 1691, “The power of impeachment ought to be, like Goliath’s sword, kept in the temple, and not used but on great occasions.” Yet this autumn, in the third year of the Presidency of Donald J. Trump, House Democrats have unsheathed that terrible, mighty sword. Has time dulled its blade?

**I**mpeachment is a terrible power because it was forged to counter a terrible power: the despot who deems himself to be above the law. The delegates to the Constitutional Convention included impeachment in the Constitution as a consequence of their knowledge of history, a study they believed to be a prerequisite for holding a position in government. From their study of English history, they learned what might be called the law of knavery: there aren’t any good ways to get rid of a bad king. Really, there were only three ways and they were all horrible: civil war, revolution, or assassination. England had already endured the first and America the second, and no one could endorse the third. “What was the practice before this in cases where the chief Magistrate rendered himself obnoxious?” Benjamin Franklin asked at the Convention. “Recourse was had to assassination, in which he was not only deprived of his life but of the opportunity of vindicating his character.”

But the delegates knew that Parliament had come up with another way: clipping the King’s wings by impeaching his ministers. The House of Commons couldn’t attack the King directly because of the fiction that the King was infallible (“perfect,” as Donald Trump would say), so, beginning in 1376, they impeached his favorites, accusing Lord William Latimer and Richard Lyons of acting “falsely in order to have advantages for their own use.” Latimer, a peer, insisted that he be tried by his peers—that is, by the House of Lords, not the House of Commons—and it was his peers who convicted him and sent him to prison. That’s why, today, the House is preparing articles of impeachment against Trump, acting as his accusers, but it is the Senate that will judge his innocence or his guilt.

Parliament used impeachment to thwart monarchy's tendency toward absolutism, with mixed results. After conducting at least ten impeachments between 1376 and 1450, Parliament didn't impeach anyone for more than a hundred and seventy years, partly because Parliament met only when the King summoned it, and, if Parliament was going to impeach his ministers, he'd show them by never summoning it, unless he really had to, as when he needed to levy taxes. He, or she: during the forty-five years of Elizabeth I's reign, Parliament was in session for a total of three. Parliament had forged a sword. It just couldn't ever get into Westminster to take it out of its sheath.

The Englishman responsible for bringing the ancient practice of impeachment back into use was Edward Coke, an investor in the Virginia Company who became a Member of Parliament in 1589. Coke, a profoundly agile legal thinker, had served as Elizabeth I's Attorney General and as Chief Justice under her successor, James I. In 1621—two years after the first Africans, slaves, landed in the Virginia colony and a year after the Pilgrims, dissenters, landed at a place they called Plymouth—Coke began to insist that Parliament could debate whatever it wanted to, and soon Parliament began arguing that it ought to meet regularly. To build a case for the supremacy of Parliament, Coke dug out of the archives a very old document, the Magna Carta of 1215, calling it England's "ancient constitution," and he resurrected, too, the ancient right of Parliament to impeach the King's ministers. Parliament promptly impeached Coke's chief adversary, Francis Bacon, the Lord Chancellor, for bribery; Bacon was convicted, removed from office, and reduced to penury. James then dissolved Parliament and locked up Coke in the Tower of London.

VIDEO FROM THE NEW YORKER

President Trump Is Impeached

Something of a political death match followed between Parliament and James and his Stuart successors Charles I and Charles II, over the nature of rule. In 1626, the House of Commons impeached the Duke of Buckingham for “maladministration” and corruption, including failure to safeguard the seas. But the King, James’s son, Charles I, forestalled a trial in the House of Lords by dismissing Parliament. After Buckingham died, Charles refused to summon Parliament for the next eleven years. In 1649, he was beheaded for treason. After the restoration of the monarchy, in 1660, under Charles II, Parliament occasionally impeached the King’s ministers, but in 1716 stopped doing so altogether. Because Parliament had won. It had made the King into a flightless bird.

Why the Americans should have resurrected this practice in 1787 is something of a puzzle, until you remember that all but one of England’s original thirteen American colonies had been founded before impeachment went out of style. Also, while Parliament had gained power relative to the King, the Colonial assemblies remained virtually powerless, especially against the authority of Colonial governors, who, in most colonies, were appointed by the King. To clip their governors’ wings, Colonial assemblies impeached the governors’ men, only to find their convictions overturned by the Privy Council in London, which acted as an appellate court. Colonial lawyers pursuing these cases dedicated themselves to the study of the impeachments against

the three Stuart kings. John Adams owned a copy of a law book that defined “impeachment” as “the Accusation and Prosecution of a Person for Treason, or other Crimes and Misdemeanors.” Steeped in the lore of Parliament’s seventeenth-century battles with the Stuarts, men like Adams considered the right of impeachment to be one of the fundamental rights of Englishmen. And when men like Adams came to write constitutions for the new states, in the seventeen-seventies and eighties, they made sure that impeachment was provided for. In Philadelphia in 1787, thirty-three of the Convention’s fifty-five delegates were trained as lawyers; ten were or had been judges. As Frank Bowman, a law professor at the University of Missouri, reports in a new book, “High Crimes and Misdemeanors: A History of Impeachment for the Age of Trump,” fourteen of the delegates had helped draft constitutions in their own states that provided for impeachment. In Philadelphia, they forged a new sword out of very old steel. They Americanized impeachment.

**T**his new government would have a President, not a king, but Americans agreed on the need for a provision to get rid of a bad one. All four of the original plans for a new constitution allowed for Presidential impeachment. When the Constitutional Convention began, on May 25, 1787, impeachment appears to have been on nearly everyone’s mind, not least because Parliament had opened its first impeachment investigation in more than fifty years, on April 3rd, against a Colonial governor of India, and the member charged with heading the investigation was England’s famed supporter of American independence, Edmund Burke. What with one thing and another, impeachment came up in the Convention’s very first week.

A President is not a king; his power would be checked by submitting himself to an election every four years, and by the separation of powers. But this did not provide “sufficient security,” James Madison said. “He might pervert his administration into a scheme of speculation or oppression. He might betray his trust to foreign powers.” Also, voters might make a bad decision, and regret it, well in advance of the next election. “Some mode of displacing an unfit magistrate is rendered indispensable by the fallibility of those who choose, as well as by the corruptibility of the man chosen,” the Virginia delegate George Mason said.

How impeachment actually worked would be hammered out through cases like the impeachment of Samuel Chase, a Supreme Court Justice, but, at the Constitutional

Convention, nearly all discussion of impeachment concerned the Presidency. (“Vice President and all civil Officers” was added only at the very last minute.) A nation that had cast off a king refused to anoint another. “No point is of more importance than that the right of impeachment should continue,” Mason said. “Shall any man be above Justice? Above all shall that man be above it, who can commit the most extensive injustice?”

Most of the discussion involved the nature of the conduct for which a President could be impeached. Early on, the delegates had listed, as impeachable offenses, “mal-practice or neglect of duty,” a list that got longer before a committee narrowed it down to “Treason & bribery.” When Mason proposed adding “maladministration,” Madison objected, on the ground that maladministration could mean just about anything. And, as the Pennsylvania delegate Gouverneur Morris put it, it would not be unreasonable to suppose that “an election of every four years will prevent maladministration.” Mason therefore proposed substituting “other high crimes and misdemeanors against the State.”

The “high” in “high crimes and misdemeanors” has its origins in phrases that include the “certain high treasons and offenses and misprisons” invoked in the impeachment of the Duke of Suffolk, in 1450. Parliament was the “high court,” the men Parliament impeached were of the “highest rank”; offenses that Parliament described as “high” were public offenses with consequences for the nation. The phrase “high crimes and misdemeanors” first appeared in an impeachment in 1642, and then regularly, as a catchall for all manner of egregious wrongs, abuses of authority, and crimes against the state.

In 1787, the delegates in Philadelphia narrowed their list down to “Treason & bribery, or other high crimes & misdemeanors against the United States.” In preparing the final draft of the Constitution, the Committee on Style deleted the phrase “against the United States,” presumably because it is implied.

“What, then, is an impeachable offense?” Gerald Ford, the Michigan Republican and House Minority Leader, asked in 1970. “The only honest answer is that an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history.” That wasn’t an honest answer; it was a depressingly cynical one. Ford had moved to impeach Supreme Court Justice William O. Douglas,

accusing him of embracing a “hippie-yippie-style revolution,” indicting him for a decadent life style, and alleging financial improprieties, charges that appeared, to Ford’s critics, to fall well short of impeachable offenses. In 2017, Nancy Pelosi claimed that a President cannot be impeached who has not committed a crime (a position she would not likely take today). According to “Impeachment: A Citizen’s Guide,” by the legal scholar Cass Sunstein, who testified before Congress on the meaning of “high crimes and misdemeanors” during the impeachment of William Jefferson Clinton, both Ford and Pelosi were fundamentally wrong. “High crimes and misdemeanors” does have a meaning. An impeachable offense is an abuse of the power of the office that violates the public trust, runs counter to the national interest, and undermines the Republic. To believe that words are meaningless is to give up on truth. To believe that Presidents can do anything they like is to give up on self-government.

**T**he U.S. Senate has held only eighteen impeachment trials in two hundred and thirty years, and only twice for a President. Because impeachment happens so infrequently, it’s hard to draw conclusions about what it does, or even how it works, and, on each occasion, people spend a lot of time fighting over the meaning of the words and the nature of the crimes. Every impeachment is a political experiment.

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The ordeal of Samuel Chase is arguably the most significant but least studied impeachment in American history. The Chase impeachment was only the third ever attempted. In 1797, the House had impeached the Tennessee senator William Blount, who stood accused of scheming to conspire with the British and to enlist the Creek

and Cherokee Nations to attack the Spanish, all with the design of increasing the value of his highly speculative purchase of Western lands. (“Whether the scheme was merely audacious or just plain crazy remains debatable,” Bowman writes, darkly foreshadowing more recent shenanigans, involving the possible acquisition of Greenland.) The case rested on a letter allegedly written by Blount, describing this plan; after two senators said they recognized Blount’s handwriting, the Senate expelled him in a vote of 25–1, and he slinked off to Tennessee. The House had voted to impeach, but Blount’s lawyers argued that senators are not “civil officers,” and so can’t be impeached. (#IMPEACHMITTROMNEY,” Trump tweeted recently. The Blount precedent went some way toward establishing that this is an impossibility.) The motion to dismiss was read aloud in the Senate by Jefferson, who was Vice-President at the time.

Samuel Chase’s troubles began when Congress passed the 1798 Sedition Act, aimed at suppressing Republican opposition to John Adams’s Federalist Administration. Chase, riding circuit (which Supreme Court Justices used to do), had presided over the most notorious persecutions of Republican printers on charges of sedition, including the conviction of the printer James Callender. The Sedition Act expired on March 3, 1801, the day before Jefferson’s Inauguration, but, through a series of midnight appointments, Adams had connived to insure that Jefferson inherited a Federalist Supreme Court. Chase had actively campaigned for Adams and spoke intemperately for the bench, denouncing Republicans. In an overheated charge to a grand jury in Baltimore, he attacked Republicanism, describing it as “mobocracy.” Jefferson set an impeachment in motion when he wrote to House Republicans, “Ought this sedition and official attack on the principles of our Constitution . . . go unpunished?”

If the proceedings against Blount tested whether senators could be impeached, the proceedings against Chase tested a new theory of executive power—that Supreme Court Justices serve at the pleasure of the President. This test came in the wake of *Marbury v. Madison*, in 1803, in which John Marshall’s Supreme Court exercised a prerogative not specified in the Constitution: the Court had declared an act of Congress unconstitutional. A Republican leader of the Senate told the Massachusetts senator John Quincy Adams that he hoped to impeach the entire court. Judicial independence? Judicial review? No. “If the Judges of the Supreme Court should dare, AS THEY HAD DONE, to declare an act of Congress unconstitutional . . . it was the undoubted right of the House of Representatives to remove them, for giving such

opinions," he said. "A removal by impeachment was nothing more than a declaration by Congress to this effect: You hold dangerous opinions, and if you are suffered to carry them into effect you will work the destruction of the nation."

John Randolph, a steadfast Republican but no lawyer, drafted the articles of impeachment against Chase, which broadly charged him with prostituting his high office to the low purpose of partisanship but, narrowly, rested on all manner of pettiness, including the charge that during Callender's trial Chase had used "unusual, rude, and contemptuous expressions toward the prisoner's counsel" and had engaged in "repeated and vexatious interruptions." Notwithstanding the weakness of the charges, not to say their vexatiousness, the House voted to impeach. The trial in the Senate opened on February 4, 1805.

An impeachment trial is a medieval play, with its mummers and its costumes and its many-colored cloth-covered tables. Chase's trial lasted a month. Burr ran a well-ordered court. He warned the senators not to eat apples and cake while in session. He censured them for leaving their seats. He hushed the spectators in the galleries.

The trial turned less on what Chase had done than on whether he could be impeached for having done those things. John Randolph, though, didn't really have a theory of impeachment. He had a theory of vengeance. His arguments, a distressed John Quincy Adams wrote in his diary, consisted "altogether of the most hackneyed commonplaces of popular declamation, mingled up with panegyrics and invectives." Randolph called eighteen witnesses, few of whom aided his case, and some of whom aided Chase's. "Saw nothing that struck me as remarkable," one witness, who had attended Callender's trial, said. As an observer put it, "I swear if they go on much farther, they will prove Judge Chase an angel."

Chase's defense called thirty-one witnesses, including some of Randolph's. Chase's attorneys said the charges were plainly silly, and they didn't much bother to refute them, especially since Randolph had done that job so well himself. Instead, they argued about the nature of impeachment. One of Chase's younger lawyers, Joseph Hopkinson, insisted that "no judge can be impeached and removed from office for any act or offense for which he could not be indicted." In other words, an impeachable offense has to be an indictable offense: a crime. "High crimes and misdemeanors," Hopkinson argued, meant "high crimes" and "high misdemeanors."

The trial reached its climax on February 23rd, when a red-faced Luther Martin rose from behind the defense's table. He spoke for a day and a half, expounding on his own theory of impeachment. A judge could commit a crime, like hitting someone, for which he could not be impeached. He could even commit a high crime for which he could not be impeached. All that he could be impeached for were crimes "such as relate to his office, or which tend to cover the person, who committed them, with *turpitude* and *infamy*; such as show there can be no dependence on that integrity and honor which will secure the performance of his official duties." To be impeached, Martin said, a judge had to commit crimes that either derived from his judicial power or were so horrible, so grotesquely unethical, that they disqualified him from holding a position of public trust.

Republicans outnumbered Federalists in the Senate 25–9. On March 1st, for each article, Burr asked of each senator, "Is Samuel Chase, Esq., guilty or not guilty of a high crime or misdemeanor in the article of impeachment just read?" A majority voted guilty for three articles. None earned the required two-thirds super-majority. Six Republicans broke ranks on all eight articles. By a vote of 19–15, the Senate came closest to convicting Chase on the article regarding his partisan zeal in his charge to the Baltimore grand jury. Burr stood up. "It becomes my duty to pronounce that Samuel Chase, Esq., is acquitted," he said. Then he bowed to Chase and left the chamber. As for Burr, he was never convicted of killing Alexander Hamilton. (Two years later, in an unrelated incident of amazing sneakiness, he was tried for treason, and acquitted.)

The acquittal of Samuel Chase established the independence of the judiciary. It also established another principle, as Bowman argues: "The price of the independence granted by life tenure is abstention from party politics." It did not, however, establish a lasting theory of impeachment. Brandybottle Martin had stated his case beautifully, and easily defeated the hapless John Randolph, but Martin's argument was wrong. Nothing in American history, from the founding of its earliest colonies, suggests that an impeachable offense has to be an indictable crime, not for the King's men, not for judges and Justices, and not for the President of the United States. Presidents can be impeached for actions that are not crimes, not least because the criminal code was not written with Presidents in mind. Most of us cannot commit such staggering outrages as to direct the F.B.I. to spy on our enemies or enlist foreign powers to interfere in our elections. The President has powers that only a President can exercise, or abuse. Were

these powers beyond the reach of the people's power, impeachment would be a dead letter.

**I**f the House votes to impeach Donald Trump, it is by no means clear that the Senate will hold a trial. And, if the Senate does hold a trial, the likelihood that it will convict is small. Impeachment is a tall and rickety ladder; conviction is a tiny window, barely cracked open. It's difficult and dangerous to climb the ladder, and no one who has made it to the top has ever managed to crawl in through the window.

After the acquittal of Samuel Chase, in 1805, the House, in the next decades, impeached two more judges, one in 1830 and one in 1862; the Senate acquitted the first and convicted the second. The first real attempt to impeach a President came in 1843, when a Virginia congressman accused John Tyler of "corruption, malconduct, high crimes and misdemeanors," but the House voted down a motion to investigate, 127–83.

In 1868, "out of the midst of political gloom, impeachment, that dead corpse, rose up and walked forth again!" Mark Twain wrote. Republicans in the House impeached President Andrew Johnson by a vote of 126–47. They were desperate, as Brenda Wineapple chronicles in her gripping new book, "The Impeachers: The Trial of Andrew Johnson and the Dream of a Just Nation." Johnson, a Tennessee Democrat who didn't free his slaves until 1863, after the Emancipation Proclamation, had been Abraham Lincoln's improbable Vice-President, and had assumed the office of the Presidency after his assassination, in 1865. Lincoln and congressional Republicans had one plan for Reconstruction: it involved welcoming the freedmen into the political community of the nation. Johnson, who believed that, "in the progress of nations, negroes have shown less capacity for government than any other race of people," betrayed that vision. "Slavery is not abolished until the black man has the ballot," Frederick Douglass declared. But granting the franchise to black men was the last thing Johnson intended to allow. While Congress was out of session, he set in motion a Reconstruction plan that was completely at variance with what Congress had proposed: he intended to return power to the very people who had waged war against the Union, and he readmitted the former Confederate states to the Union. "No power but Congress had any right to say whether ever or when they should be admitted to the Union as States and entitled to the privileges of the Constitution," the Pennsylvania

representative Thaddeus Stevens said during Johnson's impeachment proceedings. (Stevens, ailing, had to be carried into the Capitol on a chair.) "And yet Andrew Johnson, with unblushing hardihood, undertook to rule them by his own power alone." Johnson vetoed the 1866 Civil Rights Bill and nearly every other congressional attempt to reassert authority over the law of the United States. But the Republicans' strategy, to pass a law they expected Johnson to break, so that they could impeach him, backfired.

The Senate acquitted Johnson, falling short by a single vote of the two-thirds majority necessary to convict. Stevens died a couple of months later, "the bravest old ironclad in the Capitol," Twain wrote. The Republicans had tried to save the Republic by burying the Confederacy for good. They failed.

Every impeachment reinvents what impeachment is for, and what it means, a theory of government itself. Every impeachment also offers a chance to establish a new political settlement in an unruly nation. The impeachment of Samuel Chase steered the United States toward judicial independence, and an accommodation with a party system that had not been anticipated by the Framers. Chase's acquittal stabilized the Republic and restored the balance of power between the executive and the judicial branches. The failed impeachment of Andrew Johnson steered the United States toward a regime of racial segregation: the era of Jim Crow, which would not be undone until the Civil Rights Act of 1964 and the Voting Rights Acts of 1965 were passed, a century later, in the Administration of another Johnson. Johnson's acquittal undid the Union's victory in the Civil War, allowed the Confederacy to win the peace, and nearly destroyed the Republic.

Johnson's acquittal also elevated the Presidency by making impeachment seem doomed. Jefferson once lamented that impeachment had become a "mere scarecrow." That's how it worked for much of the twentieth century: propped up in a field, straw poking out from under its hat. A Republican congressman from Michigan called for the impeachment of F.D.R., after the President tried to pack the Court. Nothing but another scarecrow.

The impeachment of Richard Nixon, in 1974, which, although it never went to trial, succeeded in the sense that it drove Nixon from office, represented a use entirely consistent with the instrument's medieval origins: it attempted to puncture the swollen power of the Presidency and to reassert the supremacy of the legislature. Nixon's

Presidency began to unravel only after the publication of the Pentagon Papers, in 1971—which indicted not Nixon but Lyndon Johnson, for deceiving the public about Vietnam—and the public anger that made impeachment possible had to do not only with Nixon’s lies and abuses of power but also with Johnson’s. But a new settlement, curtailing the powers of the President, never came. Instead, the nation became divided, and those divisions widened.

The wider those divisions, the duller the blade of impeachment. Only very rarely in American history has one party held more than two-thirds of the seats in the Senate (it hasn’t happened since 1967), and the more partisan American politics the less likely it is that sixty-seven senators can be rounded up to convict anyone, of anything. And yet the wider those divisions the more willing Congress has been to call for impeachment. Since Ronald Reagan’s Inauguration in 1981, members of the House have introduced resolutions for impeachment during every Presidency. And the people, too, have clamored. “Impeach Bush,” the yard signs read. “Impeach Obama.”

Not every impeachment brings about a political settlement, good or bad. The failed impeachment of Bill Clinton, in 1999, for lying about his sexual relationship with Monica Lewinsky, settled less than nothing, except that it weakened Americans’ faith in impeachment as anything other than a crudely wrought partisan hatchet, a prisoner’s shiv.

Clinton’s impeachment had one more consequence: it got Donald Trump, self-professed playboy, onto national television, as an authority on the sex lives of ego-mad men. “Paula Jones is a loser,” Trump said on CNBC. “It’s a terrible embarrassment.” Also, “I think his lawyers . . . did a terrible job,” Trump said. “I’m not even sure that he shouldn’t have just gone in and taken the Fifth Amendment.” Because why, after all, should any man have to answer for anything?

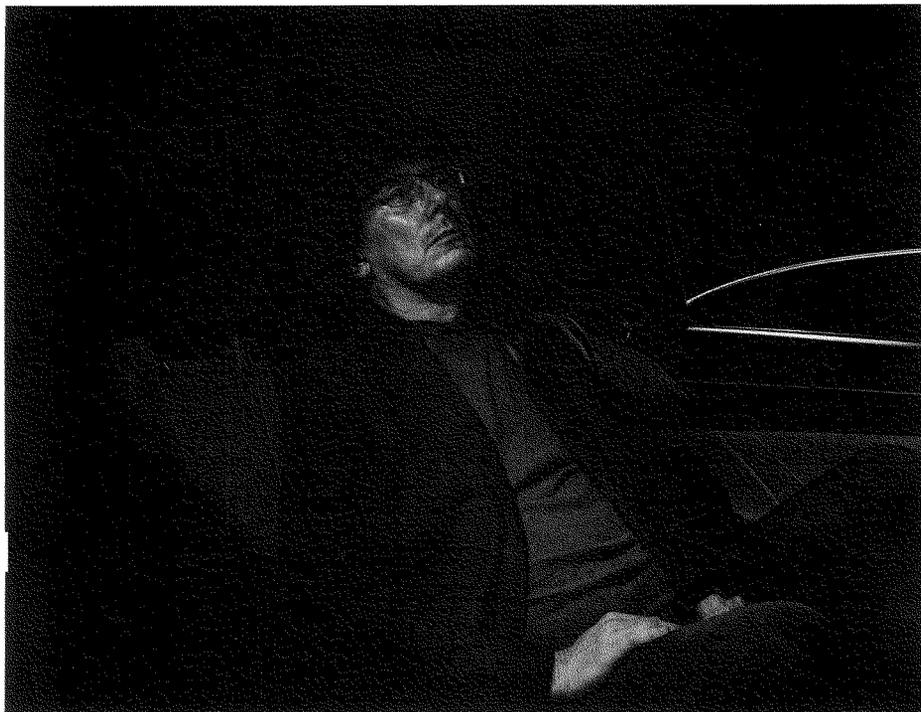
“Heaven forbid we should see another impeachment!” an exhausted Republican said at the end of the trial of Samuel Chase. The impeachment of an American President is certain to lead to no end of political mischief and almost certain to fail. Still, worse could happen. Heaven forbid this Republic should become one man’s kingdom. ♦

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*Yuriy Lutsenko, Ukraine's former prosecutor general, fed information to President Trump's personal lawyer Rudy Giuliani, which Giuliani spun to smear Joe Biden.* Photograph by Alex Majoli / Magnum for

The New Yorker

A REPORTER AT LARGE      DECEMBER 23, 2019 ISSUE

## THE UKRAINIAN PROSECUTOR BEHIND TRUMP'S IMPEACHMENT

*How the efforts of Yuriy Lutsenko and Rudy Giuliani to smear Joe Biden led to a  
Presidential crisis.*

**By Adam Entous**

December 16, 2019



0:00 / 1:04:07

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**O**f all the names featured in the private depositions and public testimonies of the Presidential impeachment inquiry—Donald Trump and his personal lawyer Rudy Giuliani; Giuliani’s associates Lev Parnas and Igor Fruman; Joe Biden and his son, Hunter—that of Yuriy Lutsenko has been cited more often than almost any other. In the sworn depositions of Marie Yovanovitch, the former U.S. Ambassador to Ukraine, and Deputy Assistant Secretary of State George Kent, Lutsenko’s name appears two hundred and thirty times, nearly twice as often as Trump’s. Lutsenko, sometimes referred to simply as “the corrupt prosecutor general” of Ukraine, has been portrayed, hardly without reason, as an unscrupulous politician prone to telling lies to further his personal ambitions. As those closely following the news have learned, Lutsenko fed information to Giuliani, which Giuliani, Trump, and their allies spun to smear the reputations of the Bidens and of Yovanovitch, whom Trump fired in April. One of the House’s star witnesses told me, of Lutsenko, “I don’t think we’d be here if not for him.”

Since the fall of the Soviet Union, in 1991, Ukraine has been ranked as one of the most corrupt countries in Europe. The corruption has contributed to the country’s impoverishment and left its people beholden to external influence. In 2014, after the Euromaidan Revolution, officials in the Obama Administration saw an opportunity to reduce the influence of Vladimir Putin’s Russia by giving aid to Ukraine on the condition that certain reforms took place. Among those officials were Vice-President Biden, Yovanovitch and her predecessor as Ambassador, Geoffrey Pyatt, both veterans of Republican as well as Democratic Administrations, and Kent, who spent two years as the anti-corruption



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lawmakers.

For a time, Lutsenko seemed to be on the right side of history. Before becoming prosecutor general, he was considered one of Ukraine's most promising pro-Western politicians. In 2004, he helped lead the country's first major post-Soviet protest movement, known as the Orange Revolution. In 2010, he was incarcerated for his political opposition to Viktor Yanukovich, the pro-Russia Ukrainian President, and his release became a cause célèbre for the European envoys who'd visited him in prison. As prosecutor general—the equivalent of the Attorney General in the United States—Lutsenko tried to assure his American counterparts that he, too, was committed to reform, but they soon came to see him as an enabler of the corrupt system that they were seeking to fix. As Kent said in a closed-door deposition on October 15th, "He was bitter and angry at the Embassy for our positions on anti-corruption. And so he was looking for revenge."

Lutsenko, who is fifty-five, left his job in August. He'd become a figure of some notoriety in Kyiv, and, in the fall, he relocated temporarily to London, enrolling in an English-language immersion program. I first met him at a hotel bar in Kensington in October. An entertaining raconteur with a deadpan sense of humor, he was determined to rehabilitate his image. As he alternated beverages—double Scotch, Coke, double Scotch, beer—he railed against his treatment by American diplomats, including Yovanovitch, who, he believed, had unjustly favored his rival, the head of a new anti-corruption bureau in Ukraine, and the cadre of young activists who scrutinized his every move. "I asked Masha"—Yovanovitch—"why me, who was in prison, who was a street commander in two revolutions?" he said. "I'm the bad guy and they are the brave soldiers?"

During the past two years, Lutsenko, seeking to bolster his reputation and suspecting that Yovanovitch was attempting to undermine him, was eager to arrange high-profile meetings for himself in Washington, starting with Attorney



that one of his subordinates at the prosecutor general's office told him in the fall of 2018 that an associate of Giuliani's, Lev Parnas, a Ukrainian-born, Florida-based businessman and Trump supporter who worked as a fixer in Kyiv, wanted to set up a meeting between Lutsenko and Giuliani. Giuliani had been rooting around in Ukraine for information that could help Trump deflect allegations stemming from an investigation by the special counsel, Robert Mueller, into Russian meddling in the 2016 election. He was looking for witnesses who were willing to lend credence to dubious reports that Ukrainians colluded with the Hillary Clinton campaign.

In January, 2019, Giuliani spoke by phone with Viktor Shokin, the previous prosecutor general, about alleged misconduct by the Bidens, which set him on a new path of inquiry. That month, Lutsenko flew to New York, and, in the course of several days, spoke with Giuliani at his Park Avenue office. Parnas and his associate Igor Fruman were there, too. Lutsenko knew what would interest Giuliani, so he had brought along financial information purportedly drawn from bank records, which, he said, proved that Burisma, a Ukrainian gas company, had paid Hunter Biden and his business partner to "lobby" Joe Biden. "Lutsenko came in with guns blazing," Parnas told me. "He came in with records showing us the money trail. That's when it became real." Giuliani seized on Lutsenko's claims, offering to help him secure high-level meetings in Washington and encouraging him to pursue investigations beneficial to Trump.

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." Giuliani compiled a dossier on the Bidens and Yovanovitch, which he sent to Secretary of State Mike Pompeo, and which was shared with the F.B.I. and with me. John Solomon, a journalist, had interviewed Lutsenko for the Washington-based publication *The*



Initially, Lutsenko and Giuliani seemed a perfect partnership; the meeting between them, Lutsenko told me, offered a “win-win” situation. But by May each man felt that he had been led on by the other. After Giuliani failed to arrange a meeting with Attorney General William Barr, who had succeeded Sessions, and Lutsenko failed to publicly announce a Ukrainian investigation into the Bidens, Trump made his fateful July 25th call to the new Ukrainian leader, Volodymyr Zelensky, to request that he announce a probe into the Bidens and the 2016 election. In September, the disclosure of Trump’s request by a whistle-blower led Nancy Pelosi, the House Speaker, to launch the impeachment inquiry. Three weeks later, F.B.I. agents arrested Parnas and Fruman, who face charges of conspiracy, making false statements, and falsification of records. The F.B.I. has now reportedly turned its attention to Giuliani.

Lutsenko’s miseries were only beginning. On October 3rd, Kurt Volker, Trump’s former special envoy to Ukraine, said in a closed-door deposition, “My opinion of Prosecutor General Lutsenko was that he was acting in a self-serving manner, frankly making things up, in order to appear important to the United States, because he wanted to save his job.” In a closed-door deposition on October 11th, Yovanovitch described Lutsenko as an “opportunist” who “will ally himself, sometimes simultaneously . . . with whatever political or economic forces he believes will suit his interests best at the time.” On the first day of public testimony, Kent accused Lutsenko of “peddling false information in order to exact



veered between self-pity and defiance. “I gave my country so many years,” he told me one night, after his third or fourth Scotch. “I had a good story and good results, but I became a bad person. I can’t understand it.”

*ADVERTISEMENT*

Lutsenko was born in 1964 in Rivne, a city in western Ukraine, at that time part of the U.S.S.R. His father, Vitaliy, was a top Communist Party apparatchik in the city. Yuriy was a member of the Komsomol, the Communist youth organization, but at night he listened to news broadcasts on Radio Liberty and on the Voice of America. Sometimes his father would ask him about the headlines. “I loved him for the intellectual freedom that he allowed us at home,” Lutsenko recalled.

In 1982, he enrolled in the Lviv Polytechnic Institute, where he studied electrical engineering. Mikhail Gorbachev came to power in Moscow in 1985, and the Soviet government’s reform movement, perestroika, gained momentum. Within a few years activists in western Ukraine were talking about the possibility of Ukrainian independence. After reading the works of Aleksandr Solzhenitsyn and other dissident writers, Lutsenko began to question his father’s Communist beliefs, and, soon after the Soviet Union dissolved and Ukraine declared its independence, he became a member of the new Socialist Party.

Lutsenko worked at Gazotron, a huge electronics factory, until 1994, when the director of the plant became the governor of the Rivne region and asked Lutsenko, then thirty, to serve as his deputy. Lutsenko liked politics, and two years later he moved to Kyiv, where, in 1999, he became the Socialist Party’s press secretary. That same year, he launched *Grani*, a weekly opposition newspaper that published



In September, 2000, Gongadze disappeared. A few months later, his headless body was found in a forest outside Kyiv. A leaked tape recording suggested that Kuchma was indirectly responsible for the murder—a charge he adamantly denied—and protesters gathered on the streets of Kyiv to call for a new government. “There were seven thousand people—Communists, Socialists, Nationalists, members of the intelligentsia—who marched together,” Lutsenko recalled. At thirty-six, he became a protest leader, and coined the famous slogan “Ukraine Without Kuchma.”

The government put down the protests, but support grew for the opposition. In 2002, Lutsenko won a seat in the Ukrainian parliament as a member of the Socialist Party, leading its pro-Western wing. He believed in the Party’s agenda, but was a pragmatist. As the final round of the 2004 national elections approached, he feared that Viktor Yanukovich, a pro-Russian politician, would become the next President, and so he convinced the head of the Socialist Party, Oleksandr Moroz, to back Viktor Yushchenko, a pro-Western politician, who had pledged to solve the Gongadze case. In November, 2004, reports of vote-rigging in favor of Yanukovich emerged. Public anger prompted another wave of protests, which took place on the Maidan, Kyiv’s main square. Lutsenko again became one of the primary organizers in the movement, which became known as the Orange Revolution. In December, 2004, Yushchenko won the Presidency, and in February, 2005, he appointed Lutsenko his Interior Minister.

“He was hailed in the local papers as an honest cop,” John Boles, a former F.B.I. special agent who served at the time as the legal attaché at the U.S. Embassy in Kyiv, told me of Lutsenko. “They made a big deal out of the fact that, when he visited the police academy, he was probably the first Minister of Interior who actually paid for his own lunch.” In those years, U.S. officials generally viewed Lutsenko favorably, and gave him meetings with Attorney General Alberto

Lutsenko set about launching investigations into Yanukovich's allies. One of his targets was Mykola Zlochevsky, the owner of Burisma, who had served as the head of the State Committee for Natural Resources under Kuchma. Lutsenko suspected that Zlochevsky had abused the position, issuing illegal permits for companies to explore for mineral deposits. But the prosecutor general's office, widely regarded as corrupt, didn't pursue an investigation.

Lutsenko was known as a prodigious drinker, and in 2009 he was detained at the Frankfurt airport after consuming several beers at a bar there and throwing punches at security guards. Lutsenko described the incident as a "misunderstanding"—the guards, he said, had been rough with his teen-age son, who was with him. At home, a television show by the popular Ukrainian comedy troupe Evening Kvartal featured a skit in which an actor playing Lutsenko wakes up in a haze at the airport, surrounded by bandaged German border guards. (One of the Germans was played by a young comedian named Volodymyr Zelensky.) Lutsenko, who was in the studio audience when the skit was performed, was shown laughing on camera.

In the 2010 Presidential election, Lutsenko supported Prime Minister Yulia Tymoshenko, who at the time was considered a reformer. When she lost to Yanukovich, colleagues warned Lutsenko that he was likely to be arrested, but he decided against leaving the country. Soon after Yanukovich's inauguration, Lutsenko was walking his dog when masked policemen surrounded him. He was charged with several spurious crimes, including the misuse of state funds by "illegally celebrating" a holiday in honor of the police force. He was jailed in Lukyanivska, a tsarist-era prison, where he shared a nine-square-metre cell with three other men. Tymoshenko, accused of abusing her office, was also jailed there. Lutsenko told me, "We were sent to a small prison, and the country was sent to a big one."



himself as a persecuted intellectual. In two and a half years in prison, he said, he read “three hundred and sixty-six and a half books”—among them Nelson Mandela’s “Long Walk to Freedom” and Ken Kesey’s novel “One Flew Over the Cuckoo’s Nest,” which reminded him of his own predicament. (At the time of his release, he was halfway through a book of interviews with the Russian poet Joseph Brodsky.) Lutsenko also read the Dhammapada, a collection of the Buddha’s teachings in verse form. Later, a young journalist named Mustafa Nayyem published a series of interviews with him, titled “On Both Sides of the Barbed Wire.” In the book, Lutsenko muses about his unjust imprisonment: in Buddhist texts, he says, “I read that revenge ruins the soul of the fool, the same way a diamond breaks the cliffs from whence it came. . . . I decided not to seek revenge.”

In 2013, Yanukovich took part in negotiations with the European Union over a potentially historic pact that would expand Ukraine’s ties with the West, a move that Vladimir Putin wanted to prevent. Aleksander Kwaśniewski, the former President of Poland and a European special envoy, who had visited Lutsenko in prison, explained to Yanukovich that releasing him and other political prisoners was “one of the most important conditions” for Ukraine’s integration into the European bloc. Lutsenko was released on April 7, 2013, and soon afterward he met with Kwaśniewski and several European ambassadors in Kyiv. “He was a political prisoner, so, by definition, he was a hero,” Kwaśniewski recalled. “It was absolutely obvious, in this movement against Yanukovich, that he would play an important role.”

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Six months later, on November 21st, Yanukovich balked at signing the E.U. agreement and announced instead a separate pact with Moscow. During the next



“We treated him as an ally at that time,” Daria Kaleniuk, the executive director of the Anti-Corruption Action Center, a nonprofit in Kyiv, founded in 2012, recalled. Nayyem, the journalist, added, “Expectations of him were so high not because we thought he was great, or smart, or a Nelson Mandela, but because he himself had suffered under the prosecutor-general system.”

**I**n February, 2014, after months of protests, Yanukovich and many of his allies in the government fled Ukraine for Russia. Before they left, they squirreled away tens of billions of dollars in government funds in a network of private bank accounts around the world. The country was virtually bankrupt. Activists and journalists descended on Yanukovich’s garish residence. Searching for clues to where his money was hidden, they retrieved thousands of documents. Some of them had been dumped in a nearby reservoir and were hand-dried by dozens of volunteers and stored in the residence’s sauna. In a show of support, the U.S. sent a delegation of investigators and analysts, which included F.B.I. agents. It became clear that tracking down the country’s wealth would take years and that Ukrainian officials were ill-equipped for the task.

Ukraine’s problems grew in March, 2014, when Russia annexed Crimea, and soon afterward a war broke out in the Donbass, in eastern Ukraine. Yet it was also a time of some optimism. In early spring, Petro Poroshenko, a financial backer of the Orange Revolution who had made a fortune in the chocolate industry, announced his candidacy for President, pledging “zero tolerance” for corruption. Poroshenko had helped Lutsenko’s wife, Iryna, while Lutsenko was in prison, and he shared Lutsenko’s goal of integrating Ukraine into the E.U. and NATO. Lutsenko enthusiastically backed him.

The Obama Administration saw a chance to help remake Ukraine’s government. In April, 2014, Vice-President Biden told a group of parliamentarians that the

adviser told me that the Vice-President's message was: "If you don't get your shit together, your country is doomed." In May, Poroshenko won the election, and Biden attended his inauguration. "There was a sense of guarded optimism that Poroshenko had a real chance of making some progress," one of Biden's aides said. Amos Hochstein, a State Department official who worked closely with Biden on Ukraine, told me, "Our group really thought that, after the Maidan, we could create a new democracy here, clean things up."

Lutsenko had hoped to become the mayor of Kyiv, but, when Poroshenko backed another candidate, he ran for and won a seat in parliament, where, for a year and a half, he was the head of Poroshenko's faction. Biden expected swift action on corruption, and a Poroshenko adviser told me that Poroshenko indicated that "he had everything under control." But it was soon evident that, without a reliable majority in parliament, he was wary of offending his fellow-oligarchs in Ukraine, who, if challenged, were sure to make it difficult for him to win reelection.

In April, 2014, Attorney General Eric Holder had announced the creation of "a dedicated Kleptocracy squad within the F.B.I." and veteran agents were assigned to help Ukrainian investigators, including those at the prosecutor general's office, track down the stolen billions. That year, the U.K.'s Serious Fraud Office detected suspicious transactions involving around twenty-three million dollars, and opened



for the prosecutor general's office, which needed to provide evidence to the British to present in court.

A former U.S. law-enforcement official told me that, after an initial period of close cooperation, "the F.B.I. agents would call the prosecutors, and they wouldn't answer their phones anymore." The official went on, "The agents would show up and try to meet with them, and the door would be closed. One time, one of our agents caught one of them trying to run away when they were coming to see them." U.S. and U.K. officials later came to believe that at least one prosecutor had taken a bribe to thwart the money-laundering case against Zlochevsky. In the years that followed, the alleged bribe was often cited by American officials in explaining why they felt they could not trust the prosecutor general's office. Without cooperation from Ukraine, the U.K.'s Serious Fraud Office closed the case for lack of sufficient evidence.

Lutsenko told me that, during this period, he supported Biden's efforts, but Sergii Leshchenko, an investigative journalist who had joined Poroshenko's bloc in parliament, said that Lutsenko had no "particular enthusiasm" for pushing through reforms. Nevertheless, Lutsenko co-sponsored a bill that, in April, 2015, created the National Anti-Corruption Bureau of Ukraine (NABU), to pursue high-profile cases. Poroshenko appointed a young lawyer named Artem Sytnyk as its director. American officials liked Sytnyk, who seemed to have no political ambitions of his own and was committed to maintaining the new agency's independence. Sytnyk's investigators were paid better than their counterparts at the prosecutor general's office, in order to discourage them from taking bribes. F.B.I. officials were pleased to have a partner within Ukraine, but some members of Poroshenko's coalition were wary of the new agency, fearing that it would target them for investigation. Leshchenko told me that he thought Lutsenko supported NABU "not as a great believer" but as a matter of obligation. Lutsenko said that pressure from Ukrainian anti-corruption groups and from the U.S., the E.U., and



wanted it to have. “But, given the situation, with this hole in our budget, we passed the laws anyway,” he said.

Some American officials had reason to suspect that Poroshenko’s pro-reform stance was an example of *pokazukha*, a Ukrainian term that means “something that is just for show.” The Obama Administration’s doubts about Poroshenko deepened in 2015, when he chose an old-school prosecutor and friend, Viktor Shokin, to be the new prosecutor general. Perhaps to reassure the Americans, Poroshenko also nominated David Sakvarelidze, a respected anti-corruption expert, to lead a new internal-affairs unit charged with investigating misconduct within the prosecutor general’s office. But tensions soon erupted between Sakvarelidze and Shokin. When the internal-affairs unit launched a sting operation against a friend of Shokin’s, Shokin cracked down on Sakvarelidze’s team, prompting anti-corruption activists to protest. Geoffrey Pyatt, at that time the U.S. Ambassador to Ukraine, publicly sided with Sakvarelidze, delivering a blunt speech in Odessa in which he singled out for criticism the prosecutor general’s office. Later, U.S. officials learned that Shokin’s allies had tried to get Pyatt recalled, planting a fake news story claiming that Biden had agreed to his removal. The F.B.I. was fed up with Shokin, and decided to shift its support to NABU.

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In December, 2015, Biden gave a speech to the Ukrainian parliament: “It’s not enough to set up a new anti-corruption bureau and establish a special prosecutor fighting corruption. The Office of the General Prosecutor desperately needs reform.” Biden threatened to block a billion dollars in I.M.F. loan guarantees to Ukraine unless Poroshenko fired Shokin. Poroshenko resisted, but, one of his former advisers told me, “there was no other option, and we were hitting



young prosecutor who worked under Sakvarelidze.

The relationship between Lutsenko and the anti-corruption activists began to sour. Lutsenko told me that the activists, who were treated by the international community as “heroes,” were turning the Americans against him and his colleagues. Daria Kaleniuk, of the Anti-Corruption Action Center, said, “What irritated Lutsenko was that the I.M.F., the E.U., and other foreign partners trusted our analysis and doubted the true intentions of parliament and the President.” Volodymyr Chemerys, a former Lutsenko ally, said that Lutsenko represented a familiar archetype: the child of late-Soviet Communist nomenklatura, devoid of ideological belief, who thinks of power as a natural birthright. “It’s clear to me now that Yuriy wasn’t driven by any civic or political motives but rather the pursuit of power and fame,” Chemerys said.

**I**n April, 2016, a delegation of Ukrainian lawmakers visited Japan. Lutsenko told me that, during the trip, Poroshenko asked him if he would be the new prosecutor general: “I said, ‘That’s fucking crazy, but I like it.’” Lutsenko compared the challenge he faced in the job to repairing a Soviet-era jalopy while driving it on the highway. Still, Valentyna Telychenko, a prominent Ukrainian lawyer who briefly advised Lutsenko in the prosecutor general’s office at the start of his term, told me, “Lutsenko was very optimistic. He and almost everyone else in Ukraine knew, at that time, that the prosecutorial system was absolutely unhealthy.”

Shortly before Lutsenko was made prosecutor general, Sytnyk, the head of NABU, told journalists, “I believe this appointment is our last chance both for the prosecutor’s office and for all of Ukraine.” Lutsenko was not a lawyer, and American diplomats and law-enforcement officials had hoped that the job would



Lutsenko made no secret of the fact that he aspired to be Prime Minister, if not President. In May, 2016, he joined Poroshenko and other prominent politicians at a memorial service honoring victims of the Soviet secret police. A foreign diplomat who attended told me that Ukrainians there seemed to be more interested in talking to Lutsenko than to Poroshenko. Lutsenko was “a political rock star,” the diplomat said. “He was young, irreverent, glib-speaking, and really mixing it up with people. People responded to that.”

Before Lutsenko’s appointment was approved, he met three times with George Kent, the U.S. Embassy’s deputy chief of mission. Kent reported back to his colleagues in Washington that he believed the U.S. government could work with Lutsenko. One of Poroshenko’s advisers told me that he cautioned Ambassador Pyatt against jumping to conclusions. The adviser said, “The Americans made the mistake of putting everyone in two baskets—the good guys and the bad guys. Sorry, guys! There are gray guys, and there are gray guys.”

Lutsenko told me he knew that it would be difficult to institute fundamental change. “But he believed he could make it a bit better,” Valentyna Telychenko told me. The activists called for an overhaul, demanding that the prosecutor general’s office focus on prosecuting criminals and that it transfer its investigators, who were seen by the F.B.I. as “attack dogs,” to other Ukrainian law-enforcement bodies. One activist, Oleksii Grytsenko, recalled, “We said that if there are serious reforms we will be allies. If there will be no reforms, we will do everything so that he leaves in disgrace.” The Obama Administration urged Lutsenko to replace Shokin’s team. When Lutsenko resisted “cleaning house,” and failed to deliver on other changes favored by the Americans, the U.S. Embassy’s hopes for coöperation with the prosecutor general’s office began to fade.

prosecutor general's office. An encounter between members of the two agencies on a Kyiv street near the facility turned into a brawl, and two NABU operatives were detained by the prosecutor general's office. One of them said later that he was beaten while in custody and that an interrogator had threatened him with a knife, smashed his finger, and demanded that he provide the password to unlock his laptop computer. (Lutsenko defended the conduct of his staff by saying that the NABU agents had failed to show proper identification.) Bohdan Vitvitsky, a former Assistant U.S. Attorney who served as Lutsenko's special adviser within the Embassy, upbraided Lutsenko: "This is why God created doors. You settle this kind of shit behind closed doors."

NABU accused the prosecutor general's office of "torturing" its staff, and protests broke out in which anti-corruption activists, including Mustafa Nayyem, the journalist who wrote the book about Lutsenko, chanted their support for Sytnyk and denounced Lutsenko. A friend of Lutsenko's later witnessed a confrontation between him and Nayyem. "It was clear that Mustafa had invested his heart in the relationship and was now angry, and saying, 'You betrayed me,' the friend recalled. Vitvitsky attempted to improve relations between Lutsenko and Sytnyk by arranging dinners for them so that they could air their grievances. But before one of the dinners Sytnyk gave an interview in which he criticized Lutsenko and the prosecutor general's office, prompting Vitvitsky to dress him down in front of his colleagues. "For fuck's sake, you don't do something like that," Vitvitsky told Sytnyk. "If you've gotta bitch, come to the meeting and say whatever you want to say. But you can't publicly trash a fellow law-enforcement institution." Rumors spread within the U.S. Embassy in Kyiv that Vitvitsky was "too close" to Lutsenko, and his contract was later cancelled, increasing Lutsenko's sense of isolation.

At every level, American officials were frustrated by their Ukrainian counterparts' refusal to investigate and prosecute corruption and self-dealing among

and Trade to take over a state-owned Ukrainian pipeline company, Ukrtransgaz, a move that was seen by the Americans as “a highly corrupt act,” benefitting a Poroshenko ally. Marie Yovanovitch, who had just arrived in Kyiv as the U.S. Ambassador, met with the Prime Minister, Volodymyr Groysman, who told her that the Ukrainian government would “suspend” the transfer of the pipeline company. “And Masha says, ‘I don’t know the Ukrainian legal system, but in the U.S. legal system there is no such thing as “suspend,” ’” a participant at the meeting recalled. “ ‘There is a move which is called “cancel.” ’ Masha was very tough.”

In a separate meeting, according to a Biden aide, the Vice-President lost his temper with Poroshenko. The aide said that, when Poroshenko tried to blame Groysman, “Biden was just, like, ‘Enough. Everything that happens in Ukraine, you know about it. This is bullshit. If you do it again, you’ve lost me. That’s it. I’m done.’ ” A Poroshenko adviser told me, “The relationship, at that point, cracked.”

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In October, 2016, Lutsenko and Yovanovitch met at the prosecutor general’s office. According to Lutsenko and a former aide of his, Yovanovitch had recently learned that Lutsenko’s office was investigating Vitaliy Kasko, the young prosecutor who had worked with David Sakvarelidze in the internal-affairs unit under Shokin. She explained that she and other American officials believed that there were other people who should be a higher priority for investigation. If Lutsenko was committed to reforms, she said, he should look closely at whether some of his own prosecutors were part of the corruption problem. (Yovanovitch declined to talk to me for this story.)



Lutsenko resented feeling like he was being dictated to by the American Ambassador. According to the Lutsenko aide, Lutsenko told her, “Look, the people that your Embassy supports are not angels, either.” Lutsenko gave Yovanovitch examples of prominent anti-corruption experts and activists whom he reserved the right to investigate—among them Sergii Leshchenko, the former investigative journalist who joined the Ukrainian parliament as a reformer; Vitaliy Shabunin, a co-founder of the Anti-Corruption Action Center; and Kasko. When Yovanovitch became upset, Lutsenko took a piece of paper from his desk and wrote their names on it. He told Yovanovitch that this was her “do-not-prosecute list” and then, in a dramatic flourish, ripped it to pieces. “Maybe I was rude,” Lutsenko admitted. “Maybe it was possible to explain myself in a more polite way.” The Lutsenko aide said that Yovanovitch tried to calm Lutsenko down by saying, “Of course you have the fully fledged right to prosecute whoever you want,” but also that Lutsenko and Yovanovitch were “like oil and water.” In her deposition on October 11th, Yovanovitch said, “I want to categorically state that I have never, myself or through others, directly or indirectly, ever directed, suggested, or in any way asked for any government or government official in Ukraine or elsewhere to refrain from investigating or prosecuting actual corruption.”

Soon after becoming prosecutor general, Lutsenko, seeking tangible results to prove his efficacy, seized on a long-standing tax-evasion case against Burisma. He impounded some of the company’s assets, and later, as part of a settlement, Burisma agreed to pay the state around seven million dollars. Zlochevsky’s



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official, who helped secure the settlement on behalf of a U.S. consulting firm retained by Burisma, said that the decision was “clear evidence of Ukraine’s commitment to the rule of law and due process—twin pillars of democracy.”

VIDEO FROM THE NEW YORKER

**President Trump Is Impeached**



A Ukrainian official told me that, because of a sharp decline in the value of Ukraine’s currency, the settlement had been relatively lenient for Burisma. Moreover, a former U.S. law-enforcement official said that the Americans were angered that Lutsenko had helped rehabilitate Zlochevsky, who they believed had bribed at least one prosecutor in 2014 to stall the British money-laundering case against him. “It appeared to be another case of justice purchased,” the U.S. law-enforcement official told me, of the settlement.



government. Lutsenko credited a prosecutor named Kostiantyn Kulyk with having recovered the assets. American officials learned that Kulyk had been a target of a NABU corruption investigation, and told Lutsenko that they didn't want to work with him. Lutsenko disregarded their concerns, deepening the distrust.

Seven months later, Lutsenko's office sent a letter to the legal attaché at the U.S. Embassy in Kyiv, requesting the Americans' assistance in recovering potentially billions of dollars more. Lutsenko claimed to have information showing that Franklin Templeton, the U.S. financial firm, was money-laundering more than seven billion dollars that belonged to Ukraine. (A Franklin Templeton spokesperson told me that the firm had begun, in 2010, to buy bonds that were issued by the government of Ukraine, eventually accumulating a total of \$7.4 billion. "These were investments of Franklin Templeton into Ukraine, not investments by Ukrainians into our funds," the spokesperson said. In 2014, Ukrainian authorities had approached the F.B.I. with allegations about Franklin Templeton, but they failed to provide evidence to back up the claims. Later, Franklin Templeton sold its holdings, the spokesperson said.) The former Lutsenko aide admitted to me that the Franklin Templeton allegations were a fiction driven by assertions made by Kulyk. "Kulyk is a great fairy-tale teller, and Lutsenko is a great lover of fairy tales," the aide said. (Kulyk could not be reached for comment.)

Lutsenko told me that he did not receive a response to his request for assistance in the case from the legal attaché or from Yovanovitch. An F.B.I. spokesperson in Washington declined to comment, but a former U.S. law-enforcement official told me that the F.B.I. had informed the prosecutor's office that it could not assist them unless they substantiated the allegations against Franklin Templeton. "I think they were hoping that Franklin Templeton would pay to make it go away and Poroshenko and Lutsenko could get a piece of that," the official said.



operative who was leading a sting operation against the deputy head of Ukraine's State Migration Service; the deputy was suspected of being involved in a scheme to sell fraudulently obtained biometric passports. U.S. officials told me that they suspected that Lutsenko had compromised the NABU operation in order to undermine the operative's credibility as a witness in another case in which Lutsenko himself was a possible suspect. (Lutsenko denied the allegation, saying that his people had acted on a tip from the Migration Service official herself, who had reported a bribery attempt.) Soon afterward, Kent criticized the prosecutor general's office, in a meeting with international ambassadors and the deputy directors of Ukraine's main law-enforcement agencies. "If you continue to waste our taxpayer money, we'll hold you accountable," Kent said, according to a person present. Lutsenko appears to have ignored the warning. Later that fall, he publicly backed proposed legislation to allow parliament to fire Sytnyk, whose position as the head of NABU was protected under the law that had created the bureau. American officials outmaneuvered Lutsenko by pressuring two key members of Poroshenko's team not to support the legislation.

In May, 2018, Lutsenko attended an event in New York marking the fifteenth anniversary of the adoption of the United Nations Convention against Corruption. Ukrainian diplomats had tried to arrange meetings for him in D.C., with Attorney General Jeff Sessions, among others, but, the former Lutsenko aide said, "our Ambassador was told clearly that 'Yovanovitch is blocking everything from Kyiv. I cannot jump this gap.'" U.S. diplomats and law-enforcement officials, having concluded that Lutsenko was intentionally harassing U.S.-backed reformers instead of focussing on real cases of corruption, chose not to advocate for the meetings that he wanted. A former U.S. law-enforcement official described Lutsenko's behavior: "He walks in the door and starts whining about NABU, about whether Sytnyk is talking out of turn, and whining about this, and whining about

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That spring, Dmytro Shymkiv, Poroshenko's deputy chief of staff, saw a flurry of reports on Fox News and other conservative outlets about Hunter Biden. The reports were based on material from a recently published book, titled "Secret Empires," by Peter Schweizer, a conservative researcher and a senior contributor at Breitbart News. Schweizer had worked closely with Steve Bannon, who ran Breitbart News, on a different book, published in 2015, that sought to tarnish the reputation of Hillary Clinton in the lead-up to the 2016 election. The stories that Shymkiv saw portrayed the Biden family as corrupt and greedy, and suggested that Joe Biden was complicit in his son's business dealings in Ukraine.

Burisma had announced that Hunter had joined its board in 2014, less than a month after Zlochevsky's accounts in the U.K. were secretly frozen. The announcement received little sustained attention in the U.S., but the pro-Russia media jumped on the story and continued to push it as a matter of dark concern. Hunter, who had long struggled with severe drug and alcohol problems, had almost no expertise in the region or in energy, and many U.S. and Ukrainian officials suspected that Zlochevsky had put Hunter on the board in the hope of protecting himself from prosecution. Some White House and State Department officials disapproved of Hunter's role at Burisma, concerned about the appearance of a conflict of interest, but they mostly avoided discussing the matter with Joe Biden. The Vice-President had an unwritten "Don't ask, don't tell" policy when it came to his family members' business decisions. The issue seemed too sensitive to raise easily, particularly given that Biden's elder son, Beau, had advanced cancer.

concerned, because Hunter Biden was on the Burisma board, that any steps they took might displease powerful people in Kyiv and Washington, and they slowed down their efforts. Andrii Telizhenko, who served as an adviser to Ukraine's prosecutor general at the time, Vitaliy Yarema, told me, "I got calls from Yarema, from lower prosecutors, asking, 'What should we do? Can you find out from the U.S.?' They still have the Soviet mentality. They were afraid of power. They asked themselves, 'What will happen to us and our families?'"

Hunter Biden and Devon Archer, Hunter's business associate, told me that they had been unaware of the case against Burisma in the U.K. Archer first met Zlochevsky in the winter of 2014. They were introduced by Alex Kotlarsky, a Ukrainian who was in the car-service business in New York City and was working with TriGlobal Strategic Ventures—the venture-capital firm that Giuliani used to expand his consulting into the Ukrainian market. Kwaśniewski, the former Polish President, who was a Burisma board member, later offered Archer a seat on the board, and Archer arranged for a law firm that employed Hunter to provide legal services to the company. Burisma then offered Hunter a board seat. Archer said that he wanted to help Hunter, who was struggling personally and financially.

Hunter and Archer told me separately that they tried to vet Zlochevsky and Burisma before joining the board and felt reassured when Nardello & Co., the firm they hired to conduct the research, said that it did not find any open criminal cases against Zlochevsky, possibly because authorities in the U.K. didn't publicly identify him as their target. Hunter told me that, before he accepted the Burisma offer, he spoke to Kwaśniewski, who told him that the board was serious about improving governance and transparency, and that Burisma was strategically important in the wider struggle between Russia and the West. Hunter felt reassured on a more personal level after doing some of his own research. He read that Zlochevsky had championed efforts to insure that bears held in captivity in Ukraine were treated more humanely, opposing a long-standing practice of



dubbed Evil-chevsky. (“Zlo” means “evil” in the Ukrainian and Russian languages.) In the first year that Hunter and Archer were on the board, Burisma paid a company controlled by Archer a total of two million dollars. Burisma agreed to pay Archer and Hunter each around five hundred thousand dollars annually after that.

A former Poroshenko adviser told me that he and his colleagues found it “strange” that Hunter Biden had joined the board of Burisma, which had “a dubious reputation,” but that they hadn’t wanted to discuss it with Joe Biden. “They were uncomfortable penetrating the privacy of the family,” he said. Shymkiv told me that, in the spring of 2018, he began to suspect that Republicans would use Hunter’s membership on the board against Joe Biden if he entered the 2020 Presidential race. “I know how Ukrainian politicians would be tempted to get involved,” he said. “I told them, ‘Please, please, don’t. It’s going to be damaging. Republicans will play you against the Democrats. Don’t give them ammunition. We are a country that needs bipartisan support.’”

In January, 2019, Lev Parnas—who told me that he was “like Rudy’s assistant”—arranged a Skype call between Giuliani and Viktor Shokin, the prosecutor general whom Poroshenko had fired at the urging of Joe Biden, two years earlier, and who had since retired. During the call, Shokin made the unsubstantiated claim that Biden had him removed from the job because he had been investigating Zlochevsky and Burisma. Ukrainian and American officials told me that the situation was quite the opposite, and that Shokin had in fact been fired for failing to investigate Burisma and other similar cases despite calls by Ambassador Pyatt and others for him to do so.

Giuliani invited Shokin to talk to him in New York, but consular officials who consulted with Ambassador Yovanovitch blocked his visa. Yovanovitch notified her superiors in Washington, including Kent, who concurred with the decision.



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15th deposition.

Giuliani, in an attempt to get the decision reversed, intervened with officials at the White House and at the State Department. He was not successful. Yovanovitch said in her October 11th deposition that Giuliani had accused her of preventing Shokin from coming to New York to provide him with information about “corruption at the Embassy.” Giuliani told me, “I was kind of pissed off at her at that point.”

Lutsenko told me that his main interest in talking to Giuliani was to seek his help in arranging a meeting with the next Attorney General. He wanted to discuss, among other things, his 2017 request for the Americans’ help in recovering the billions of dollars that, he alleged, were held by Franklin Templeton. Recovering the funds would be a coup, and would prove his critics wrong. In November, 2018, Trump fired Sessions, and Matthew Whitaker stepped in as the interim Attorney General. In December, Trump said he would nominate Barr to be Sessions’s replacement. Giuliani told me that he didn’t want to burden Whitaker with the Lutsenko matter. “So I figured we’ll wait, because I knew Barr would have the balls to deal with it,” Giuliani said.

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in communication with Mayor Giuliani, and that they had plans, and that they were going to, you know, do things, including to me.” She added, “The impression that I received is that Mr. Lutsenko was talking rather freely about this in, you know, certain circles, and so others heard about it who wanted to let us know.”

Kent testified that Ukraine’s Prime Minister, three government ministers, and a former Prime Minister all told him during a May, 2019, visit to Kyiv that Poroshenko “authorized Lutsenko to share the information with Giuliani that led to the attacks on Ambassador Yovanovitch.” Lutsenko insisted that he didn’t consult with Poroshenko before he met with Giuliani. “It was my initiative,” he said. This seems unlikely, as Lutsenko carefully manages his relationship with Poroshenko. Lutsenko also said that he had not expected to discuss Yovanovitch with Giuliani, but several Ukrainian officials noted that he was obsessed with getting even with her. A Ukrainian official told me that, in one meeting, Lutsenko explicitly said that he wanted her to be removed. Lutsenko said he learned from Poroshenko that Yovanovitch had asked for him to be fired. In Yovanovitch’s deposition, she said there wasn’t a clamor to remove Lutsenko as prosecutor general while Poroshenko was President, but added, “I think we certainly hoped that Mr. Lutsenko would be replaced in the natural order of things,” once Poroshenko lost power.

When Lutsenko met with Giuliani in late January, he told Giuliani that the prosecutor general’s office had recently uncovered new information about Burisma’s payments to members of its international board, which included Hunter Biden. He said that Giuliani asked him for details about Burisma’s payments to Hunter and his business associate, Devon Archer. “He asked me many times, ‘How much?’” Lutsenko told me. He recalled that Giuliani asked whether Hunter had actually provided consulting or whether his appointment to the board was



A summary of the meeting, which Lutsenko said was drafted by a Giuliani associate who was present, and which Lutsenko shared with me, suggests that Lutsenko, aware of Giuliani's appetite for anything that might embarrass the Bidens, handed over an assortment of seemingly tantalizing but ultimately insubstantial data points, including what he claimed were Latvian bank records that purportedly showed Burisma payments to members of its international board. Lutsenko claimed that the records indicated that a company co-owned by Hunter and Archer had been paid nearly a million dollars "for lobbying" Joe Biden. Hunter and Archer told me that no such payment was made for lobbying Biden, and that they did not discuss their Burisma work with the Vice-President.

Lutsenko said he then suggested to Giuliani that, if the Americans launched an investigation into Hunter Biden's ties to Burisma and into any conflicts of interest arising from his father's role overseeing U.S. policy in Ukraine, the prosecutor general's office would share relevant information. Lutsenko suggested that U.S. authorities could interview Hunter and Archer. "Did they pay taxes in America?" Lutsenko asked Giuliani, adding, "I'm sure yes, but let's check it. Maybe they're as stupid as Manafort"—a reference to Trump's former campaign manager, Paul Manafort, who is currently in prison for bank fraud and failing to pay taxes on the income from his consulting work for Viktor Yanukovich.

Giuliani was looking for any information that could support Trump's suspicions that Ukrainians had tried to help Hillary Clinton in the 2016 election. (Toward the end of our second evening in London, after several rounds of drinks, Lutsenko speculated that Giuliani was hoping that Trump would make him Secretary of State.) Lutsenko, apparently eager to undermine his domestic rivals, told Giuliani that he had evidence that Artem Sytnyk was a Clinton supporter who was protected by Yovanovitch, and accused NABU of playing a role in the release of damaging information about Manafort. "He knew about how the Embassy was



On the third day of their conversations, Lutsenko said, Giuliani promised to arrange for Lutsenko to have a meeting in Washington with Barr once he was confirmed by the Senate. Barr and Lutsenko could then set up a “joint investigation team” that would seek to recover the Ukrainian assets allegedly held by Franklin Templeton. Lutsenko and Giuliani told me that they were also hoping that U.S. law-enforcement agencies would launch an investigation into Joe and Hunter Biden’s activities in Ukraine. If one were launched, Lutsenko said, the prosecutor general’s office would be asked to share information related to the case. “For me, seven billion dollars,” Lutsenko told me. “For him, Burisma. It could start after a meeting or call with the Attorney General.”

Back in Kyiv, Lutsenko said, he briefed Poroshenko; Arsen Avakov, Ukraine’s Interior Minister; and Arseniy Yatsenyuk, the former Prime Minister. “I didn’t have anything to hide,” Lutsenko said. He told me that Poroshenko did not discourage him from continuing his conversations with Giuliani and that Poroshenko was happy to hear that Giuliani wanted to remove Yovanovitch. According to Lutsenko, Poroshenko “hated” her. (Through a spokesperson, Poroshenko denied feeling this way.) But Lutsenko said he sensed that, despite the poor state of Poroshenko’s relations with Joe Biden, he was worried about damaging ties with the Democratic Party.

On February 11th, U.S. officials learned about Lutsenko’s talks with Giuliani from Avakov, who attended an event at the U.S. Institute for Peace, in Washington. According to George Kent’s deposition in the House impeachment inquiry, Avakov told him that the private meetings sounded like “the wrong thing to do.” Kent asked Avakov why Lutsenko had wanted to have the meetings with Giuliani in the first place. According to Kent, he said, “‘To throw mud.’ And I said, ‘Throw mud at whom?’ and he said, ‘A lot of people . . . towards Masha, towards you, towards others.’”



Lutsenko was ready to meet with Barr, who would be sworn in as Attorney General two days later. When Lutsenko said that he was, Giuliani said that Lutsenko first needed to hire a lawyer who could arrange the meeting. “I had a conflict,” Giuliani told me. “I couldn’t do it.” Giuliani recommended a married couple, Victoria Toensing and Joe diGenova, who often appear on Fox News. Lutsenko declined to employ their services. Giuliani told me that he had decided not to reach out to Barr directly. “I don’t know what crime they would have made out of that,” he said.

John Solomon, the columnist for *The Hill*, told me that he, too, had been reporting on the rift between the U.S. Embassy in Ukraine and the prosecutor general’s office. In March, Toensing and diGenova, Solomon’s private lawyers, introduced Solomon to Parnas, to help him set up interviews with Lutsenko, Shokin, and other Ukrainian officials. Parnas told him that Giuliani was pursuing a similar line of inquiry. Solomon called Giuliani, to see if he had any information to share. According to Solomon, Giuliani said, “I’m not ready and my client’s not ready to decide what to do with this information, and my first inclination is to give it to the U.S. government.” Solomon told me that he responded by saying, “Keep me in the loop.”

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Lutsenko told me that he was waiting to hear about the meeting with Barr when he heard from Solomon. He gave him a long on-the-record, videotaped interview, in which he described having a “difficult personal relationship” with Yovanovitch. The first segment of Solomon’s video interview with Lutsenko was published on the Web site of *The Hill* on March 20th. Lutsenko told me, “Sincerely speaking, I



and then to start with my seven-billion-dollar case.” Giuliani told me that he hoped that officials at the Justice Department, at the F.B.I., and at the State Department would take note of Solomon’s stories and look into them. “I figured the best way to do this now was to let them pick up on it, instead of my trying to force it on anybody,” Giuliani said.

Giuliani said that he was asked to provide the State Department with some of the evidence he had collected from Lutsenko, Shokin, and others. The dossier was sent in a plain yellow envelope that was addressed, in calligraphic letters, to “Secretary Pompeo.” The return address was “THE WHITE HOUSE.” Solomon said he wasn’t involved in the creation of the dossier and does not know why the package contained a Post-it marked “Solomon Timelines.”

One section of the dossier, dated March 28, 2019, contained particularly outlandish claims. Kent, Yovanovitch, and other officials are accused of setting up NABU in order to protect the Bidens rather than to investigate corruption. (Neither Kent nor Yovanovitch was working in Ukraine when the law establishing NABU was passed.) Hunter Biden is alleged to have had breakfast on May 26, 2015, with Deputy Secretary of State Tony Blinken to discuss Burisma. (At the time, Hunter was at the hospital bedside of his brother, who died four days later.) The section also included a memo that claimed, falsely, that the financier George Soros, a perennial target of right-wing and anti-Semitic conspiracy theorists, had “played a big role” in getting Yovanovitch nominated as Ambassador to Ukraine. “Until she is removed Soros has as much, or more, power over Yovanovitch as the President and Secretary of State,” the memo reads.



The dossier made its way from the chief of the inspector general at the State Department to the F.B.I. in June. Giuliani recalled that he thought, “State’s going to look at that, and they’re going to see that what they’re saying about Yovanovitch is true. And then they’re going to see, holy shit, there’s a whole big bribery or money-laundering case here. We’ll give it to the Justice Department, so now I’m home free.” An F.B.I. spokesperson, Brian Hale, declined to comment on what, if anything, the Bureau did with the information.

Lutsenko and Parnas kept in touch with each other via text message. Parnas often sent him news clips related to the Bidens and Yovanovitch. Lutsenko reached the conclusion that Giuliani either was not able to convince Barr to meet with him or was no longer trying. Lutsenko said he understood that Giuliani and his associates wanted him, as the prosecutor general, to “announce” investigations into the Bidens and into claims of Ukrainian interference in the 2016 election. He told me that he suspected that an attention-grabbing announcement from Ukraine was more important to Giuliani than the proposed investigations themselves, which would drag on for years. But Lutsenko said that, under Ukrainian law, he didn’t have grounds to announce an investigation into the Bidens. “I was near the red line, but I didn’t cross it,” Lutsenko said. Giuliani told me, “I was wondering what kind of game he was playing. I felt like we were getting scammed.”

On April 21st, after Volodymyr Zelensky easily won the Presidency of Ukraine, Parnas asked Lutsenko whether he could arrange a meeting for Giuliani with the new President. Lutsenko said that he didn’t have a sufficiently close relationship with Zelensky to do that. Shortly afterward, Zelensky made clear that Lutsenko should step down.

In May, Lutsenko met with an American friend, who warned him that his association with Giuliani’s smear campaign against the Bidens and Yovanovitch was causing serious damage to Ukraine’s standing in the United States. The friend told me, of Lutsenko, “He may be ambitious and occasionally reckless, but he is



of now, we do not see any wrongdoing. A company can pay however much it wants to its board.” Lutsenko told me that he chose to speak to Bloomberg “to declare my real position” and “to show I’m not Giuliani’s marionette.” Giuliani was furious. “It was going along fine,” he said, before Lutsenko seemed to let the Bidens off the hook. “It undermined everything.”

Giuliani reached out to Fruman and arranged a phone call with Lutsenko. It was the middle of the night in Kyiv when they spoke, Lutsenko told me. Giuliani recalled, “I got pretty angry at him on the phone.” He told me that he thought Lutsenko should have brought a case against former Vice-President Biden for bribery—an idea apparently based on Biden’s threat that he would withhold a billion dollars in I.M.F. loans unless Shokin was fired.

“I said, ‘Have you ever read your goddam bribery statute?’” Giuliani told me. “‘Let me read it to you.’” He went on, “‘This takes a mental midget to do one plus two equals crime. You don’t need to be a lawyer, Yuriy, you just need to be an honest man.’” According to Lutsenko, Giuliani kept on repeating “bribery, bribery,” in a loud and agitated voice. Lutsenko said that he told Giuliani that the bribery assertion didn’t make any sense to him. If Giuliani was correct, then anytime a state withholds something of value from another state to get something it wants, which happens all the time, it could be accused of bribery. According to Lutsenko, Giuliani responded by saying, “I’m a lawyer, you’re not.”

Because of his falling out with Lutsenko, Giuliani told me, he turned his attention to Kostiantyn Kulyk, whom the F.B.I. refused to work with, and Nazar Kholodnytsky, the special anti-corruption prosecutor, for information. Yovanovitch, in a March, 2019, speech, said that Kholodnytsky, who had been recorded coaching suspects on how to avoid criminal charges, “must be replaced.” Solomon told me that, toward the end of May, Giuliani contacted him, wanting to share the information that he had collected. “I think we should get it out to the



On July 21st, Ukraine held parliamentary elections, and, at a press conference that followed the release of the first exit polls, a reporter asked Zelensky if he could name his candidate for prosecutor general. Zelensky responded, “That name certainly won’t start with ‘Lu-’ and end with ‘-tsenko.’” On August 29th, when the new parliament was sworn in, Lutsenko submitted his resignation. He told me that, contrary to reports that he was angling to stay in the job, he was happy to leave.

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Lutsenko said that, when the White House released an official account of Trump’s call with Zelensky, on September 25th, he felt a measure of vindication. As he saw it, Trump had pressed Zelensky to announce investigations into the Bidens and into allegations of Ukrainian interference in the 2016 election because Lutsenko hadn’t announced the probes himself. “The publication of that transcript proves that I stopped before the red line,” he said. But, Lutsenko acknowledged, his future in politics was more uncertain than ever. Yovanovitch’s removal as Ambassador had allowed her and her colleagues to use the impeachment inquiry to describe his most unscrupulous behavior as prosecutor general. I asked Lutsenko if he had read Yovanovitch’s deposition. “I don’t want to read her fantasies,” he said. At home, the Anti-Corruption Action Center joined nineteen other organizations in calling for Lutsenko to be sanctioned by the U.S. Treasury Department for contributing to “grave corruption and human-rights violations in Ukraine.” Daria Kaleniuk, the center’s director, said she believed that Lutsenko had committed “state treason.”



most important thing in your flat, because every morning, when you shave, you have to look into your own eyes. It is impossible to lie to yourself. I'm proud that I still have a good relationship with my mirror."

In a phone call with me on November 21st, Giuliani described some tips he was hearing from his sources in Ukraine, including allegations that a Ukrainian oligarch had made illegal campaign contributions to Hillary Clinton totalling forty million dollars, "that Biden helped to facilitate." In addition, he said, "I was told Biden had participated in the hacking"—a reference to the penetration of Democratic National Committee computer servers in 2016, which U.S. intelligence agencies have attributed to Russia's military intelligence agency, the G.R.U. The conspiracy theories were endless. "They may be true, they may be false," Giuliani said of the rumors. Toward the end of the conversation, Giuliani spoke wistfully of Lutsenko as a "critical witness" in his investigation, and he said, "If there's some way to, kind of, sit down and patch it up, I'm open to it."

He didn't waste time. A few days later, One America News Network, a right-wing television outlet that Trump has promoted on Twitter, which reaches thirty-five million households, aired the first episode in an "exclusive multipart series" that, according to a trailer, "debunks the impeachment hoax and exposes Biden family corruption in Ukraine." The series is hosted by Chanel Rion, the network's White House and political correspondent and the author of several books of juvenile mystery fiction "for girls who want to Make America Great Again." On December 3rd, Giuliani tweeted that he was "working on an important project with @OANN." That day, "at a safe house on the outskirts of Budapest," Rion interviewed Giuliani, who plays the role of a guide in the series, alongside Lutsenko.

In a preview of the episode, Rion says that Lutsenko accused the American media of "wrongly" pitting him against Giuliani by abridging his statements on the



Templeton—a claim rejected by the F.B.I. in the course of several years as unsubstantiated. As Lutsenko speaks in broken English about the letter and about Yovanovitch’s testimony, Giuliani jots down notes, as if he were collecting a witness’s statement for a report he was preparing. The letter is evidence, Lutsenko says, that Yovanovitch lied under oath when she said that Lutsenko had not told her why he wanted the meetings with Barr. “This is this document, with signature, with stamps, with everything,” he says. After the interview, Rion shot a short segment, on a snowy, tree-lined road: “It all made sense, says Lutsenko, when he realized that Adam Schiff was an investor in Franklin Templeton himself.” (A Schiff aide told me, in an e-mail, “As disclosed in his annual, publicly available financial disclosures, Rep. Schiff owns shares in some Franklin Templeton mutual funds, and has since 2009.”)

On December 12th, Trump promoted Lutsenko’s latest claims that Yovanovitch lied under oath, retweeting to his 67.5 million followers a link to Lutsenko’s interview with Rion. The day after Lutsenko’s interview, I asked him why he had renewed his partnership with Giuliani, whose competence he had previously questioned. “I have no other way to protect my reputation,” he responded. “Why not?” ♦

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# UKRAINE'S UNLIKELY PRESIDENT, PROMISING A NEW STYLE OF POLITICS, GETS A TASTE OF TRUMP'S SWAMP

*Volodymyr Zelensky swept to power pledging to end corruption. Then the White House called.*

By Joshua Yaffa October 25, 2019

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Kiev's central square, the Maidan, was the site of two revolutions, and its name has become a kind of universal shorthand for a popular uprising. The first revolution, in 2004, brought to power Viktor Yushchenko, who promised European-style reforms but ended up presiding over a feckless administration. Disaffection with his corrupt successor, Viktor Yanukovich, led to the second revolution, starting in 2013, in which more than a hundred protesters were killed. The Maidan is also the site of the annual celebrations of the country's Independence Day—the anniversary of the day, August 24, 1991, that Ukraine formalized its statehood after the collapse of the Soviet Union. This year, on August 24th at nine in the morning, more than a thousand children formed a line that led up the street where, five years ago, scores of demonstrators were fired on by snipers. The children, dressed in white, clutched yellow-and-blue Ukrainian flags and bouquets of daisies.

Volodymyr Zelensky, the country's new President, stood halfway up the cobblestoned alley with his wife, Olena. Zelensky, who was elected in April, with seventy-three per cent of the vote, is forty-one, with close-cropped brown hair and a disarming ability to adopt whatever persona suits the occasion. Before he declared his candidacy for President, on New Year's Eve, 2018, he was the leading member of a troupe of actors and satirists who spoke to Ukrainians' frustrations with the country's turbulent post-Soviet transition. On the phenomenally popular television show "Servant of the People," which aired from 2015 to the spring of 2019, he played Vasyl Holoborodko, a

lovable and self-effacing high-school teacher who, in the first episode, is filmed by a student unleashing a profanity-filled tirade against Ukraine's corrupt political class. Holoborodko becomes a viral sensation, so much so that, however improbable the plot point might be, he is elected President.

Since 1991, Ukrainian politicians, despite claiming to be against corruption, have kept close ties to oligarchs while taking pleasure in their bureaucratic powers, enjoying what Dostoyevsky once called "administrative ecstasy." Zelensky, who cast himself as a Ukrainian Everyman, represented a departure, though his campaign was light on policy specifics. Even a hundred days into his Presidency, he had spent little time articulating how, exactly, he was planning to execute his proposed reforms, which included disciplining a self-interested oligarchy and negotiating an end to the five-year war with Russian-backed separatists in the eastern region of the Donbass, in which, to date, more than ten thousand people have been killed.

His earliest moves were symbolic. He reduced the bloated Presidential motorcade to two cars with no sirens, the minimum his bodyguards would allow, and hinted that he might move the Presidential administration from its Stalin-era building, on Bankova Street, to somewhere more laid-back. For Independence Day, he replaced the traditional Soviet-style military parade of soldiers and tanks and missile launchers, which he called "pompous and expensive," with the March of Dignity, featuring schoolteachers, doctors, social workers, and athletes.

Zelensky and Olena walked down the street, trailed by children. Church bells rang. Then Zelensky addressed the crowd. "Twenty-eight years have passed," he said, referring to Ukraine's post-Soviet independence. "They were difficult, stormy, thorny—but they were ours together." He went on, "The whole country cut coupons"—a reference to the quasi-currency issued after independence to help Ukrainians buy daily necessities—"and, let's be honest, watched 'The Rich Also Cry' "—a Mexican telenovela popular in the former Soviet Union in the early nineties. The speech, optimistic and unifying, tinged with a sense of laughter through tears, encapsulated Zelensky's brand of populism.

In the end, the obstinate forces of tradition and inertia stymied the administration's move from Bankova Street. But, under the new President, visitors could wear shorts if they liked. The new Prime Minister, Oleksiy Honcharuk, a thirty-five-year-old lawyer,

once rolled into work on a scooter. Zelensky, in his first days in office, suggested to the pair of honor guards who have historically been positioned outside the President's office, greeting the commander-in-chief each morning with a salute and the words "Good day, Mr. President! I wish you health!," that perhaps they could just say a quiet "Good morning."

A few days after the March of Dignity, I visited Zelensky at the Presidential suite, which occupies the entire fourth floor of the administration building—a warren of corridors, gilded reception rooms, and parquet floors. He welcomed me into his office, which looks much as it did under Yanukovich, a kleptocratic would-be dictator with famously bad taste. There are half columns of green marble, and a carpet in rich yellows and reds covers the floor. Taking a seat across from me in a large leather armchair, Zelensky smiled conspiratorially. "This is no place for a normal person," he said. He delivered a practiced routine about his "iPhone 11"—a switchboard the size of a microwave—before growing suddenly serious. "These walls are filled with the symbolism of the past thirty years," he said, wrinkling his nose in disgust. "They were the site of what brought our country to the condition it's in. You want to wash all this off yourself."

I asked him how his career in entertainment had prepared him for politics. "What the viewer loves in an actor, this feeling of humanity—of course I use it," he said. "And that's very easy to do, because I remain myself." Acting had taught him another lesson, too: "Politics is like bad cinema—people overact, take it too far. When I speak with politicians, I see this in their facial expressions, their eyes, the way they squint." Energized by the parallel, he went on, "I look at things like a producer. I would often watch a scene on the monitor, and the director and I would yell, 'Stop, no more, this is unwatchable! No one will believe this.'"

Zelensky's most scrutinized performance to date was a phone call, on July 25th, between him and President Donald Trump, a summary of which the White House released in late September, after a whistle-blower complaint came to light. The complaint indicated that, during the call, Trump had "sought to pressure the Ukrainian leader to take actions to help the President's 2020 reelection bid," including asking Zelensky to pursue an investigation into Hunter Biden, Joe Biden's son, who was on the board of the Ukrainian gas company Burisma.

VIDEO FROM THE NEW YORKER

## President Trump Is Impeached

In the call, Zelensky, who is speaking Ukrainian and using an interpreter, is generous with his praise, mentioning that he stayed at the Trump International Hotel and Tower on Central Park. “I just wanted to assure you once again that you have nobody but friends around us,” he says. When Trump compliments Zelensky on his election victory, Zelensky builds on their similarities: two very different types of populist who, nevertheless, both turned television stardom into political power. “We used quite a few of your skills and knowledge,” he says. “We wanted to drain the swamp here in our country.” Trump launches into a rant about Europe—“Germany does almost nothing for you,” he says—and Zelensky readily agrees “not only one hundred per cent but actually one thousand per cent.” Zelensky then mentions U.S. military aid. Trump brings up a “favor,” and goes on to talk about a conspiracy theory connected to the 2016 U.S. election, and also “talk of Biden’s son.” Zelensky indicates that he is open to Trump’s requests. Soon, he says, Ukraine will have a new prosecutor general—“one hundred per cent my person,” who will “look into the situation.”

Zelensky, evidently embarrassed, has said that he hadn’t expected his side of the conversation to be published. Vitaliy Sych, the editor of the weekly news magazine

*Novoye Vremya*, told me that Zelensky, although he sounded “fawning and servile,” had been put in an almost impossible position. For nearly three decades, Ukraine has counted on bipartisan support in Washington to offset relentless pressure from Russia. Zelensky, desperate to end the war in the Donbass, is heavily reliant on U.S. military aid and diplomatic muscle. He was set on arranging a meeting with the U.S. President. “It would be a signal to Russia, of course,” a policy adviser of Zelensky’s told me; such a meeting would strengthen Ukraine’s position in its standoff with its more powerful neighbor. “But it would also be seen as a very positive sign in Ukraine: here is a new President who is supported by the leader of the most powerful country in the world.”

On September 24th, after the news of the whistle-blower complaint, House Speaker Nancy Pelosi announced a formal impeachment inquiry into Trump. The next day, when the summary of the call was released, Zelensky finally got his audience with Trump, on the sidelines of the United Nations General Assembly. The circumstances were not the ones he had wished for. At a joint press appearance, he insisted, in slightly broken English, he had not been pressured in the call, and that, in any case, he did not want to get involved in American politics. (Earlier, he had told a Russian journalist, “The only person who can put pressure on me is my son, who is six years old.”)

On October 22nd, William Taylor, the top U.S. diplomat in Kiev, delivered testimony to Congress as part of the impeachment inquiry. He said that he had become “increasingly concerned that our relationship with Ukraine was being fundamentally undermined by an irregular, informal channel of U.S. policy-making.” The channel, he said, was coordinated by Rudy Giuliani, Trump’s personal lawyer, and included Kurt Volker, then the U.S. Special Representative to Ukraine; Gordon Sondland, whom Trump appointed Ambassador to the E.U.; and Rick Perry, the Secretary of Energy. In mid-July, Trump had ordered a freeze on nearly four hundred million dollars in U.S. military aid to Ukraine that had been authorized by Congress, though it reportedly took several weeks for the news to make its way to Kiev. Taylor testified that Sondland had made clear to Zelensky that both a White House meeting and the military aid were dependent on his publicly announcing that he would conduct investigations that were of personal and political interest to Trump.

During my meeting with Zelensky, in August, he talked about the frozen military aid as a technical matter. But there was clearly something on his mind. “There are some

difficulties,” he said. “It’s a complicated story that started a long time ago.” He summed up his position: “Large empires have always used smaller countries for their own interests. But, in this political chess match, I will not let Ukraine be a pawn.” The sentiment was spot on and the delivery perfect, but, in reality, it might have already been too late.

**B**efore the collapse of the Soviet Union, Zelensky’s home town of Kryvyi Rih, in the southeast, was a major center of iron mining and metallurgy. By the early nineties, it had fallen into decline, blighted with unemployment, alcoholism, and banditry. Gangs of teen-age delinquents known as the *beguny*, or “runners,” terrorized the city with hammers, knives, and bottles. Zelensky and his friends found an escape in a variety-show and sketch-comedy competition called K.V.N., the full name of which, in Russian, means Club of Funny and Inventive People. K.V.N. competitions first appeared on Soviet television in the nineteen-sixties and soon became a national pastime, held in universities and performance venues all over the Soviet Union.

In 1994, Zelensky’s high school, School No. 95 in Kryvyi Rih, held a K.V.N. tournament that pitted teachers against students. Alla Shepilko, then a mathematics teacher and now the school’s director, recalled that Zelensky, who was in the eleventh grade, was the captain of the student team, and was confident that they would win. Shepilko asked him why, and he said, “Because you are the teachers. You can say only what you are allowed to say. But we are free to say what we really want.” When I recently visited the school, a squat building of beige brick, with a design out of the standard-issue socialist-architecture catalogue, Shepilko told me, “It’s true—we were delicate, always searching for just the right words. But they were genuine, speaking directly and without observing the norms of diplomacy.” The students won handily.

Zelensky, whom everyone called Vova, grew up in a Ukrainian-Jewish family: his mother, Rimma, is an engineer, and his father, Alexander, a professor of computer science. Like many Ukrainians living in the country’s eastern regions, the family spoke Russian at home. Alexander was known for his work ethic; he often returned from the office after eleven at night. Even now, at seventy-one, he teaches five classes a semester at a local university. When I visited him at his office, I discovered that he is also something of a cutup, ending many of his sentences with a smile. “I’m laughing all the

time, making jokes, and, if you'll excuse the unliterary phrase, messing around," he told me.

In the mid-nineties, Zelensky and several of his K.V.N. friends enrolled at a local university, where they studied law. But they devoted much of their energy to K.V.N., and formed a troupe called Kvartal 95. It was run as a collective, but, as Zelensky's school friend Vadim Pereverzev said, there had to be "one person who has the final word, who takes ultimate responsibility. This leader turned out to be Vova." Zelensky attracted the attention of Boris and Serhii Shefir, a pair of brothers who were leaders of a more established K.V.N. troupe. Serhii told me, of Zelensky, "He had charisma, energy, and, most important, desire, an absolute and uncompromising desire." It became clear that Zelensky and his friends weren't going to become lawyers. Alexander Zelensky told me, in his office, "I resisted—but not for long. I could see that he was engaged, that he enjoys it. He found himself, and that's great."

In 2002, Alexander Rodnyansky, a producer who was then the head of Ukraine's largest television network, agreed to air Kvartal 95's live comedy show in prime time. Russian society's relationship to politics tends to be marked by a leaden self-seriousness, Rodnyansky told me, but in Ukraine, where politics is defined by a cycle of hope and disappointment, people approach everyone and everything with a guffawing irony and an abiding skepticism. It's a sense of humor that is irreverent and heavy on folksy shtick, which wormed its way from Odessa to Kryvyi Rih and, later, to Brighton Beach. The members of Kvartal 95 were masters of the genre.

The show, "Evening Kvartal," was made up of sketches that resembled those on "Saturday Night Live," with the dial for the zany and the ribald turned up. Zelensky and his castmates mocked the villains of the first Maidan and also its heroes. The oligarchs were ripe for satire, but so were traffic police, petty bureaucrats, and the Orthodox Church. Politicians of opposing factions came to see the show, often sitting on different sides of the audience. "Sometimes we'd hear that we'd gone too far, or that we offended someone," Shefir remembered. "A person whom we'd poked fun at would come up and tell us, 'That was a bad joke you told about me, but what you said about the other guy was funny.'"

In December, 2013, Vladimir Putin, wary of losing influence over Ukraine, offered Yanukovych a bailout worth fifteen billion dollars and a favorable gas deal after

Yanukovych withdrew from a trade agreement that would have brought Ukraine closer to the E.U. For many people in Ukraine, Yanukovych's refusal to sign the agreement was a blow; Europe represented not just a potential trading partner but an aspirational vision of Ukraine as a modern, functional, corruption-free country. Hundreds of thousands of demonstrators filled the streets to protest the government. One *Kvartal 95* sketch from the period made fun of the brutality of the riot police; in another, Zelensky played a psychiatric patient who is recruited by a government functionary to go after demonstrators.

In February, 2014, after months of clashes, Yanukovych fled. Within weeks, Russia had annexed Crimea, and by that summer it had ignited a separatist conflict in the Donbass. Petro Poroshenko, an oligarch with holdings in everything from chocolate to media, was elected President, with a mandate to carry out deep and lasting change. But it soon became clear to his opponents that, like his predecessors, Poroshenko was primarily intent on preserving his grip on power, making backroom deals with fellow-oligarchs and wielding influence over law enforcement and the courts.

In the winter of 2015, Zelensky and his *Kvartal 95* colleagues began writing "Servant of the People," a sendup of Ukraine's corrupt political culture. In early episodes, Zelensky's character, Holoborodko, confused and overwhelmed after becoming President, is introduced to his extensive staff (there is a tanning specialist, a masseur for the President's earlobes, and an ostrich cultivator) and shown around his new residence. "Remember the government default of 2008?" an aide asks, pointing to a golden chandelier. "That's what caused it." In a scene that has recently taken on an uncanny resonance, Holoborodko gets a call from the German Chancellor, Angela Merkel. "Hello! Congratulations, we decided to invite your country into the European Union," she tells him. Holoborodko goes nuts. "Oh, fuck! Oh, sorry—wow! I'm so happy!" he cries. But it's a mistake: Merkel meant to call Montenegro. He ends the call, cursing furiously.

Holoborodko speaks with a bracing honesty. When meeting with officials from the International Monetary Fund, a big lender to Ukraine, who are presented as conniving hucksters, he tells them, "Go to Hell! We aren't beggars, or migrant workers, or some borderland wedged between orcs and elves." He is a wise fool, calling out injustice and illogic not just among the ruling class but among ordinary Ukrainians, too. In one

episode, he goes off message at a press conference, telling a television correspondent how a pure-hearted Ukrainian can readily turn into a *khokhol*, an epithet that Russian speakers sometimes use for Ukrainians to denote weak-mindedness. He goes on to explain how this happens: the story starts at birth, he says, with a bribe for the doctor in the delivery room. The Ukrainian of Holoborodko's fable rises in the world, becoming a deputy in parliament, and, over time, his cynicism grows. He ends up swapping barbecues on the Dnipro River for holidays in the Maldives, so as to get farther away from other *khokhols* like himself. That, Holoborodko says, is our "mysterious *khokhol* soul."

Zelensky once joked to a BBC reporter that, although he is a fan of "Monty Python," Ukrainian audiences wanted something broader, like "Benny Hill." But, for all the buffoonery of "Servant of the People," it contained a barely hidden civic manifesto. "We were not just making a kind of humorous critique but also proposing something to society, putting forward our vision," Yuriy Kostyuk, one of the show's chief writers, said. "In fact, the show was successful precisely because we weren't indifferent—we really wanted 'Servant of the People' to demonstrate that a different life was possible."

The show was a runaway hit, and in 2016 it was picked up by Netflix for distribution abroad. At the time, Ukraine's post-Maidan hopes for deep, systemic change were fading. No high-ranking officials had been prosecuted for corruption. The war continued. "We'd spent our lives worried about the same problems that worried everybody, and on top of that we had gained a certain degree of popularity and public trust," Pereverzev said. "All this was leading us to something, even if we didn't know what." Kostyuk told me about a moment on set, in 2015, when the team was filming the *khokhol* monologue: "I was looking at the monitor, and I caught myself thinking, Can this really be it? Is this the ceiling—the maximum of what we can convey through the television screen?"

Zelensky told me that his decision to enter politics was the result of a nagging feeling that he needed to do something to help transform his country. "I started out making fun of politicians, parodying them, and, in so doing, showing what kind of Ukraine I would like to see," he said. "And then came this series, in which I could play such a President. O.K., so I couldn't actually *be* the President, but I could play him . . . and at some point I understood there was a chance. These feelings accumulated in me to the

point of spilling over—which coincided with things accumulating and spilling over for the Ukrainian people, too.”

As the head of *Kvartal 95*, Zelensky had faced bureaucratic issues that spoke of wider problems. “It was difficult to register my business,” he told me. “It was difficult to pay my taxes. It was difficult to protect my intellectual property. It was constantly difficult.” To help Ukrainian businesses, he went on, “I needed a political instrument.” Zelensky decided to launch a political party—*Servant of the People Party*, its name borrowed from the show—which he hoped would be able to get a handful of competent deputies voted into parliament. Serhii Shefir, by then a top executive at *Kvartal 95*, recalled, “We felt that the people were listening to us, but that politicians weren’t. So we decided that we needed to go into their territory, to go inside their system, and to start talking to them from there.” Zelensky announced his candidacy on the “*Evening Kvartal*” New Year’s special.

Poroshenko was running for reelection on a platform anchored in Ukrainian nationalism and an attachment to a heroic past. His campaign slogan was “Army, language, faith.” Zelensky’s Ukraine was aspirational, a country of programmers and entrepreneurs. He asked simple, provocative questions. When we met, he described encountering the West in the two-thousands. “I travelled to America and all over Europe,” he said. “And I didn’t understand why in France or Germany you can walk the streets and see, in the morning, grandmothers sitting in cafés drinking coffee. Why isn’t it like that in my country?”

Zelensky’s campaign was daringly experimental. He gave very few interviews and barely held traditional campaign events. Instead, he recorded his own content on the campaign trail, mainly videos—in which, for instance, he toured Lviv, in western Ukraine, with a local guide, who taught him a few words in the regional dialect, and interviewed I.T. professionals. The “*Evening Kvartal*” troupe mounted a national tour, putting on comedy shows in which the performers acted as though their star weren’t in the middle of a Presidential campaign, while winking that, of course, he was. Toward the end of the tour, in the city of Dnipro, Zelensky addressed the crowd as himself. “It feels like for the past twenty-eight years we’ve been living in some dark forest,” he said. “But we can do this together and leave darkness behind.” He called on audience

members to turn on the flashlights on their cell phones and hold them aloft. He said, “On March 31st”—Election Day—“raise your eyes and find the light.”

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The third season of “Servant of the People” premiered as the election approached. The show’s fictional Ukraine, still led by Holoborodko, had splintered into two dozen independent fiefdoms—a metaphor, perhaps, for the separatist territories in the Donbass, or maybe a reference to the rhetoric of many of Ukraine’s post-independence politicians, Poroshenko included, who had pitted the country’s Ukrainian speakers against its Russian ones. “Enough with the old slogans that cleave our land apart—east, west, north, south—we’re one country, we’re all Ukrainians,” Holoborodko says. During the campaign, Zelensky was happy for voters to conflate him with his television counterpart. As one of Zelensky’s advisers, Kyrylo Tymoshenko, a television and event producer, told me, “The show created an image in the minds of people of who the President could be.”

Kostyuk, the writer for “Servant of the People,” who had become Zelensky’s top campaign aide, told me that the team had been impressed by the New York representative Alexandria Ocasio-Cortez; they admired her viral campaign video, which positioned her as a woman of her community—getting ready for work, taking the subway, talking to voters. Kostyuk paraphrased the video’s message: “How can those in power truly represent us when they don’t live next door, don’t breathe the same air, don’t drink the same water, aren’t treated in our hospitals, don’t send their children to the same schools?” He added, “That’s what we were saying, too.”

Iryna Bekeshkina, a leading sociologist in Kiev, called Zelensky's campaign a "direct hit, right on target." By the end of Poroshenko's term, Ukrainians were disgusted with the incumbent political class. Bekeshkina and her colleagues analyzed the results of a 2018 nationwide poll and found that only sixteen per cent of the population identified "professionalism" as a key attribute for a politician. More important was that a candidate be seen as an honest and incorruptible person. Zelensky had that image going into the campaign, and he preserved it by avoiding uncomfortable or complicated topics, such as whether Ukraine should aspire to join NATO, or negotiate directly with separatist leaders in the Donbass. "He was a screen on which every person projected his own fantasies," Bekeshkina said. One Western diplomat in Kiev put it slightly differently: "You could say that having no real policy positions turned out to be his secret sauce."

In February, 2019, after Zelensky met with European ambassadors in Kiev, news leaked that they were uneasy about his candidacy. An E.U. diplomat told me that, although Zelensky was "a very careful listener," he spoke in "very general statements and wasn't able to answer simple political questions. The impression was terrible." And, for all Zelensky's emphasis on replacing the corrupt regimes of the past, he was seen to be close to Ihor Kolomoisky, an oligarch with holdings in metals, aviation, energy, banking, and media, who owns 1+1, the channel that aired "Servant of the People." During Zelensky's campaign, 1+1 enthusiastically promoted his candidacy.

Kolomoisky's worth is estimated at more than a billion dollars. He owned PrivatBank, Ukraine's largest financial institution, from 1992 to 2016. That year, the Ukrainian government nationalized the bank, which was on the brink of insolvency, and Kolomoisky and his associates were accused of embezzling five billion dollars. (Kolomoisky has denied these accusations.) He fled to Switzerland, and then to Israel. In the weeks before the election, Ukrainian journalists published records showing that Zelensky had travelled on a private jet thirteen times to Geneva and Tel Aviv, where Kolomoisky has homes. Zelensky was accompanied on many of those flights by Andriy Bohdan, Kolomoisky's lawyer, who later became Zelensky's chief of staff.

Vitaliy Shabunin, who heads the Anti-Corruption Action Center, in Kiev, said that a certain degree of proximity to a figure like Kolomoisky was unavoidable for a politician. "If you are a baker and can't get your loaves into the supermarket, your business is

destined to forever remain small-scale,” he said. “And, for Zelensky, the supermarket belongs to Kolomoisky.” Zelensky told me that, in the Ukrainian media, “every channel belongs to one large financial interest or another.” Given the long history he shared with 1+1, it was only logical that the channel supported his candidacy. But “support” on Ukrainian television doesn’t mean positive advertising, he clarified, so much as “how you are destroyed on this or that channel,” and, on Kolomoisky’s channel, “no one destroyed us.”

The twenty-four hours before an election in Ukraine are known as a “day of silence,” when no campaigning is allowed. 1+1 circumvented this rule by airing a variety show of *Kvartal 95* offerings featuring Zelensky and a documentary on Ronald Reagan, in which Zelensky voiced the President in Ukrainian. As if the parallel weren’t obvious enough, a spokesperson for the network explained, in a press statement, “Reagan traded his acting career for politics, where he achieved great results.” The next day, in the first round of voting, out of thirty-nine candidates, Zelensky came in first, with thirty per cent of the vote; Poroshenko came in second, with sixteen. In their final showdown, on April 19th, the two men met for a debate at Kiev’s Olympic Stadium. They taunted each other on a cramped stage. “I am the result of your mistakes,” Zelensky told Poroshenko.

Zelensky’s difficulties with the Trump Administration began not long after the election. In early May, Rudy Giuliani announced that he intended to go to Kiev. He wanted the Ukrainian authorities to pursue several matters, including investigations into Ukraine’s supposed interference in the 2016 U.S. election and into the Bidens. Adam Schiff, the chairman of the House Intelligence Committee, said that Giuliani was trying to recruit a foreign government to influence the U.S. electoral process. Giuliani cancelled his plans, blaming Democrats and various Ukrainians. “I’m not going to go, because I think I’m walking into a group of people that are enemies of the President—in some cases, enemies of the United States,” Giuliani said, on Fox News. According to the Western diplomat in Kiev, Zelensky’s team felt “personally targeted” by Giuliani’s comments. The policy adviser of Zelensky told me that this was the moment when Zelensky and his staff realized the difficulty of the position they were in: “We understood that there is a risk in being dragged into this struggle, and had a clear feeling that it’s definitely not where we want to end up.”

Around this time, Zelensky held a meeting ostensibly to talk about energy policy. Instead, the group spent hours discussing how to deal with Trump and Giuliani's expectations. "He was concerned," a person familiar with the meeting said, of Zelensky. "The reason for the meeting was about not wanting to say no to the President of the United States, whose support he was going to need on Russia, security and the I.M.F." Later that month, two Soviet-born businessmen, Igor Fruman and Lev Parnas, working for Giuliani, showed up in Kiev. They wanted to see Zelensky. He demurred, and dispatched Shefir, the Kwartal 95 executive, who was acting as one of his chief political advisers, to meet with them. According to someone familiar with the exchange, Shefir told them that the Zelensky team could not talk about a potential meeting with Giuliani until after the inauguration: "They"—the Zelensky advisers—"had the instinct not to stick their finger in the socket."

Meanwhile, journalists and diplomats in Ukraine were becoming newly concerned about Zelensky's relationship with Kolomoisky. Just before the inauguration, Kolomoisky had made a triumphant return to Ukraine on a private jet. In April, a district court in Kiev had declared the nationalization of PrivatBank illegal, inviting the possibility that the bank could be returned to him. In May, Kolomoisky told the *Financial Times* that Ukraine should simply default on its foreign debt. "We should treat our creditors the way Greece does," he said. "How many times has Argentina defaulted?" Defaulting would throw into turmoil loan negotiations with the I.M.F., and Zelensky said that Ukraine had no such plans. But, as a source familiar with the country's discussions with the I.M.F. said, "the reaction could have been stronger." Yulia Mostova, the editor of the Kiev-based *Mirror Weekly*, told me, "When the President wields personal control over law enforcement and the courts, it's terrible. But when the President doesn't have any influence on the judicial system, and these bodies use that freedom to spit on the law, it's no better."

In May, in a Holoborodko-esque gesture, Zelensky walked to his inauguration ceremony, giving high fives en route. In his speech, he spoke of how he wanted bureaucrats to remove portraits of the President from their offices. "Hang your kids' photos instead, and look at them each time you are making a decision," he said—an echo of Holoborodko's declaration, in his inaugural address, that his only promise was to "act in such a way that I won't be ashamed to look children in the eye." Then, in a

surprise move, Zelensky announced the dissolution of parliament and called for new elections.

In July, the Servant of the People Party came in first in the parliamentary elections, gaining enough seats to rule on its own, without forming a coalition. None of its M.P.s had held office before. In one race, a twenty-nine-year-old wedding photographer defeated the millionaire owner of a local aerospace factory, a four-term incumbent. In another, a former elections-commission official, who had been in parliament since the nineties, was ousted by the owner of a regional chain of pizzerias.

Volodymyr Fesenko, a veteran political analyst and the head of the Penta Center, a think tank in Kiev, explained that, whereas the two Maidan revolutions brought into power a “contra-élite”—a long-standing opposition that had experience in politics and government—Zelensky and the Servant of the People Party marked the first time that the country would be run by a “proto-élite” of outsiders. With a popularity rating above seventy per cent and an overwhelming majority in parliament, Zelensky had assembled more power than any Ukrainian leader in modern history.

He began to enact a series of sweeping changes. He cancelled legal immunity for parliamentary deputies, a move long sought by anti-corruption activists. He called for the private sale of farmland in the country, which the World Bank estimates could add fifteen billion dollars a year to the economy. On September 7th, after weeks of negotiations, he welcomed home thirty-five Ukrainians who had been held as prisoners by Russia, including the film director Oleg Sentsov, who had become a cause célèbre.

Zelensky hired a half-dozen writers and producers from Kvartal 95 to join him as Presidential advisers. They struck me as approachable and intelligent, if a bit intoxicated by their success. Tymoshenko, the producer, who now serves as a top communications adviser to Zelensky, told me that the administration had conducted research that it says shows that people are less interested in watching press conferences than in hearing the President himself. “They want the President to sit in front of a camera and speak with them directly, like, ‘Hey, guys, so here’s what happened last week,’” he said. Bohdan, Zelensky’s chief of staff, put it more bluntly: “We talk to the people without go-betweens, without journalists.” A hundred days into Zelensky’s Presidency, his first in-depth interview—with an actor from the Kvartal 95 troupe who

played Holoborodko's Prime Minister on "Servant of the People"—was far from hard-hitting.

During the campaign, Natalie Sedletska, the head of an investigative-news program called "Schemes," had tried to ask Zelensky about production contracts that Kwartal 95 had with Russian partners; he declined to comment. (A spokesperson for Zelensky said he does not remember receiving Sedletska's inquiry.) In January, reporters from "Schemes" waited for Zelensky outside his office, but he brushed past them, saying, "I don't owe you anything." Sedletska told me that she didn't necessarily believe that Zelensky was hiding explosive secrets, but did think that he might not be ready for his "collision with reality." She went on, "You're no longer just the darling of the people but the object of real scrutiny, and of real questions."

I recently spoke with Alexey Kiryushchenko, who directed all three seasons of "Servant of the People" and has adapted many American sitcoms for Ukrainian and Russian audiences. (Local versions of "The Nanny" and "Who's the Boss?" are among his biggest hits.) Kiryushchenko told me that he often gets stopped on the street: "People grab me to ask, 'Will there be a new season?' I tell them they've already missed it." That season, he explained, had begun with Zelensky's campaign and unlikely victory: "It's come to life, it's happening in real time."

In retrospect, what was unfolding looked less like a comedy than a geopolitical psychodrama. William Taylor testified that Trump, having promised Zelensky a White House meeting in a congratulatory letter on May 29th, declined to set a date for weeks. In the days before the July 25th phone call, Taylor said, Gordon Sondland, the Ambassador to the E.U., recommended to Zelensky that he use the phrase "I will leave no stone unturned" when he spoke to Trump. The morning of the call, Kurt Volker wrote a message to Andriy Yermak, a lawyer and a longtime friend of Zelensky's, who was acting as an emissary to the Trump Administration. Volker told Yermak that, if Zelensky managed to convince Trump that he would take action on the various issues of political interest to the U.S. President, "we will nail down date for visit to Washington."

Zelensky and his advisers, few of whom had experience in foreign diplomacy, spent much of the summer looking for a way out of their predicament. The Western diplomat in Kiev described for me the nature of his conversations with the Zelensky

administration: “The Ukrainians would ask us, ‘Is there a person we can talk to in the U.S.?’ They were looking for a magic solution, a person who could fix this and make it go away.” But U.S. policy toward Ukraine was split into what Taylor described as “two channels of U.S. policy-making and implementation, one regular and one highly irregular.” John Bolton, then Trump’s national-security adviser, “wanted to talk about security, energy, and reform” with Ukrainian officials, Taylor said, but Sondland “wanted to talk about the connection between a White House meeting and Ukrainian investigations.” One thing was clear, the Zelensky policy adviser said: “We were trying not to upset Trump, even as we knew we could not answer this question in a way that would satisfy all sides.”

In early August, Yermak and Giuliani decided to meet in Madrid. “Why should we rely on speculation and secondhand conversations?” Yermak recalled thinking. But their conversation seems to have led to further confusion: Giuliani left the meeting with the impression that Ukraine would pursue the investigations into the Bidens and Ukraine’s role in the 2016 U.S. election, while Yermak believed that he had made only general assurances that the new administration would look into a range of cases, as part of its over-all anti-corruption agenda. The Zelensky policy adviser wondered, in hindsight, whether engaging with unofficial emissaries like Giuliani under any circumstances had been a mistake. “People wanted to bring the President good news—I met Giuliani, I resolved everything,” the policy adviser said. But it was never going to be so simple. “We should have stayed away.”

Taylor, who had learned about the freezing of military aid to Ukraine on July 18th, said that, after a visit later that month to the front lines in the Donbass, he had become grimly aware that “more Ukrainians would undoubtedly die without the U.S. assistance.” He stated that Sondland had told Zelensky that, if he did not “clear things up” by issuing a public statement about the investigations, the two countries would be at a “stalemate.” Taylor took this to mean that Ukraine would not receive the military aid. He summarized the message he heard from Sondland and Volker: “When a businessman is about to sign a check to someone who owes him something, he said, the businessman asks that person to pay up before signing the check.”

Senator Chris Murphy, who sits on the Committee on Foreign Relations, told me that, when he met with Zelensky in Kiev on September 5th, Zelensky immediately brought

up the funds: “He started the meeting and said, ‘What’s going on with this aid, why isn’t it coming?’ He was clearly confused and bothered.” According to Taylor, in early September, Zelensky agreed to make a statement to CNN. But, on September 11th, the military aid was finally released, and the interview never happened.

Zelensky appeared to have settled on trying to funnel Trump’s requests through a formal legal process. Yermak told me that, if Trump and other officials had concerns, “it would be most logical to arrange a meeting between the Attorney General”—William Barr—“and our general prosecutor, where they could discuss all the issues regarding cooperation between the United States and Ukraine.” Mostova, of the *Mirror Weekly*, described the approach as a play for time. “They thought the pregnancy would go away on its own, shall we say, but it doesn’t work like that,” she said. The policy adviser said, of Zelensky, “He had only good intentions. He just wanted to do his job as President, and get the support he thought his country needed.”

In one sense, Zelensky was saved by the whistle-blower complaint, which seems to have put an end to Trump officials’ demands for investigations. But, as the impeachment inquiry proceeds in Washington, the challenge for Zelensky will be to avoid irritating a volatile American President while preserving good will among Democrats. Zelensky could be in a tough spot if, in the course of the impeachment inquiry, Congress requests to speak with Ukrainian officials or to access their documents. The Zelensky policy adviser said, “It’s like when a policeman comes up to you in America and says, ‘Whatever you say could be used against you.’ There is absolutely no benefit to getting involved.”

A former communications consultant to the Zelensky team suggested to me that one of the President’s biggest weaknesses is his *laikozavisimost*, or “likes dependency”—an attachment to the overwhelming approval that he has received on social media. Many prospective reforms, however, such as the fiscally necessary measure of raising domestic prices on heating gas, are certain to be unpopular. When I spoke to Zelensky, he conceded, “Most people loved what I did before. But, in *this* job, if you are the subject of such high expectations, you can fall rather painfully.” He added, “Worry and discomfort won’t affect my decisions. I’ve buried all that deep down.”

Though the pressure campaign from Trump is likely over, Zelensky’s relationship with Kolomoisky is a more persistent concern. The President may be required to distance

himself from the man who helped make his fame possible. Zelensky, during our conversation, insisted that he would not offer Kolomoisky any special privileges, and that he would push him, just as he was pushing other oligarchs, to spend a considerable amount of his fortune on social and infrastructure projects. Already, one oligarch had paid for a fleet of ambulances, and another had provided new apartments to the families of Ukrainian servicemen. Zelensky said that he tells each of them, "Look, buddy, the past is past. . . . But the time has come to give up the majority of your money to social projects and the reconstruction in the Donbass." He insisted that he was not afraid of offending Kolomoisky or of losing the support of 1+1. "If the channel turns against me after that—well, then we will understand that he doesn't want to live in a different way," he said.

In September, the administration in Kiev released a photograph showing Zelensky and Kolomoisky in Zelensky's office, smiling broadly. Several days later, Prime Minister Honcharuk told the *Financial Times* that the administration was seeking a "compromise" with Kolomoisky about the future of PrivatBank. The comments created a furor, and Honcharuk disavowed them. On September 17th, a house belonging to Kolomoisky's chief antagonist, Valeria Gontareva, a former head of Ukraine's central bank, was destroyed in an arson attack. No suspects were found, but the source familiar with the country's discussions with the I.M.F. said that it was "hard not to draw a connection" with Kolomoisky and the ongoing legal disputes surrounding PrivatBank. An agreement for a new I.M.F. loan package for Ukraine, worth as much as six billion dollars, has been delayed because of concerns about the independence of Ukraine's central bank. Zelensky condemned the burning of Gontareva's home, but for several weeks did not make any forceful statements about Kolomoisky and his efforts to have PrivatBank returned to him. The source said, "By not doing anything, he is showing where he stands." Finally, on October 23rd, Zelensky's administration made its position clear, saying that it sees "no reason to return the state-owned PrivatBank to its former shareholders."

On a recent evening, I went to see Kolomoisky in his office in Kiev. At fifty-six, he is avuncular, almost cuddly looking, with a curly mane of silver hair and a silver beard. He told me that, at first, he hadn't been sure about Zelensky's decision to enter politics, but that he'd quickly become certain of Zelensky's victory. "All he needed to do was

announce that he was running—that's it," Kolomoisky said. "He could have left on a three-month vacation and still would have won."

Zelensky said that he neither sought nor received any advice from Kolomoisky, and Kolomoisky told me that no one from Zelensky's administration had discussed the future of PrivatBank with him, or proposed any deals. "But, if they were thinking that way, they'd be smart," he said. He insisted that he'd had nothing to do with the burning of Gontareva's home, although, he said, "if you ask me how I feel about it, I don't care at all. She lost some property—it happens to all of us." He argued that his bank had been unfairly taken from him, and said that he wanted to either get it back or get some material compensation, knowing that either option would displease the I.M.F. and foreign lenders. He brought up the scene in "Servant of the People" in which Holoborodko sends the I.M.F. delegation packing: if he did it, why can't Zelensky? "He should tell them to fuck off," Kolomoisky said.

**B**y the end of September, Zelensky—facing increased pressure to make his positions on Trump and Kolomoisky clear—had still not held a substantive press conference or given an interview on the subjects to Ukrainian media. On October 1st, he announced that he was prepared to follow a set of conditions, first proposed by Germany's Foreign Minister, for bringing about an armistice in the Donbass conflict. A vocal minority considered the terms too favorable to Russia, and, five days later, thousands of people protested in Kiev. Zelensky's popularity ratings, though still above sixty per cent, were beginning to show their first slump.

Then, on October 9th, Zelensky announced that he would be speaking to the media the next day, in what he described as a "press marathon." The event was held at a food market that once housed a nineteenth-century munitions factory and now boasts the Instagram-friendly aesthetic that has become part of the global design vernacular: white tile, blond wood, and geometric light fixtures with softly lit neon bulbs. On the second-floor balcony, next to a counter offering shucked oysters, Zelensky sat with rotating groups of a dozen journalists from 10 A.M. until midnight.

His dealings with Trump came up almost immediately. "I really wanted to be world-famous, but not for this," Zelensky told one group of journalists. Shortly after noon, I took my place with another group at the table. The Ukrainian reporters pounced, asking Zelensky about his relationship with Kolomoisky and the situation with

PrivatBank. By way of explanation, Zelensky acted out what he said was his typical message to the oligarchs. “You have two billion dollars? O.K., one billion goes to paving roads,” he said, adding, “That’s how you have to talk with them—tough is good.”

As he had done in New York, he insisted that he had not been pressured on the call with Trump, and batted away more detailed questions on the subject. “I understand that, with my words today, I can influence the choice of the American people,” he said. Defending or accusing Trump “would be unjust, not just to the candidates but to voters.” It would be “a form of informational pressure,” he said, which could backfire on Ukraine. He told an American journalist, “We are not the service staff of American politicians.” He knew that many Americans—Democrats, voters, the reporters at the table—would have liked him to describe the messages that Trump and the people around him had passed to Ukraine. “I understand what you want—clearly and directly,” he said. “But I will not change any answers.” He sounded like a politician. ♦

*Published in the print edition of the November 4, 2019, issue, with the headline “The Swamp.”*



*Joshua Yaffa is a Moscow correspondent for The New Yorker. His first book, “Between Two Fires: Truth, Ambition, and Compromise in Putin’s Russia,” will be published in January. [Read more »](#)*

## Video

# TIME

## 'I Don't Trust Anyone at All.' Ukrainian President Volodymyr Zelensky Speaks Out on Trump, Putin and a Divided Europe



Ukrainian President Volodymyr Zelensky sits for a portrait in Kyiv on Nov. 30, 2019 Paolo Pellegrin—Magnum Photos for TIME

BY **SIMON SHUSTER / KYIV**

DECEMBER 2, 2019

**H**ardly six months into his tenure as the President of Ukraine, Volodymyr Zelensky has already learned to temper his expectations. He does not expect his first round of peace talks with Russia, which are scheduled to take place in Paris on Dec. 9, to end the war that has been raging along their border for the past five years. Nor does he expect too much from his Western allies

going into these negotiations, Zelensky said in a wide-ranging interview on Saturday.

Speaking to reporters from TIME and three of Europe's leading publications, the President explained that, despite getting caught up in the impeachment inquiry now unfolding in Washington, D.C., Ukraine still needs the support of the United States.

Otherwise his country does not stand much of a chance, Zelensky said, in its effort to get back the territory Russia seized from Ukraine in 2014, starting with the Crimean Peninsula. Nor can Ukraine rely on steady financial support from abroad if President Donald Trump and his allies continue to signal to the world that Ukraine is corrupt, Zelensky said. "When America says, for instance, that Ukraine is a corrupt country, that is the hardest of signals."

During the interview in his office in Kyiv, the comedian-turned-president denied, as he has done in the past, that he and Trump ever discussed a decision to withhold American aid to Ukraine for nearly two months in the context of a quid pro quo involving political favors, which are now at the center of the impeachment inquiry in Congress.

But he also pushed back on Trump's recent claims about corruption in Ukraine, and questioned the fairness of Trump's decision to freeze American aid. "If you're our strategic partner, then you can't go blocking anything for us," he said. "I think that's just about fairness. It's not about a quid pro quo."

Zelensky's focus during the interview, as it has been throughout his time in office, was on the effort to end Ukraine's war against Russia and its proxies, who still control two separatist strongholds in the region of Ukraine known as the Donbass. More than 13,000 Ukrainians have died as a result of that conflict, and more are killed or wounded every week. Yet the European attempts to mediate an end to the fighting have been stalled for over three years.



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For the first time since the fall of 2016, Russian President Vladimir Putin has confirmed that he will attend the talks under what's known as the Normandy format, with the leaders of France and Germany acting as mediators. But without consistent pressure from the U.S., Zelensky is hardly sure the Europeans will deliver on their promises to defend his country's land, its people and its economy.

What follows is a partial transcript of the hourlong interview, which was conducted jointly by TIME, *Le Monde* of France, *Der Spiegel* of Germany and *Gazeta Wyborcza* of Poland. It has been condensed and edited for clarity by TIME.

### **Interviewer: What are you expecting from the peace talks on Dec. 9?**

Zelensky: Experience shows that these meetings go on for many hours. They vary. Often these meetings go in circles, with people repeating the same things

to each other. Here's what I know from studying them: people have come to these meetings intending for nothing to happen.

**So in the past the negotiators were just pretending?**

That is how I felt. Maybe they came with different goals. Each country has its position. And no doubt Germany and France both did a lot to make these [upcoming] talks happen. That's already a victory. It's a victory when the weapons fall silent and people speak up. That's already the first step.

**What are the next steps?**

First is a prisoner exchange, a real exchange within a clear timeframe. Second is, I think, very difficult, and that's a ceasefire. It was laid down in all the [previous agreements] as the priority, as the first point, in all the agreements and in all the statements. But we have to understand that, indeed, the shooting slowed down. That's true. But it did not stop. So when we say ceasefire, that's what we have to achieve. These first two points are related to the lives of people. That's why, for me, those are the two most important points.

**What about the need to hold elections in the regions held by pro-Russian separatists?**

When we talk about elections, we have to understand the third point: before elections, we need a full withdrawal, a full disarming of all illegal formations, military formations, no matter the type, no matter the group, no matter the uniform, no matter what weapons. Resolving these three points will create an understanding that we want to end the war. We definitely want that. But that will create an understanding that Russia is also very strongly intent on this.

**So Ukraine will not agree to hold elections in the occupied regions until the withdrawal of forces?**

Of course not.

**What about the border? When will Ukraine regain control of its border with Russia, including the sections now held by the separatist forces?**

Yes, that's the most difficult question. The most difficult. If we even get to it, it will be the most difficult question in these negotiations. But I'll confess to you honestly, I don't support the way this is spelled out in the [previous] agreements. [Under those agreements,] the elections are to happen, and then the control of the borders goes to Ukraine... I don't agree with the sequence of these actions.

**And what if the talks achieve nothing?**

Look, we are at home here. It is a piece of our land that was taken away. I will not agree to go to war in the Donbass. I know there are a lot of hotheads, especially those who hold rallies and say, 'Let's go fight and win it all back!' But at what price? What is the cost? It's another story of lives and land. And I won't do it. If that doesn't satisfy society, then a new leader will come who will satisfy those demands. But I will never go for that, because my position in life is to be a human being above all. And I cannot send them there. How? How many of them will die? Hundreds of thousands, and then an all-out war will start, an all-out war in Ukraine, and then across Europe.

**What are your impressions and expectations from Putin?**

We've had three calls with the President of Russia. I think they were productive. We got our sailors back [in a prisoner exchange]. We got back our guys who wound up behind bars under tragic circumstances, our political prisoners. That's very important.

**Q: Do you have any trust in Putin going into these talks?**

I don't trust anyone at all. I'll tell you honestly. Politics is not an exact science. That's why in school I loved mathematics. Everything in mathematics was clear to me. You can solve an equation with a variable, with one variable. But here it's only variables, including the politicians in our country. I don't know these

people. I can't understand what dough they're made of. That's why I think nobody can have any trust. Everybody just has their interests.

**Ukraine has long asked the U.S. to play a greater role in the peace talks between Russia and Ukraine. That's what Kurt Volker, the Trump Administration's special envoy to the peace process, was trying to do...**

He tried. He tried hard. That's true. And I think he had a lot of success. I wasn't a witness to everything he did, because I wasn't President at the time. But I saw that in those moments when we met, he really was active in defending our position.

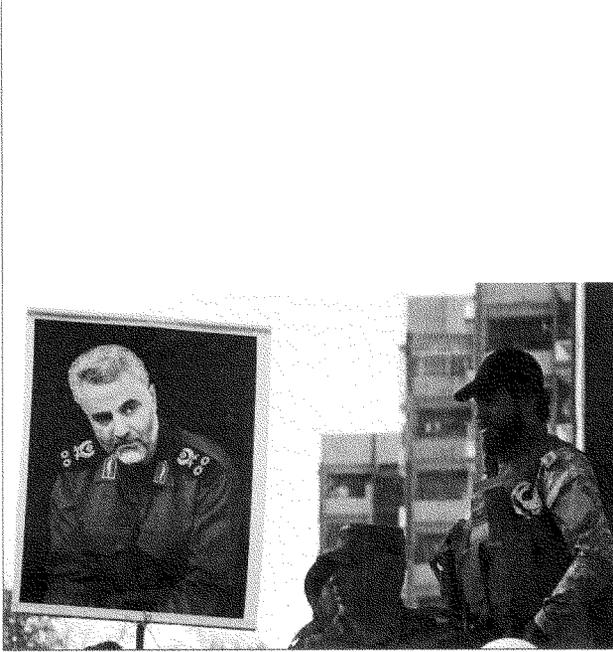
**But in the context of the impeachment inquiry, Volker has left his post, as have other officials who supported Ukraine within the Trump Administration. In that context, how do you see the U.S. role in the peace process? How has it changed in the last few months, and how do you see it going forward?**

First off, I would never want Ukraine to be a piece on the map, on the chess board of big global players, so that someone could toss us around, use us as cover, as part of some bargain... As for the United States, I would really want – and we feel this, it's true – for them to help us, to understand us, to see that we are a player in our own right, that they cannot make deals about us with anyone behind our backs. Of course they help us, and I'm not just talking about technical help, military aid, financial aid. These are important things, very important things, especially right now, when we are in such a difficult position.

| SPOTLIGHT STORY |

**Why the Assassination of Iran's  
Qasem Soleimani Has the U.S.  
Bracing for Retaliation**

The Quds Force commander was the face of Iran's regional ambitions



The United States of America is a signal, for the world, for everyone. When America says, for instance, that Ukraine is a corrupt country, that is the hardest of signals. It might seem like an easy thing to say, that combination of words: Ukraine is a corrupt country. Just to say it and that's it. But it doesn't end there. Everyone hears that signal. Investments, banks, stakeholders, companies, American, European, companies that have international capital in Ukraine, it's a signal to them that says, 'Be careful, don't invest.' Or, 'Get out of there.' This is a hard signal. For me it's very important for the United States, with all they can do for us, for them really to understand that we are a different country, that we are different people. It's not that those things don't exist. They do. All branches of government were corrupted over many years, and we are working to clean that up. But that signal from them is very important.

**Yet last week President Trump said on live television that Ukrainians are corrupt, and they steal money. Do you have a plan for changing his mind?**

I don't need to change his mind. During my meeting with him, I said that I don't want our country to have this image. For that, all he has to do is come and have a look at what's happening, how we live, what kinds of people we are. I had the sense that he heard me. I had that sense. At least during the meeting, he said, 'Yes, I see, you're young, you're new, and so on.'

**What role do you see the U.S. playing in the peace process going forward?**

America, first of all, has its direct relations with Russia. To influence Russia, to make everyone see that this [war] is a big tragedy, and that it must end, I think that Mr. Trump can speak directly, and I think they do talk about these things.

**Trump and Putin?**

Yes. I don't like when others talk about us without us there, in the sense of some benefits for them. But if it's a conversation along the lines of, 'Look, let's make this stop. Ukraine is different now. Ukraine wants to stop it. There is no radicalism. No one is killing and eating anyone in that country. See for yourself. Come on.' Then the whole world would support Ukraine, and America is one of the keys to this happening.

**President Emmanuel Macron of France recently said that NATO is experiencing brain death. What do you think about that? And what do you think about the reset of relations he wants with Russia, saying that Russia is part of Europe, and Russia is not a threat? Do you agree with it?**

For us, look, it does sound strange. When it comes to Russia, it seems France has different relations now with Russia. I think some of these words are linked with the weakening of sanctions policy. That's what I have seen more deeply now. I understand, because economically, [the sanctions policy] doesn't benefit France and Germany. But when we're talking about human beings, we shouldn't consider benefits. And on this, the European leaders guaranteed to me that the sanctions policy would stay the same until we get all of our territory back.

**Does that include Crimea?**

That includes Crimea.

**Heading into these peace talks, do you feel the right signals from Paris and Berlin? Or do you feel that you'll be somewhat on your own with Putin there?**

I'm the type of person who responds to facts. I believe that our European partners must support us, and if they must, then they will. But I will see this in the first half hour. If I see around the table that this is not the case, I will say so straight out. I would like to hope that everyone understands the problem is deeper than fixing economic problems within this or that country.

**Even while acting as a mediator in these talks, German Chancellor Angela Merkel has pushed ahead with a new gas pipeline from Russia to Germany, known as Nord Stream 2. That pipeline would bypass Ukraine, costing your government up to \$3 billion per year in income from the transport of natural gas. Do you still see a chance of blocking that pipeline?**

I want European leaders to settle on a different result when it comes to Nord Stream, and take different steps. I don't know what else I can say about North Stream 2. We don't have influence over the Europeans' decision. We don't have it, and that's it. I don't have any leverage. I can only count on the strong support that I see on this question from the United States of America.

**Is that the only thing that can stop it?**

That's the only thing that can stop it. That's it!

**When did you first sense that there was a connection between Trump's decision to block military aid to Ukraine this summer and the two investigations that Trump and his allies were asking for? Can you clarify this issue of the quid pro quo?**

Look, I never talked to the President from the position of a quid pro quo. That's not my thing. ... I don't want us to look like beggars. But you have to understand. We're at war. If you're our strategic partner, then you can't go

1/3/2020

Ukraine's Volodymyr Zelensky Interview on Trump, Putin | Time

blocking anything for us. I think that's just about fairness. It's not about a quid pro quo. It just goes without saying.

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TIME



## 'Nobody Pushed Me.' Ukrainian President Denies Trump Pressured Him to Investigate Biden's Son

BY TARA LAW

SEPTEMBER 25, 2019

Ukrainian President Volodymyr Zelensky sat beside President Donald Trump on Wednesday as he denied that Trump pressured him to investigate former Vice President and current 2020 presidential candidate Joe Biden's son for his work in the country.

The two leaders held a meeting at the U.N. one day after Speaker Nancy Pelosi announced that the House would launch a formal impeachment inquiry into Trump following reports of the President's phone call with Zelensky in July. Speaking to reporters on Wednesday, Zelensky declared that he had not been pressured during the July phone call, and insisted that he does not want to interfere in a foreign election. Earlier on Wednesday, the White House released a summary of the phone call, which is comprised of "notes and recollections" from staff assigned to listen to the call and is not a transcript of the call.

In one exchange from the White House memo, Zelensky thanks Trump for his support of Ukraine's defense. Trump responds, "I would like you to do us a favor though" and asks for Ukraine to investigate a matter related to the 2016 hacking of Democratic National Committee servers.

"I think you read everything. I think you read text," Zelensky said to the gathered reporters on Wednesday. "I'm sorry, but I don't want to be involved to democratic, open elections of U.S.A. 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."

“So no pressure,” Trump added.

President Trump has been embroiled in controversy since last week, when reports emerged that a whistleblower in the U.S. intelligence community had filed a complaint about a phone call between the two heads of state. An official said that the whistleblower “found troubling” “certain representations concerning U.S. policy” during the call.

Trump had previously admitted that he and Zelensky discussed former Biden’s son Hunter Biden during the phone call, but has denied that the call went into inappropriate territory and has insisted there was “no quid pro quo.” The *Washington Post* reported last week that Trump froze nearly \$400 million in aid from the country at least a week before the July 25 phone call with Zelensky. The funds were eventually released on Sept. 11.

Taking questions in Ukrainian and English on Wednesday, Zelensky said that he doesn’t have the authority to pressure Ukrainian law enforcement, and did not attempt to do so.

“We have an independent country and independent general security. I can’t push anyone,” Zelensky said.

Trump again accused the former Vice President’s son of corruption, although this claim has not been substantiated with evidence. Joe Biden said this past weekend that he “never” spoke with his son about the younger Biden’s overseas dealings.

**WRITE TO TARA LAW AT [TARA.LAW@TIME.COM](mailto:TARA.LAW@TIME.COM).**

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## U.S. Department of State Diplomacy in Action

### Marie L. Yovanovitch



U.S. Ambassador to Ukraine

Term of Appointment: 08/2016 to present

Marie Yovanovitch is the U.S. Ambassador to Ukraine. She previously served as Ambassador to the Republic of Armenia (2008-2011) and the Kyrgyz Republic (2005-2008). She most recently served as the Dean of the School of Language Studies at the Foreign Service Institute, U.S. Department of State. Previously she was the International Advisor and Deputy Commandant at the Dwight D. Eisenhower School for National Security and Resource Strategy, National Defense University. Earlier she served as the Principal Deputy Assistant Secretary for the Bureau of European and Eurasian Affairs and before that as the bureau's Deputy Assistant Secretary responsible for issues related to the Nordic, Baltic, and Central European countries.

In 2003-2004, Ambassador Yovanovitch was the Senior Advisor to the Under Secretary of State for Political Affairs. Prior to that, she was the Deputy Chief of Mission of the U.S. Embassy in Kyiv, Ukraine. Within the Department of State, Ambassador Yovanovitch has worked on the Russia desk, the Office of European Security Affairs, and the Operations Center. She has also worked overseas at the U.S. Embassies in Moscow, London, Ottawa, and Mogadishu.

A Career Member of the Senior Foreign Service, Ambassador Yovanovitch has been granted the Senior Foreign Service Performance Award six times and the State Department's Superior Honor Award on five occasions. She is also the recipient of the Presidential Distinguished Service Award and the Secretary's Diplomacy in Human Rights Award.

Ambassador Yovanovitch is a graduate of Princeton University where she earned a BA in History and Russian Studies. She studied at the Pushkin Institute and received an MS from the National Defense University.

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## Ukraine Prosecutor General Lutsenko admits U.S. ambassador didn't give him a do not prosecute list

09:40, 18 April 2019

© 13281 0



Lutsenko shared details about his meeting with the U.S. ambassador way back in 2017.



PGO chief Yuriy Lutsenko / Photo from UNIAN

Ukrainian Prosecutor General Yuriy Lutsenko has admitted that U.S. Ambassador Marie Yovanovitch did not give him a do not prosecute list, which he had previously stated.



registered for official housing [in Kyiv], while she had never left Lviv. That had signs of abuse."

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**The Hill: Top Ukrainian justice official says U.S. ambassador gave him a do not prosecute list**

Lutsenko recalled Yovanovitch insisted Kasko was an outstanding anti-corruption activist, and "the criminal case discredited those who were fighting against corruption."

"I shared the details and explained that I could not open and close cases on my own. I listed some so-called anti-corruption activists under investigation. She said it was unacceptable, as it would undermine the credibility of anti-corruption activists. I took a piece of paper, put down the listed names and said: 'Give me a do not prosecute list.' She said: 'No, you got me wrong.' I said: 'No, I didn't get you wrong. Such lists were earlier drawn up on Bankova Street [the presidential administration's address, Lutsenko meant the Yanukovych administration], and now you give new lists on Tankova Street [the former name of Sikorsky Street, where the U.S. Embassy is located]. The meeting ended. I'm afraid the emotions were not very good," Lutsenko gave the details of his meeting with the ambassador.





As UNIAN reported, Lutsenko told Hill.TV early in March 2019 that when he first met with U.S. Ambassador Yovanovitch in Kyiv, she allegedly gave him a list of people who should not be prosecuted. In addition, Lutsenko complained that his office had not received \$4 million, which the U.S. government should have provided as support.

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Tags: #corruption #anticorruption #Lutsenko #PCO #Yovanovitch #fightingcorruption

## Russia sanctions to be boosted if Kremlin rejects option of int'l peacekeepers in Donbas – Ukraine official

09:00, 18 April 2019

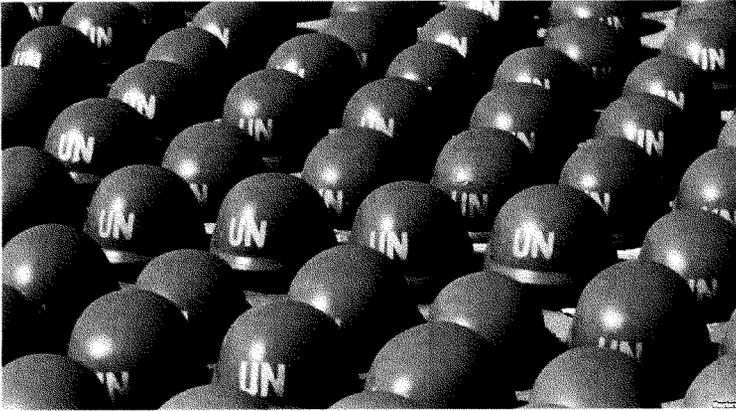
Politics

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If Russia agrees to the peacekeeping mission, it will have three months to withdraw its forces from Ukraine, according to





REUTERS

Deputy Minister for the Temporarily Occupied Territories of Ukraine, Yuriy Hrymchak, has said hope remains that the Normandy Four summit will be held June 6, 2019.

He also recalled the statement of President of Ukraine, Petro Poroshenko, who claimed that Russia lost \$150-170 billion over international sanctions imposed as a result of Moscow's failure to comply with the Minsk Agreements on Donbas settlement, according to [Obozrevatel](#).

Hrymchak noted a new package of restrictions was being prepared, targeting Russia, which will be boosted if the Kremlin refuses to allow UN "blue helmets" deployment in the Ukrainian Donbas.

Read also



If Russia does agree to the deployment of UN peacekeepers throughout the entire territory of Donetsk and Luhansk regions (including those occupied by Russian proxy forces), the policing mission will need from three to six months before

✕



state will have three months to withdraw its forces from Ukraine, according to Hrymchak.

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Tags: #Russia #Donbas #UnitedNations #sanctions #RussianAggression #NormandyFour #peacekeepers #Hrymchak

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1/2/2020

What really happened when Biden forced out Ukraine's top prosecutor



## POLITICS

# Explainer: Biden, allies pushed out Ukrainian prosecutor because he didn't pursue corruption cases

**Courtney Subramanian** USA TODAY

Published 4:00 a.m. ET Oct. 3, 2019 | Updated 12:26 p.m. ET Nov. 15, 2019

WASHINGTON – A whistleblower complaint centering on President Donald Trump's phone call with the Ukrainian president has spurred a number of allegations and counterallegations as Republicans and Democrats jockey for position amid an impeachment inquiry.

At the heart of Congress' probe into the president's actions is his claim that former Vice President and 2020 Democratic frontrunner Joe Biden strong-armed the Ukrainian government to fire its top prosecutor in order to thwart an investigation into a company tied to his son, Hunter Biden.

But sources ranging from former Obama administration officials to an anti-corruption advocate in Ukraine say the official, Viktor Shokin, was ousted for the opposite reason Trump and his allies claim.

It wasn't because Shokin was investigating a natural gas company tied to Biden's son; it was because Shokin wasn't pursuing corruption among the country's politicians, according to a Ukrainian official and four former American officials who specialized in Ukraine and Europe.

Shokin's inaction prompted international calls for his ouster and ultimately resulted in his removal by Ukraine's parliament.

Without pressure from Joe Biden, European diplomats, the International Monetary Fund and other international organizations, Shokin would not have been fired, said Daria Kaleniuk, co-founder and executive director of the Anti Corruption Action Centre in Kiev.

"Civil society organizations in Ukraine were pressing for his resignation," Kaleniuk said, "but no one would have cared if there had not been voices from outside this country calling on him to go."

In a July phone call, Trump asked the president of Ukraine to investigate Biden's actions. That prompted a whistleblower to accuse Trump of asking a foreign government to interfere in the 2020 presidential election, which is now the subject of an impeachment inquiry.

## **Trump's assertion contradicted**

The actions at the center of Trump's allegation occurred in late 2015 and early 2016, when U.S. aid was critical to Ukraine. Russia had seized control of Ukraine's Crimean Peninsula and was supporting separatists who were fighting Ukrainian forces in the eastern part of the country.

Biden took an interest in Ukraine, said Steven Pifer, a William J. Perry fellow at Stanford University and former ambassador to Ukraine under President Bill Clinton.

"You saw the vice president begin to emerge as really sort of the senior policy lead on Ukraine," Pifer said. "It's good to have attention at that level."

At one point, Biden withheld \$1 billion in aid to Ukraine to pressure the government to remove Shokin from the Prosecutor General's Office.

Trump and his personal attorney Rudy Giuliani claim Biden did this to quash Shokin's investigation into Ukraine's largest gas company, Burisma Holdings, and its owner, oligarch Mykola Zlochevsky.

They say this benefited Biden's son, Hunter Biden, who served on Burisma's board of directors – for which he was paid \$50,000 a month.

Their assertion is contradicted by former diplomatic officials who were following the issue at the time.

Burisma Holdings was not under scrutiny at the time Joe Biden called for Shokin's ouster, according to the National Anti-Corruption Bureau of Ukraine, an independent agency set up in 2014 that has worked closely with the FBI.

Shokin's office had investigated Burisma, but the probe focused on a period before Hunter Biden joined the company, according to the anti-corruption bureau.

The investigation dealt with the Ministry of Ecology, which allegedly granted special permits to Burisma between 2010 and 2012, the agency said. Hunter Biden did not join the company until 2014.

**Read it yourself:** The full declassified text of the Trump whistleblower complaint

Critics of Hunter Biden have questioned how he landed such a lucrative role with no experience in Ukraine or the gas industry.

But it's not unusual for Ukrainian companies to bring on high-profile people from the West in an effort to burnish their image and gain influence, Pifer said.

Cofer Black, who served as Bush's CIA counterterrorism chief, joined Burisma's board in 2017.

There is no evidence Hunter Biden did anything wrong, said Yuri Lutsenko, the prosecutor general who succeeded Shokin.

However, Lutsenko, who's also faced criticism for his actions as prosecutor, supported Trump's claim before changing his story. He resigned as prosecutor in August.

The Burisma investigation ended with a settlement and a fine paid by one of the firm's accountants, according to Sergii Leshchenko, a former Ukrainian lawmaker who spearheaded anti-corruption efforts under former President Petro Poroshenko.

## **How Biden leveraged U.S. aid to oust prosecutor**

In the wake of the 2014 ouster of pro-Russian president Viktor Yanukovich, European and U.S. officials stepped up their efforts to deal with corruption in Ukraine.

"A big part of our diplomacy was pushing the Ukrainian government to clean up the corruption, partly because it was that corruption that allowed Russia to manipulate the country politically and economically," said Charlie Kupchan, who served as a special assistant to President Barack Obama and a senior director for European Affairs on the National Security Council.

Biden used U.S. aid as "a stick to move Ukraine forward," Kupchan said. "He was acting alongside our European allies. Everybody was of a single mind that this prosecutor was not the right guy for the job."

Biden has boasted about his role in getting Shokin fired. During a 2018 speech at the Council on Foreign Relations, he said he withheld \$1 billion in loan guarantees for Ukraine in order to force the government to address the problem with its top prosecutor.

"I looked at them and said: 'I'm leaving in six hours. If the prosecutor is not fired, you're not getting the money. Well, son of a bitch. He got fired. And they put in place someone who was solid at the time,'" he said.

Pifer, who also oversaw diplomacy with Russia and Ukraine under President George W. Bush, said it was appropriate for Biden to use U.S. aid as leverage. He said he used similar methods to pressure Ukraine.

Even without any credible evidence that Joe Biden sought to benefit his son, Pifer said Hunter Biden showed poor judgment in getting involved with Ukraine.

"At that point, it was pretty clear that his father was already the lead American policy person on Ukraine," he said. "And even if there's no conflict of interest, I think that he should have been more mindful of how that appears."

## **International effort to fight corruption in Ukraine**

The international effort to remove Shokin, who became prosecutor general in February 2015, began months before Biden stepped into the spotlight, said Mike Carpenter, who served as a foreign policy adviser to Biden and a deputy assistant secretary of defense, with a focus on Ukraine, Russia, Eurasia, the Balkans, and conventional arms control.

As European and U.S. officials pressed Ukraine to clean up Ukraine's corruption, they focused on Shokin's leadership of the Prosecutor General's Office.

"Shokin played the role of protecting the vested interest in the Ukrainian system," said Carpenter, who traveled with Biden to Ukraine in 2015. "He never went after any corrupt individuals at all, never prosecuted any high-profile cases of corruption."

That demonstrated that Poroshenko's administration was not sincere about tackling corruption and building strong, independent law enforcement agencies, said Heather Conley, director of the Europe program at the Center for Strategic and International Studies, a Washington-based foreign policy think tank.

In July 2015, Shokin's office became mired in scandal after authorities raided homes belonging to two high-ranking prosecutors. Police seized millions of dollars worth of

diamonds and cash, suggesting the pair had been taking bribes.

It became known as the "diamond prosecutors" case. Deputy General Prosecutor Vitaliy Kasko, who said he tried to investigate it, resigned months later, calling the prosecutor's office a "hotbed of corruption" and an "instrument of political pressure."

Shokin's office also stepped in to help Zlochevsky, the head of Burisma.

British authorities had frozen \$23 million in a money-laundering probe, but Shokin's office failed to send documents British authorities needed to prosecute Zlochevsky. The case eventually unraveled and the assets were unfrozen.

In October 2015, Ukrainians staged a protest outside Poroshenko's home calling for Shokin's removal.

## **Pressure mounts to remove Shokin**

In late 2015, U.S. officials stepped up the pressure.

During a September 2015 speech at a financial forum in Odessa, U.S. Ambassador to Ukraine Geoffrey Pyatt decried the inability of Shokin's office to root out corruption.

**Biden and Ukraine:** Will Trump's efforts to discredit the former VP hurt him?

"Rather than supporting Ukraine's reforms and working to root out corruption," Pyatt said, "corrupt actors within the Prosecutor General's Office are making things worse by openly and aggressively undermining reform."

In October 2015, then-Assistant Secretary of State Victoria Nuland told the Senate Foreign Relations committee the Prosecutor General's Office must lock up "dirty personnel" in its own office.

In December 2015, Biden railed against the "cancer of corruption" in a speech before the country's parliament and called out Shokin's office.

Besides Biden's threat over the \$1 billion in aid, the International Monetary Fund threatened to delay \$40 billion in aid for similar reasons.

Shokin was eventually removed from his position in the spring of 2016.

The decision to remove Shokin "creates an opportunity to make a fresh start in the Prosecutor General's Office," said Jan Tombinski, the EU's ambassador to Ukraine, in a

written statement.

"I hope," Tombinski said, "that the new Prosecutor General will ensure that the Office of the Prosecutor General becomes independent from political influence and pressure and enjoys public trust."

*Contributing: Kim Hjelmgaard*



## NEWS

# Trump says Rudy Giuliani will give information about Ukraine to Justice Department, Congress

**David Jackson** USA TODAY

Published 6:12 p.m. ET Dec. 7, 2019 | Updated 6:30 p.m. ET Dec. 7, 2019

WASHINGTON – President Donald Trump said Saturday his personal lawyer, Rudy Giuliani, will provide the Justice Department information on his investigation of Ukraine, the country at the center of the impeachment investigation of Trump.

"He has not told me what he found, but I think he wants to go before Congress ... and also to the attorney general and the Department of Justice," Trump told reporters at the White House.

Giuliani has said he has been in Ukraine talking to officials and ex-officials there about former Vice President Joe Biden and son Hunter Biden, who has had business interests in the country.

Impeachment investigators and other critics of the president said Trump and Giuliani are trying to muddy the waters of the investigation by dragging in unsubstantiated allegations against the Bidens.

"Having failed to succeed in getting a foreign government to investigate his political rival, Trump turns to the Justice Department," tweeted Matthew Miller, a spokesman for Barack Obama's Justice Department.

**Mike Pence:** Mike Pence's office says it doesn't know what Adam Schiff wants declassified in impeachment inquiry

House Democrats are looking at evidence Trump and perhaps others tried to coerce Ukrainian President Volodymyr Zelensky into investigating Democratic political opponents.

They are also investigating whether the Trump administration withheld military aid from Ukraine until Zelensky followed through.

In a series of tweets, Giuliani has said he has looked into Ukraine and the Bidens, and "this evidence will all be released very soon."

Associates of Giuliani are under investigation themselves for their actions in Ukraine. And Giuliani himself has refused to testify at congressional impeachment hearings, claiming the inquiry is biased.

While leaving the White House on a trip to Florida on Saturday, Trump said Giuliani "says he has a lot of good information. I have not spoken to him about that information yet."

**Nixon, Clinton, Trump:** Why is the political 'fire extinguisher' of impeachment more common?

Trump, Giuliani, and allies have promoted unsubstantiated allegations that Biden, while vice president, sought to have a prosecutor fired so that he would not investigate Hunter Biden and a Ukraine gas company.

Joe Biden, however, never made a secret of his desire to have the prosecutor fired, and there is no evidence of wrongdoing by Hunter Biden or the company.

Biden, a Democratic presidential candidate, has accused Trump of seeking to dig up dirt on him and his family because he fears him as opponent in the 2020 presidential election.



**OPINION | Editorial** *This editorial reflects the opinion of this publication's Editorial Board.*

# USA TODAY's Editorial Board: Impeach President Trump

*The president's Ukraine shakedown and stonewalling are too serious for the House to ignore: Our view*

**The Editorial Board** USA TODAY

Published 5:36 p.m. ET Dec. 11, 2019 | Updated 5:03 p.m. ET Dec. 12, 2019

*"Put your own narrow interests ahead of the nation's, flout the law, violate the trust given to you by the American people and recklessly disregard the oath of office, and you risk losing your job."*

USA TODAY's Editorial Board wrote those words two decades ago when it endorsed the impeachment of President Bill Clinton, a Democrat. Now, in graver circumstances with America's system of checks and balances at stake, they apply to another president facing impeachment, Republican Donald Trump.

The current board has made no secret of our low regard for Trump's character and conduct. Yet, as fellow passengers on the ship of state, we had hoped the captain would succeed. And, until recently, we believed that impeachment proceedings would be healthier for an already polarized nation than simply leaving Trump's fate up to voters next November.

## Trump leaves Democrats little choice

Unless public sentiment shifts sharply in the days and weeks ahead, that is the likely outcome of this process — impeachment by the Democratic-controlled House of Representatives followed by acquittal in the GOP-controlled Senate. So why bother? Because Trump's egregious transgressions and stonewalling have given the House little choice but to press ahead with the most severe sanction at its disposal.

Clinton was impeached by the House (but not removed by the Senate) after he tried to cover up an affair with a White House intern. Trump used your tax dollars to shake down a vulnerable foreign government to interfere in a U.S. election for his personal benefit.

**GOP LEADER ON HOUSE JUDICIARY COMMITTEE:** Articles establish nothing impeachable and allege no crime

In his thuggish effort to trade American arms for foreign dirt on former Vice President Joe Biden and his son Hunter, Trump resembles not so much Clinton as he does Richard Nixon, another corrupt president who tried to cheat his way to reelection.

This isn't partisan politics as usual. It is precisely the type of misconduct the framers had in mind when they wrote impeachment into the Constitution. Alexander Hamilton supported a robust presidency but

worried about “a man unprincipled in private life desperate in his fortune, bold in his temper” coming to power. Impeachment, Hamilton wrote, was a mechanism to protect the nation “from the abuse or violation of some public trust.”

## Approve articles of impeachment

Both articles of impeachment drafted by the House Judiciary Committee warrant approval:

► **Abuse of power.** Testimony before the House Intelligence Committee produced overwhelming evidence that Trump wanted Ukraine’s new president to announce investigations into the Bidens and a debunked theory that Ukraine, not Russia, interfered in the 2016 U.S. election.

To pressure the Ukrainian leader, Trump withheld a White House meeting and nearly \$400 million in congressionally approved security aid, funding that was released only after an unnamed official blew the whistle.

To former national security adviser John Bolton, the months-long scheme was the equivalent of a “drug deal.” To Bolton’s former aide Fiona Hill, it was a “domestic political errand” that “is all going to blow up.” To Bill Taylor, the top U.S. diplomat in Ukraine, “it’s crazy to withhold security assistance for help with a political campaign.” And to Ukrainian soldiers, fighting to fend off Russian aggression in the eastern part of their country, the money was a matter of life and death.

► **Obstruction of Congress.** Trump has met the impeachment investigation with outright and unprecedented defiance. The White House has withheld documents, ordered executive branch agencies not to comply with subpoenas and directed administration officials not to testify.

Allowing this obstruction to stand unchallenged would put the president above the law and permanently damage Congress’ ability to investigate misconduct by presidents of either party.

The president’s GOP enablers continue to place power and party ahead of truth and country. Had any Democratic president behaved the way Trump has — paying hush money to a porn star, flattering dictators and spewing an unending stream of falsehoods — there’s no doubt congressional Republicans would have tried to run him out of the White House in a New York minute. Twenty-seven Republicans who voted to impeach or convict Clinton remain in Congress. If they continue to defend Trump, history will record their hypocrisy.

Our support for Trump’s impeachment by the House — we’ll wait for the Senate trial to render a verdict on removal from office — has nothing to do with policy differences. We have had profound disagreements with the president on a host of issues, led by his reckless deficits and inattention to climate change, both of which will burden generations to come.

Policy differences are not, however, grounds for impeachment. Constitutional violations are.

Bill Clinton should be impeached and stand trial “because the charges are too serious and the evidence amassed too compelling” to ignore, the Editorial Board wrote in December 1998.

The same can be said this December about the allegations facing Donald Trump. Only much more so.

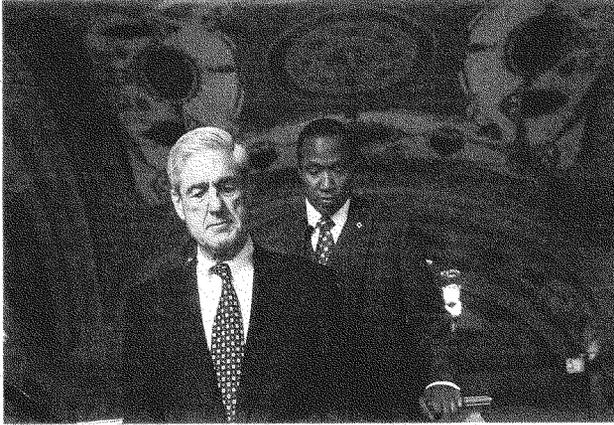
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**Vox**

## All of Robert Mueller's indictments and plea deals in the Russia investigation

The investigation is now complete.

By Andrew Prokno | [andrew@vox.com](mailto:andrew@vox.com) | Updated Dec 17, 2019, 12:10pm EST



Part of

### **The Vox guide to Robert Mueller's Trump-Russia investigation**

Special counsel Robert Mueller's team indicted or got guilty pleas from 34 people and three companies during their lengthy investigation.

That group is composed of six former Trump advisers, 26 Russian nationals, three Russian companies, one California man, and one London-based lawyer. Seven of these people (including five of the six former Trump advisers) have pleaded guilty.

If you also count investigations that Mueller originated but then referred elsewhere in the Justice Department, you can add a plea deal from one more person to the list.

It's a sprawling set of allegations, encompassing both election interference charges against overseas Russians, and various other crimes by American Trump advisers.

However, Mueller did not allege any crimes directly connecting the two — that is, that Trump advisers criminally conspired with Russian officials to impact the election.

Other reported focuses of Mueller's investigation — such as potential **obstruction of justice** by the Trump administration — also did not result in any charges.

Justice Department officials **told reporters** that this is the final list, and that no more indictments are coming from the special counsel's probe.

### The full list of Mueller indictments and plea deals

**1) George Papadopoulos**, former Trump campaign foreign policy adviser, was arrested in July 2017 and **pleaded guilty** in October 2017 to making false statements to the FBI. He got a 14-day sentence.

**2) Paul Manafort**, Trump's former campaign chair, was indicted on a total of 25 different counts by Mueller's team, related mainly to his past work for Ukrainian politicians and his finances. He had two trials scheduled, and the first ended in a conviction on eight counts of financial crimes. To avert the second trial, Manafort struck a plea deal with Mueller in September 2018 (though Mueller's team said in November that he **breached that agreement** by lying to them). He was sentenced to a combined **seven and a half years** in prison.

**3) Rick Gates**, a former Trump campaign aide and Manafort's longtime junior business partner, was indicted on similar charges to Manafort. But in February 2018 he agreed to a **plea deal with Mueller's team**, pleading guilty to just one false statements charge and **one conspiracy charge**. He was sentenced to 45 days in prison and 3 years of probation.

**4) Michael Flynn**, Trump's former national security adviser, **pleaded guilty** in December 2017 to making false statements to the FBI.

**5-20) 13 Russian nationals and three Russian companies** were indicted on conspiracy charges, with some also being accused of identity theft. The charges related to a Russian propaganda effort designed to interfere with the 2016 campaign. The companies involved are the **Internet Research Agency**, often described as a "Russian troll farm," and two

other companies that helped finance it. The Russian nationals indicted include 12 of the agency's employees and its alleged financier, Yevgeny Prigozhin.

**21) Richard Pinedo:** This California man **pleaded guilty** to an identity theft charge in connection with the Russian indictments, and has agreed to cooperate with Mueller. He was sentenced to 6 months in prison and 6 months of home detention **in October 2018**.

**22) Alex van der Zwaan:** This London lawyer **pleaded guilty** to making false statements to the FBI about his contacts with Rick Gates and another unnamed person based in Ukraine. He was sentenced to 30 days in jail and has completed his sentence.

**23) Konstantin Kilimnik:** This longtime business associate of Manafort and Gates, who's currently based in Russia, **was charged** alongside Manafort with attempting to obstruct justice by tampering with witnesses in Manafort's pending case last year.

**24-35) 12 Russian GRU officers:** These officers of Russia's military intelligence service were **charged with crimes** related to the hacking and leaking of leading Democrats' **emails** in 2016.

**36) Michael Cohen:** In August 2018, Trump's former lawyer pleaded guilty to 8 counts — tax and bank charges, related to his finances and taxi business, and campaign finance violations — related to hush money payments to women who alleged affairs with Donald Trump, as part of a separate investigation in New York (that Mueller had handed off). But in November, he made a plea deal with Mueller too, for lying to Congress about efforts to build a Trump Tower in Moscow.

**37) Roger Stone:** In January 2019, Mueller indicted longtime Trump adviser Roger Stone on 7 counts. He accused Stone of lying to the House Intelligence Committee about his efforts to get in touch with WikiLeaks during the campaign, and tampering with a witness who could have debunked his story. He was convicted on all counts after a November 2019 trial.

Finally, there is one other person Mueller initially investigated, but handed over to others in the Justice Department to charge: **Sam Patten**. This Republican operative and lobbyist **pleaded guilty** to not registering as a foreign agent with his work for Ukrainian political bigwigs, and agreed to cooperate with the government.

That's the full list, but we'll delve into the charges in a bit more detail below.

## The five ex-Trump aides who struck plea deals with Mueller



Mark Wilson/Getty Images

So far, no Trump associates have been specifically charged with any crimes relating to helping Russia interfere with the 2016 election.

Yet five have pleaded guilty to other crimes. Manafort and Gates were charged with a series of offenses related to their past work for Ukrainian politicians and their finances. Papadopoulos and Flynn both admitted making false statements to investigators to hide their contacts with Russians, and Cohen admitted making false statements to Congress.

**Papadopoulos:** Back in April 2016, Papadopoulos **got a tip** from a foreign professor he understood to have Russian government connections that the Russians had “dirt” on Clinton in the form of “thousands of emails.” He then proceeded to have extensive contacts with the professor and two Russian nationals, during which he tried to plan a Trump campaign trip to Russia.

But when the FBI interviewed Papadopoulos about all this in January 2017, he repeatedly lied about what happened, he now admits. So he was arrested in July 2017, and later agreed to plead guilty to a false statements charge, which was dramatically unsealed in October 2017.

Initially, it seemed as if Papadopoulos was cooperating with Mueller's probe. But we later learned that the special counsel cut off contact with him in late 2017, after he talked to the press. In the end, he didn't provide much information of note, Mueller's team said in court filing. His involvement with the investigation now appears to be over, and in September 2018, he was sentenced to 14 days incarceration.

**Flynn:** In December 2016, during the transition, Flynn spoke to Russian Ambassador Sergey Kislyak about sanctions that President Barack Obama had just placed on Russia, and about a planned United Nations Security Council vote condemning Israeli settlements.

But when FBI agents interviewed him about all this in January 2017, Flynn lied to them about what his talks with Kislyak entailed, he now admits. In December 2017, Flynn pleaded guilty to a false statements charge and began cooperating with Mueller's investigation. We haven't seen the fruits of his cooperation yet, and he has not yet been sentenced.

**Manafort and Gates:** This pair worked for Ukrainian politicians (and, eventually, the Ukrainian government) for several years prior to the Trump campaign, and made an enormous amount of money for it. Mueller charged them with hiding their lobbying work and the money they made from it from the government, as well as other financial crimes and attempts to interfere with the investigation.

Gates was the first to strike a plea deal. In February, Mueller dropped most of the charges he had brought against him. In exchange, Gates pleaded guilty to two counts — one **conspiracy to defraud the United States** charge encompassing the overall Ukrainian lobbying and money allegations, and a false statements charge. (With the latter, Gates **admitted** lying to Mueller's team during a meeting this February. A Dutch lawyer, Alex van der Zwaan, also pleaded guilty to lying to the FBI related to his Ukrainian work with Gates.)

Manafort, meanwhile, fought the charges in two venues, Washington, DC, and Virginia. His first trial was in Virginia, and in August, it ended with his conviction on eight counts — five counts of subscribing to false income tax returns, one count of failing to report his foreign bank accounts, and two counts of bank fraud. The jury deadlocked on another 10 counts, so for those, the judge declared a mistrial.

The conviction finally brought Manafort to the table, and on September 14, he and Mueller's team struck a plea deal requiring his cooperation. Manafort pleaded guilty to just two more counts — conspiracy to defraud the United States, and an attempted

obstruction of justice charge. But he admitted that the other allegations Mueller previously made against him were true as well. The cooperation element of his plea deal fell apart in November, though, as Mueller's team **accused Manafort** of lying to them. Manafort ended up being sentenced to a combined **seven and a half years in prison**. Gates got 45 days in prison and 3 years of probation.

**Cohen:** Mueller's team was investigating Trump's former attorney in 2017, but at some point, they referred the Cohen probe to the US Attorney's office for the Southern District of New York (SDNY). It was SDNY that authorized the FBI raid of Cohen's residence and office in April.

In August, Cohen cut a deal with SDNY. He agreed to plead guilty to 8 counts. Six of them involved his own finances — 5 tax counts involving hiding various income related to his taxi medallion business and other financial transactions from the US government, and a bank fraud count. Cohen also admitted participating in a scheme to violate campaign finance laws in connection with hush money payments to women alleging affairs with then-presidential candidate Donald Trump.

Then, in November, Cohen made his deal with Mueller. Here, he agreed to plead guilty to making false statements to Congress, to try and cover up his work on behalf of a Trump Tower Moscow project during the campaign.

Cohen had told Congress that the Trump Tower Moscow project ended early in the campaign, that he hadn't discussed it much with others at Trump's company, and that he hadn't successfully gotten in touch with the Russian government about it.

In fact, he **now admits**, the project was still active months later, he'd talked about it with Trump more than he'd admitted (and with unnamed Trump family members), and he'd talked about it with an assistant for Russian President Vladimir Putin's press secretary.

### **Roger Stone was the final Trump associate indicted in the investigation**

Then, on January 25, another political operative with a decades-long history with Trump — Roger Stone — **was indicted**.

Various statements by Stone, including many public ones, raised questions about whether he had some sort of inside knowledge about WikiLeaks's posting of Democrats' hacked emails during the 2016 campaign.

Stone has long denied having any such knowledge — and claimed that anything he knew about WikiLeaks came through an intermediary, radio host Randy Credico. Mueller's indictment alleges that this story was false — and that Stone's telling it to the House Intelligence Committee was criminal.

Mueller's indictment of Stone alleges that the GOP operative gave a false story to explain his knowledge about WikiLeaks.

Stone was accused of lying about this to the House Intelligence Committee in 2017, and trying to tamper with a witness — Credico — so that he would stick to that false story. And, **after a November 2019 trial**, Stone was found guilty on all counts.

### **About two dozen overseas Russians have been charged with election interference**

Mueller has also filed two major indictments of Russian nationals and a few Russian companies for crimes related to alleged interference with the 2016 election: the troll farm indictment, and the email hacking indictment.

**The troll farm indictment:** In February, Mueller brought charges related to the propaganda efforts of one Russian group in particular: the **Internet Research Agency**. That group's operations — which included social media posts, online ads, and organization of rallies in the US — were, the indictment alleges, often (but not exclusively) aimed at denigrating Hillary Clinton's presidential candidacy and supporting Donald Trump's.

Mueller indicted the Internet Research Agency, two other shell companies involved in financing the agency, its alleged financier (Yevgeny Prigozhin), and 12 other Russian nationals who allegedly worked for it.

The specific charges in the case include one broad "conspiracy to defraud the United States" count, but the rest are far narrower — one count of conspiracy to commit wire fraud and bank fraud, and six counts of identity theft. It is highly unlikely that the indicted Russian individuals will ever come to the US to face trial, but one company involved, Concord Catering, is **fighting back in court**.

No Americans have been charged with being witting participants in this Russian election interference effort. However, one American, **Richard Pinedo of California**, pleaded guilty to an identity fraud charge, seemingly because he sold bank account numbers created with stolen identities to the Russians. Pinedo agreed to cooperate with the probe as part

of his plea deal. He **was sentenced** to 6 months in prison and 6 months home detention in October.

**The email hacking indictment:** Brought in July, here Mueller charged 12 officers of the GRU, Russia's military intelligence agency, with crimes committed to the high-profile **hacking and leaking of leading Democrats' emails** during the 2016 campaign.

**Specifically indicted** were nine officers of the GRU's "Unit 26165," which Mueller alleges "had primary responsibility for hacking the DCCC and DNC, as well as the email accounts of individuals affiliated with the Clinton Campaign" like John Podesta. Three other GRU officers, Mueller alleges, "assisted in the release of stolen documents," "the promotion of those releases," "and the publication of anti-Clinton content on social media accounts operated by the GRU."

A trial here is unlikely, since all of the people indicted live in Russia.

**Konstantin Kilimnik, a longtime Manafort associate, has been charged with obstruction of justice**

Then, Konstantin Kilimnik — who worked with Manafort in Ukraine and is now based in Russia — **was charged** alongside Manafort with obstruction of justice and conspiracy to obstruct justice, in June.

Mueller argued that, earlier in 2018, Manafort and Kilimnik worked together to contact potential witnesses against Manafort and encourage them to give false testimony. He argues that this is attempted witness tampering, and qualifies as obstruction of justice.

The alleged tampering relates to the "**Hapsburg group**"— a group of former senior European politicians Manafort paid to advocate for Ukraine's interests.

Both Manafort and Kilimnik tried to contact witnesses to get them to claim the Hapsburg group only operated in Europe (where US foreign lobbying laws don't apply). But Mueller says there's ample evidence that the group did work in the US too, and the witnesses thought Manafort and Kilimnik were trying to get them to commit perjury.

In Manafort's September plea deal, he admitted to this. Kilimnik, however, is in Russia, and will likely remain there rather than face charges.

**Sam Patten struck a plea deal after Mueller referred his investigation elsewhere**

There's another instance in which where Mueller surfaced incriminating information about someone, but handed off the investigation to elsewhere in the Justice Department.

**Sam Patten:** A GOP lobbyist who had worked in some of the same Ukrainian circles as Manafort and alongside Konstantin Kilimnik, Mueller's team began investigating Patten, but at some point handed him off to the DC US attorney's office. However, the plea deal Patten eventually struck obligated him to cooperate with Mueller.

According to a **criminal information document** filed by the DC US attorney's office, Patten and Kilimnik (who is not named but referred to as "Foreigner A") founded a lobbying and consulting company together. They did campaign work in Ukraine and lobbying work in the US, and were paid over \$1 million between 2015 and 2017.

Specifically, the document claims that Patten contacted members of Congress and their staffers, State Department officials, and members of the press on behalf of his Ukrainian clients — all without registering under the Foreign Agents Registration Act, as required by law.

Patten also admits to helping his Ukrainian oligarch client get around the prohibition on foreign donations to Donald Trump's inauguration committee. The oligarch sent \$50,000 to Patten's company, and then he gave that money to a US citizen, who bought the four tickets. The tickets were given to the oligarch, Kilimnik, another Ukrainian, and Patten himself.

Finally, Patten also admits to misleading the Senate Intelligence Committee and withholding documents from them during testimony this January. He pleaded guilty to one count of violating the Foreign Agents Registration Act.

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For more on the Mueller probe, follow **Andrew Prokop on Twitter** and check out **Vox's guide to the Trump-Russia investigation**.

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## The Vox guide to Robert Mueller's Trump-Russia investigation

*The latest news*

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***What's the investigation all about?***



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## POLITICS

### ‘Just Having Fun’: Giuliani Doubles Down on Ukraine Probes

Trump’s personal attorney escalates his push for investigations—the effort that helped spark impeachment inquiry

*By Rebecca Ballhaus and Julie Bykowicz in Washington and Thomas Grove in Kyiv*

Dec. 13, 2019 5:30 am ET

Some of Rudy Giuliani’s friends told him to keep a low profile.

Instead, Mr. Giuliani is escalating his push for Ukraine to conduct investigations, undeterred by federal prosecutors probing his business dealings and an impeachment inquiry into his client, President Trump.

In recent weeks, as a dozen witnesses told impeachment investigators that they were alarmed by Mr. Giuliani’s efforts, the president’s attorney has been working on a TV series about the need for investigations in Ukraine into former Vice President Joe Biden, his son Hunter and claims that Kyiv interfered in the 2016 U.S. election. Mr. Giuliani traveled to Kyiv—his first trip to Ukraine in two years—to interview officials and gather information this month, as the Democrats started to draft articles of impeachment.

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.

On Friday, Mr. Giuliani met with the president at the White House, according to an administration official. Mr. Giuliani didn’t respond to questions about what they discussed.

Several friends have urged the 75-year-old once known as “America’s mayor” to lie low amid



Rudy Giuliani's trip to Kyiv this month, which he described as a "secret assignment," included a meeting with Ukrainian lawmaker Andriy Derkach. PHOTO: PRESS OFFICE OF ANDRIY DERKACH/ASSOCIATED PRESS

the congressional and federal investigations. One told him to stop going on television because "every time he goes on TV, he can't help but make the argument" for the Ukraine investigations, which in turn heightens the scrutiny on Mr. Giuliani himself. Others have urged Mr. Giuliani to forge ahead, and Republicans in Congress are echoing some of his points about Ukraine.

Mr. Giuliani says his efforts are justified to defend Mr. Trump and that he wouldn't be a good attorney if he were daunted by opposition. The pressure, meanwhile, is bolstering a relationship with the president that has boosted Mr. Giuliani's consulting business and returned him to the public spotlight. Friends say he is reveling in it.

"When he believes he's right, he loves taking on fights," said Tony Carbonetti, a longtime friend of Mr. Giuliani.

The impeachment inquiry was set off by efforts by Messrs. Trump and Giuliani to get Ukraine's government to conduct the investigations into the Bidens and alleged Ukrainian interference in the 2016 U.S. election, at the same time the White House was holding up nearly \$400 million in aid to the country.

Messrs. Trump and Giuliani say then-Vice President Biden engaged in corruption when he called for the ouster of a Ukrainian prosecutor who had investigated a Ukrainian gas company where Hunter Biden served on the board. The Bidens deny wrongdoing, and ousting the prosecutor was a goal at the time of the U.S. and several European countries. The allegations of Ukrainian election interference are at odds with findings by the U.S. intelligence community that Russia was behind the election interference.

Mr. Giuliani's work in Ukraine has also spurred an investigation by Manhattan federal prosecutors, who are examining the lawyer's business dealings in the country and reviewing whether Mr. Giuliani should have registered as a foreign agent. Two associates, Lev Parnas and

Igor Fruman, Soviet-born émigrés and Trump donors who assisted with his investigations in Ukraine, were arrested in October on campaign-finance charges. They have pleaded not guilty.



Lev Parnas outside federal court earlier this month. The businessman, who assisted Mr. Giuliani with his investigations in Ukraine, faces campaign-finance charges. PHOTO: STEPHANIE KEITH/GETTY IMAGES

Mr. Giuliani denies wrongdoing and said he has never lobbied.

Mr. Giuliani has contacted the lawyers for Messrs. Parnas and Fruman several times in recent weeks and said he has spoken to one of the men with a lawyer present, but declined to identify which.

In pressing ahead on Ukraine, Mr. Giuliani has replaced the translation skills of Messrs. Parnas and Fruman with an app he downloaded that allows him to read Russian documents by holding his phone over them. But on his recent trip, he said, “despite whatever else you can say, I missed them.”

He has been reading “Ike and McCarthy,” an account of how former President Dwight Eisenhower campaigned against Sen. Joseph McCarthy. Mr. Giuliani in an interview compared Mr. McCarthy’s demagoguery to the Democrats’ impeachment campaign.

“There’s nobody in the whole world that could possibly think they are treating the president fairly,” he said.

The White House didn’t respond to a request for comment on Mr. Giuliani’s relationship with the president.

In the impeachment hearings, witnesses accused Mr. Giuliani of conducting a shadow foreign policy and orchestrating the ouster of the U.S. ambassador to Ukraine. He was described as “problematic” and “disruptive” and, in testimony that cited former national security adviser John Bolton, likened to a “hand grenade that’s going to blow everybody up.” Mr. Giuliani has

said he kept the State Department apprised of his efforts and that he was working at the president's behest.

Mr. Giuliani in recent weeks dispatched a former Ukrainian diplomat to gather information from politicians there and ask them to participate in the documentary series, which is being produced by the conservative One America News Network. The series tries to make a case for investigating the Bidens and the gas company Burisma Holdings, as well as alleged election interference.

"Just having fun while Dems and friends try to destroy my brilliant career," Mr. Giuliani wrote in a text message during his trip, which he described as a "secret assignment."

Mr. Giuliani said he also has expanded his search for information about Burisma beyond Ukraine to Latvia, where the gas company had bank accounts, and Cyprus, where it is registered.

The former diplomat, Andriy Telizhenko, said the plan for the series was hatched during the impeachment hearings and intended to let Mr. Giuliani tell his side of the story. He flew to Washington on Nov. 20 to film with Mr. Giuliani, and in early December, he joined Mr. Giuliani on the Kyiv trip, which included stops in Budapest, Vienna and Rome. They interviewed former Ukrainian prosecutors—including Viktor Shokin and Yuriy Lutsenko—who are supportive of a Biden probe as part of the documentary series.

In Kyiv, Mr. Giuliani met with a member of Ukraine's parliament to discuss the creation of a group called "Friends of Ukraine STOP Corruption."

#### SHARE YOUR THOUGHTS

*How do you think Rudy Giuliani's efforts will reflect on President Trump, if at all? Join the conversation below.*

When he returned, Mr. Giuliani says Mr. Trump instructed him to brief the attorney general and Republican lawmakers. Moments later, Mr. Trump told reporters at the White House that his lawyer would deliver a report to the Justice Department and Congress, saying, "I hear he has found plenty." Mr. Giuliani says he has been in contact with several Republican lawmakers, but not the Justice Department, and won't hold any briefings until he finishes the report.

In the weeks since the impeachment inquiry launched in September, Mr. Giuliani says his relationship with the president has only strengthened. The two speak by phone at least several

times a week, Mr. Giuliani says, with Mr. Trump calling him more often because “I don’t want to bother him.”

Mr. Giuliani rejects the notion that Mr. Trump would cast him aside, calling it “bullshit.” “He has a hard time getting rid of people,” he said.

Mr. Trump has praised Mr. Giuliani in recent weeks, calling him “one of the greatest and most famous crime-fighters anywhere in the entire world.” But, he told former Fox News host Bill O’Reilly of Mr. Giuliani’s efforts in Ukraine: “I didn’t direct him.”

The attention has appeared to delight Mr. Giuliani. Weeks after the probe began, Mr. Giuliani sat in bumper-to-bumper traffic in New York City with his lawyer at the time, Jon Sale. When construction workers waved to him, Mr. Giuliani on two occasions rolled down his window to high-five them, Mr. Sale said.

Mr. Giuliani agreed to become Mr. Trump’s attorney in April 2018 to help navigate special counsel Robert Mueller’s probe into Russian interference in the 2016 election. He took on the task pro bono and resigned from the Greenberg Traurig law firm. “This’ll be like a month or two,” Mr. Giuliani told one person.

During the heat of the Mueller investigation, Mr. Giuliani frequently visited the White House, usually meeting with the president weekly, sometimes alone, and often in the evenings in the residence without other White House officials present, former administration officials said.

Meetings would start out discussing the Mueller probe and then veer into other subjects, like Ukraine, one of the former officials said. Mr. Giuliani often brought lists of requests for the president, according to the former official, and sought out meetings at the State Department and other agencies on behalf of clients.

“He trusts Rudy, and Rudy just kept putting this shit in his head,” the former official said of the president.

After Mr. Mueller concluded his probe in March without calling for charges against Mr. Trump, Mr. Giuliani celebrated with the rest of the president’s legal team and Mr. Parnas at the Trump hotel in Washington.

When an associate asked what he planned to do next, Mr. Giuliani replied, referring to the president: “Whatever he needs me to do.”

— *Joe Palazzolo in New York and Byron Tau in Washington contributed to this article.*

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## GIULIANI AND TRUMP: A TIMELINE



PHOTO: RON SACHS/ZUMA PRESS

- • January 2017: Rudy Giuliani, who said he wanted to serve as attorney general or secretary of state, is appointed by President Trump as a cybersecurity adviser (pictured).
- • 2017: Mr. Giuliani's consulting business picks up and he travels widely for it, including trips in June and November to Ukraine.
- • April 2018: Mr. Giuliani joins Mr. Trump's legal team to deal with special counsel Robert Mueller's investigation.
- • Mid-2018: Soviet-born U.S. businessman Lev Parnes's company starts paying Mr. Giuliani, ultimately disbursing \$500,000. The two begin working and traveling together.
- • January 2019: Mr. Giuliani meets with Yuriy Lutsenko, then Ukraine's prosecutor general, to discuss possible investigations into the Bidens and election interference.
- • March 2019: Mr. Giuliani speaks to Secretary of State Mike Pompeo and Mr. Trump about ousting Marie Yovanovitch, the ambassador to Ukraine. She is recalled the following month.
- • May 2019: Mr. Trump directs administration officials to work with Mr. Giuliani on Ukraine.

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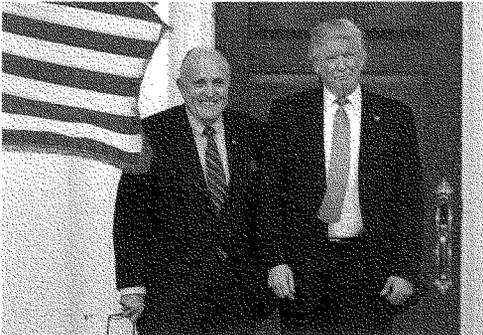
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POLITICS

## Giuliani Sits at the Center of the Ukraine Controversy

Ukrainian officials saw him as a direct conduit to Trump; former New York mayor featured in whistleblower complaint



The efforts of former New York Mayor Rudy Giuliani, left, in Ukraine have been blessed by President Trump. PHOTO: CAROLYN KASTER/ASSOCIATED PRESS

*By Rebecca Ballhaus in Washington, Alan Cullison and Georgi Kantchev in Kyiv and Brett Forrest in New York*

Updated Sept. 26, 2019 11:10 pm ET

A key figure at the heart of the burgeoning impeachment probe is former New York Mayor Rudy Giuliani, who as personal attorney to President Trump pressed Ukraine on pursuing an investigation of one of his boss' political rivals.

A whistleblower complaint released Thursday depicts Mr. Giuliani, 75 years old, as eager to thrust himself into U.S. foreign policy. In some instances, he acted on his own, and in others his actions were in conjunction with U.S. government officials.

Ukrainians seeking influence in Washington viewed him as a direct conduit to Mr. Trump. And when Mr. Giuliani's actions were in conflict with the U.S. government's national-security and foreign-policy apparatus, it was unable and at times unwilling to deter him. Some senior government officials knew little, if anything, of his work.

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"My only knowledge of what Mr. Giuliani does—I have to be honest with you—I get from the TV or the news media," said Joseph Maguire, acting director of national intelligence, in testifying before the House Intelligence Committee Thursday about the complaint. "I'm not aware of what he does for the president."

Mr. Giuliani's efforts, however, were blessed by Mr. Trump. Mr. Giuliani has said several of his dealings with Ukrainian officials were initiated by the State Department. In July, Mr. Giuliani, a former mayor of New York, received a text message from Kurt Volker, the U.S. government's special representative to Ukraine. In the message, which Mr. Giuliani provided to The Wall Street Journal, Mr. Volker offered to introduce Mr. Giuliani to a senior adviser to Ukrainian President Volodymyr Zelensky.

"Mr. Mayor—really enjoyed breakfast this morning," Mr. Volker texted to Mr. Giuliani on July 19. "As discussed, connecting you here with Andrey Yermak, who is very close to President Zelensky." He suggested a three-way call the next week.

After the call, Mr. Yermak—whom Mr. Giuliani has said he urged to have the Ukrainian government pursue an investigation into Joe Biden —told Mr. Giuliani he was "sure things will move quickly from today onwards and we will be able to take this relationship to a new level," according to a text message viewed by the Journal.

Mr. Volker, a former U.S. ambassador to the North Atlantic Treaty Organization, has served as an unpaid volunteer in the Ukraine post since 2017. He couldn't be reached for comment.

A State Department spokesman confirmed that Mr. Volker, at Mr. Yermak's request, put Mr. Yermak in touch with Mr. Giuliani. "Mr. Giuliani is a private citizen and acts in a personal capacity as a lawyer for President Trump," the spokesman said. "He does not speak on behalf of the U.S. Government."

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Six days after the text, Mr. Trump in a phone call pressed Mr. Zelensky to pursue investigations, including a probe into the activities of Mr. Biden, the former vice

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president and current Democratic presidential candidate. During the call, Mr. Trump repeatedly said Mr. Zelensky should connect with Mr. Giuliani and Attorney General William Barr, according to a record of the call released by the White House Wednesday. Mr. Trump has defended the phone call as “perfect.”

Shortly after the July 25 call, Mr. Giuliani and Mr. Yermak met in person in Madrid. In an interview Thursday, Mr. Giuliani said that he subsequently briefed the State Department and that Mr. Volker texted him: “Thank you very much for your help.”

Mr. Trump has characterized the impeachment probe as a “witch hunt” by his enemies in Washington.

Mr. Yermak declined to comment through an intermediary.

In Ukraine, Mr. Giuliani is viewed as something of a celebrity. “Giuliani has long been seen as an extension of Trump, some mythical link to the U.S.,” said Nickolay Kapitonenko, an adviser to the Ukrainian Parliament’s Foreign Policy Committee. “So many officials think that contact or even a picture with Giuliani might be helpful for their careers. I’m not sure that’s the case but that’s the perception.”

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In Washington, officials took a less rosy view of the president’s lawyer. Months earlier, in mid-May, multiple U.S. officials told the whistleblower that they were “deeply concerned” by Mr. Giuliani’s flouting of national-security protocols and that State Department officials including Mr. Volker had talked to Mr. Giuliani to “contain the damage” to U.S. national security, according to the complaint. Those officials also met with Ukrainian officials to help them “understand and respond to” the conflicting messages they were receiving from official U.S. channels and Mr. Giuliani, according to the complaint.

Mr. Giuliani in Thursday’s interview called the complaint “really ridiculous” and said he was baffled by the allegation that the State Department was upset with him over his work in Ukraine. “If they were worried about me, they did something very reckless,” he said. “They took this crazy maniac who’s interfering in foreign politics” and arranged a meeting with a top aide to the Ukrainian president, he said, referring to the text message from Mr. Volker. Mr. Giuliani said he doesn’t plan to hire a lawyer.

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Mr. Giuliani's involvement in the Ukraine issue and his frequent appearances on cable news have grated on some in the White House, according to aides, who have said privately they feel he has made the situation for the president worse.

At least for now, Mr. Trump remains enamored with Mr. Giuliani, people close to the president said. Mr. Trump has frequently praised his lawyer in public and in private for his loyalty and commitment to uncovering what both men believe is inappropriate behavior by Mr. Biden, who hasn't been accused of wrongdoing. One administration official said it was unlikely that Mr. Trump's allies would even try to convince the president to cut ties with Mr. Giuliani because of the two men's tight bond.

White House aides over the past year have grown accustomed to—if not comfortable with—the close relationship between the two men. Mr. Trump and Mr. Giuliani typically meet at the White House alone, aides say. Their meetings—like many with Mr. Trump's close friends—are rarely on the president's schedule that is circulated among aides.

While serving as the president's lawyer, a role for which he doesn't draw a paycheck, Mr. Giuliani has also drawn scrutiny for his frequent trips abroad, where foreign officials say they have been uncertain whether he is speaking for himself or as a U.S. government representative.

Mr. Giuliani, who said he doesn't have security clearance, has met with foreign leaders including the king of Bahrain. Last year, he wrote to the president of Romania to criticize the country's anticorruption investigations, according to a copy of the letter released by Senate Democrats. His position in the letter is counter to that of the State Department.

Mr. Giuliani said at the time that he was working on behalf of his security company, Giuliani Security & Safety, which had been retained by a security company run by former Federal Bureau of Investigation Director Louis J. Freeh.

Mr. Giuliani's role as Mr. Trump's lawyer, opposition-research investigator and frequent defender on television is the latest incarnation for the former associate attorney general and U.S. attorney who became a global figure as mayor of New York when terrorists attacked the city on Sept. 11, 2001. After that, he threw himself into the world of global consulting, starting a management-consulting firm called Giuliani Partners in 2002.

In 2008, he sought to re-enter politics with a failed presidential campaign, during which he drew criticism for his business activities, including his efforts on behalf of Mexico City and a state-owned firm in Qatar.

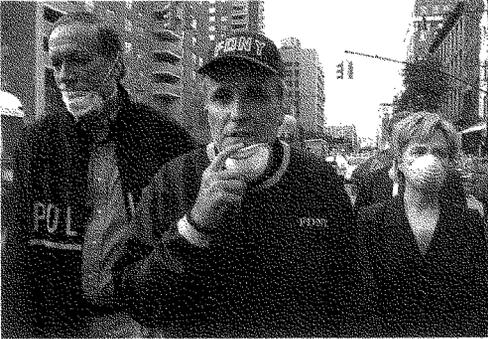
His work with Ukraine began shortly after folding his campaign, when he announced he would serve as a strategic adviser to help boxer Vitali Klitschko, known as "Dr. Iron Fist," root out corruption and win election as the mayor of Kyiv. Mr. Klitschko lost that election but became mayor in 2014 and remains in that post.

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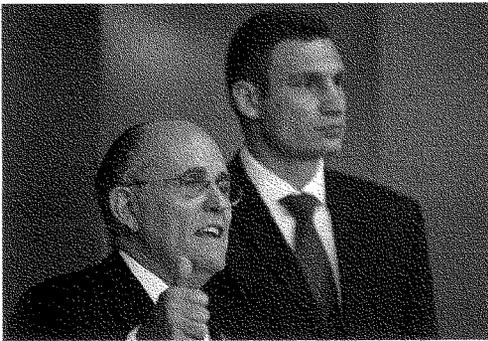
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From left: New York Gov. George Pataki, New York City Mayor Rudy Giuliani, and Sen. Hillary Rodham Clinton (D, NY.) tour the site of the World Trade Center collapse on the day after the 9/11 attacks. PHOTO: ROBERT F. BUKATY/ASSOCIATED PRESS



Mr. Giuliani with Vitali Klitschko, a boxer who became mayor of Kyiv. PHOTO: DIMA GAVRYSH/ASSOCIATED PRESS

After the protests that took place in Kyiv in 2014, Mr. Klitschko negotiated a potential

contract for Giuliani Security & Safety to restore order in the city. Mr. Giuliani's fee, roughly \$300,000, was too steep, and the deal wasn't completed, according to a person who participated in the talks.

Mr. Giuliani didn't immediately respond to a request for comment on the scuttled deal.

Mr. Giuliani's political clout in Ukraine became outsized after Mr. Trump's election two years later. Mr. Giuliani had advised the president during the campaign and was floated as a possible nominee for attorney general or secretary of state, but ultimately wasn't tapped for an administration post. In January 2017, Mr. Trump said Mr. Giuliani would serve as an unofficial cybersecurity adviser, "sharing his expertise and insight as a trusted friend."

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When Mr. Giuliani returned to Ukraine for more consulting work that year, Ukrainian television broadcasts alternately referred to him as a private person and as Mr. Trump's adviser, a description that opened doors to many leading figures.

In June 2017, Mr. Giuliani visited Kyiv and gave a lecture on corruption and democracy. At an event hosted by the foundation of Ukrainian oligarch Victor Pinchuk, Mr. Giuliani met with then-President Petro Poroshenko and then-Prosecutor General Yuriy Lutsenko, according to the foundation's website.

Later that year, Mr. Giuliani visited Kyiv and the eastern city of Kharkov to hold meetings on behalf of his private security business. In Kharkov, the mayor had a row of girls in traditional Ukrainian dress on the airport tarmac meet him and make a traditional offering of bread and salt.

Mr. Giuliani, who in April 2018 began representing the president in special counsel Robert Mueller's investigation of Russian interference in the 2016 election, became a magnet for Ukrainian officials looking to establish connections in Washington.

Mr. Giuliani's investigation of Mr. Biden's son, Hunter, began in earnest earlier this year, after Mr. Lutsenko visited Mr. Giuliani's office in New York, according to a person familiar with the matter. Western officials, including the U.S. Embassy in Kyiv, had criticized Mr. Lutsenko's office for being sluggish on reforms.

Mr. Lutsenko told Mr. Giuliani that he thought there were unanswered questions about the role of the younger Biden at Burisma Holdings Ltd., where he had accepted a board seat in 2014. Vice President Biden's portfolio at the time included pressuring Ukraine to do more to combat corruption.

Messrs. Giuliani and Lutsenko continued their conversation in a nearby bar over whiskey and cigars, the person familiar with the matter said. And the two men met again the next month in Warsaw.

Mr. Giuliani didn't respond to a request for comment on the meeting, and Mr. Lutsenko declined to comment.

Mr. Giuliani's desire for a Biden investigation, however, soon ran into a perceived obstacle, according to people familiar with the matter—the U.S. ambassador to Ukraine, Marie Yovanovitch.

Mr. Giuliani publicly accused her of anti-Trump bias, though he has denied he sought to pressure her ouster, which happened earlier this year when the State Department recalled her to Washington.

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Marie Yovanovitch was U.S. ambassador to Ukraine before she was recalled to Washington earlier this year. PHOTO: HENNADI MINCHENKO/UKRINFORM/ZUMA.PRESS

In a Fox News interview in May, he expressed relief that “she got fired finally.” In another interview Tuesday on Fox News, he accused her without evidence of being “deeply involved” in a plot by Ukraine to boost Democrats in the 2016 presidential election.

Ms. Yovanovitch, who remains a State Department employee and is a senior State Department fellow at Georgetown University, didn’t respond to a request for comment.

“She was doing everything by the book, everything was blessed by State Department,” said a senior Ukraine government official who interacted with her.

Meanwhile, Mr. Giuliani’s role as an intermediary between the two countries was allegedly causing concern among multiple U.S. officials, according to the whistleblower complaint. U.S. officials told the whistleblower that Ukrainian officials understood that a meeting or call between Mr. Trump and Mr. Zelensky would depend on whether the new Ukrainian president “showed willingness to ‘play ball’” on the matters Mr. Giuliani had raised, according to the complaint. Mr. Giuliani didn’t respond to a request for comment.

In mid-July, a week before his call with Mr. Zelensky, Mr. Trump directed acting chief of staff Mick Mulvaney to put a hold on nearly \$400 million in aid to Ukraine. Lower-level officials were told of the decision on July 18, the Journal has reported, one day before Mr. Volker reached out to Mr. Giuliani about meeting with Mr. Yermak. The White House has said the aid was put on

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hold because the president wanted European countries to contribute more to Ukraine. The aid was released this month.

Mr. Giuliani in television appearances over the summer had repeatedly singled out Ukraine over corruption, putting pressure on Mr. Zelensky's new administration, which won election in April.

In July, Mr. Yermak called Mr. Giuliani to ask him to tone it down, according to a person familiar with the call. Mr. Giuliani in response suggested that Ukraine investigate Hunter Biden's relationship with Burisma, the person said.

In early August, Mr. Giuliani met in Madrid with Mr. Yermak, in the meeting Mr. Volker had helped arrange. U.S. officials described the meeting to the whistleblower as a "direct followup" to Mr. Trump's call with Mr. Zelensky about the "cases" they discussed.

Mr. Giuliani described Mr. Yermak as "very receptive" to their conversation and said he subsequently briefed Mr. Volker on the meeting. A person familiar with the conversation said Mr. Yermak told Mr. Giuliani that the Ukrainian president didn't want to get embroiled in U.S. politics.

Days later, on Aug. 9, Mr. Trump told reporters of Mr. Zelensky: "He's a very reasonable guy."

—*Thomas Grove and Andrew Restuccia contributed to this article.*

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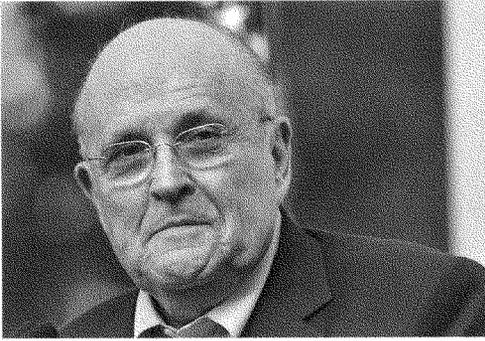
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POLITICS

## Giuliani Weighed Doing Business With Ukrainian Government

Trump's lawyer drew up retainer agreements with Yuriy Lutsenko and the Ukraine Justice Ministry worth \$500,000 before deciding against the arrangement



While Rudy Giuliani ultimately didn't represent either Ukrainian prosecutor Yuriy Lutsenko or the Ministry of Justice, he continued to be in close contact with the prosecutor. PHOTO: SMG/ZUMA PRESS

By *Rebecca Ballhaus*

Updated Nov. 27, 2019 5:07 pm ET

Rudy Giuliani said Wednesday he was in talks earlier this year to earn hundreds of thousands of dollars from Ukrainian government officials but decided against it as he pushed the country to pursue investigations sought by his client, President Trump.

In January, Yuriy Lutsenko, then Ukraine's prosecutor general, asked Mr. Giuliani to represent the Ukrainian Ministry of Justice and him personally on two matters, Mr. Giuliani said in an interview. Mr. Giuliani said he subsequently drew up two retainer agreements, for a total of about \$500,000, and gave them to Mr. Lutsenko.

The next day, Mr. Giuliani decided he couldn't represent Mr. Lutsenko personally because he believed doing so would pose a conflict with his representation of the president, he said, but continued to consider the Ministry of Justice contract. He said he ultimately declined that one, too, and was never "paid a penny" in connection with the proposed arrangements.

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Yuriy Lutsenko, then prosecutor general of Ukraine, speaking in Kyiv in March. PHOTO: SERGEY DOLZHENKO/EPA/SHUTTERSTOCK

Mr. Lutsenko, who was removed from his post in August, didn't immediately respond to a request for comment.

Mr. Giuliani's discussions about representing Mr. Lutsenko and the Ukrainian ministry came, he said, as he was meeting the Ukrainian prosecutor in New York to discuss an entirely different matter: investigations the president was seeking into former Vice President Joe Biden and his son, as well as into alleged Ukrainian interference in the 2016 U.S. election.

Mr. Biden's son sat on the board of the Ukrainian gas company Burisma Group while his father was overseeing U.S. policy toward Ukraine. The Bidens deny any wrongdoing.

U.S. intelligence agencies have concluded it was Russia, not Ukraine, that interfered in the 2016 election.

The talks between Mr. Giuliani and the Ukrainian officials were reported earlier by the New York Times and the Washington Post.

The push for those investigations by Mr. Giuliani and the president ultimately led to a phone call between Mr. Trump and the new Ukrainian President Volodymyr Zelensky, which set off the impeachment inquiry this fall. The overlap between Mr. Giuliani's business interests in Ukraine and his campaign on behalf of Mr. Trump is also at the center of a growing investigation by Manhattan federal prosecutors, which among other matters is examining whether the president's personal attorney might have violated rules on domestic and foreign lobbying.

A recent broad subpoena issued by the Manhattan U.S. attorney's office sought records of any payments to Mr. Giuliani and records related to his consulting firm, Giuliani Partners, The Wall Street Journal has reported.

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Mr. Trump has called the impeachment inquiry a hoax that should end. Mr. Giuliani has denied wrongdoing.

More recently, Mr. Giuliani said, he was in talks to help represent Privat Bank, Ukraine's largest lender, in a lawsuit against the former co-owners of the bank, Igor Kolomoisky and Gennadiy Bogolyubov. Mr. Giuliani said he met with lawyers at the law firm Quinn Emanuel about the case, but ultimately decided against it.

Lawyers for Quinn Emanuel in Europe saw Mr. Giuliani's public mentions about Mr. Kolomoisky and believed he might have information that would be helpful to their case, according to a person familiar with the talks. After two meetings with Mr. Giuliani, the person said, it became clear that he didn't have any independent information about Mr. Kolomoisky and the law firm determined "there was no role for him."

Founded in 1992 in Ukraine's industrial east, PrivatBank grew into the country's biggest privately owned lender. After the 2014 revolution, the central bank set about cleaning up a banking sector beset by bad loans and inadequate capital. Backed by the International Monetary Fund, which has lent billions to Ukraine, regulators closed nearly 80 lenders. As its rivals shut down, PrivatBank increased its share of the country's deposits to around one-third by the time it was nationalized in 2016.

When Mr. Lutsenko asked Mr. Giuliani about representing him in January, he said he wanted Mr. Giuliani's help to arrange a meeting with the Justice Department, Mr. Giuliani said. "He wanted me to walk him into the Justice Department," Mr. Giuliani said.

He said he referred Mr. Lutsenko to Victoria Toensing and Joe diGenova, a wife-and-husband legal team close to Mr. Giuliani. At one point, Mr. Giuliani said, Mr. Lutsenko tried to arrange for Mr. Giuliani to work for Ms. Toensing and Mr. diGenova as an investigator, an arrangement Mr. Giuliani declined.

Mr. Giuliani spent more time considering working for the Ukrainian Ministry of Justice, which he believed could help him get more information about money laundering, he said. He said he was only considering working on a portion of the ministry's case, which involved helping recover certain funds.

"I wasn't considering taking on the whole case, otherwise I would have charged \$1 million," he said.

He ultimately referred that case to Ms. Toensing and Mr. diGenova, too, he said, adding that some of the retainers also named them.

Mark Corallo, a spokesman for the two lawyers, said in a statement: “We have always stated that we agreed to represent Ukrainian whistleblowers. Only because it was already public did we state that Yuriy Lutsenko was one of them. All the other names are attorney-client privileged, and it is unfortunate that some unethical person chose to violate that privilege.”

Mr. Corallo said the retainer agreements involving Mr. Giuliani, his associates and Ukrainian officials, which were never signed, “contain the necessary notice of [Foreign Agents Registration Act] registration.” Individuals are required to register with the Justice Department if they lobby in the U.S. on behalf of a foreign entity.

While Mr. Giuliani ultimately didn’t represent either Mr. Lutsenko or the Ministry of Justice, he continued to be in close contact with the Ukrainian prosecutor. In their January meeting, Mr. Lutsenko told Mr. Giuliani he thought there were unanswered questions about the Bidens’ role in Ukraine.

Mr. Giuliani and Mr. Lutsenko met again in Warsaw in February and continued to be in touch over the following months. In May, Mr. Giuliani planned a trip to Kyiv where he was planning to press the incoming president, Mr. Zelensky, to pursue investigations into the Bidens and alleged election interference. Ms. Toensing was planning to travel there with him, but Mr. Giuliani ultimately canceled the trip after news of it was reported.

Mr. Lutsenko served as prosecutor general of Ukraine from May 2016 through August 2019. In addition to discussing investigations into the Bidens and election interference with Mr. Giuliani, he worked alongside the president’s lawyer to push for the removal of Marie Yovanovitch from her post as U.S. ambassador to Ukraine. In March, Mr. Lutsenko told the news outlet the Hill that Ms. Yovanovitch had given him a list of people not to prosecute, an allegation that the State Department dubbed an “outright fabrication” and that Mr. Lutsenko later recanted.

Mr. Trump ultimately ordered Ms. Yovanovitch removed from her post in the spring, after hearing concerns from Mr. Giuliani and others. Mr. Lutsenko was dismissed from his post as prosecutor general in August.

**Write to Rebecca Ballhaus at [Rebecca.Ballhaus@wsj.com](mailto:Rebecca.Ballhaus@wsj.com)**

● LIVE

## Gordon Sondland Testifies in Impeachment Hearing— Live Coverage

Last Updated Nov 20, 2019 at 5:04 pm ET

The U.S. ambassador to the European Union, a central figure in the Ukraine controversy, testified to House investigators.

Sondland says Ukraine efforts came at 'express direction' of President Trump

Sondland ties Pompeo closer to events at heart of impeachment inquiry

Republicans argue nothing 'sinister' in Trump's directives to Sondland

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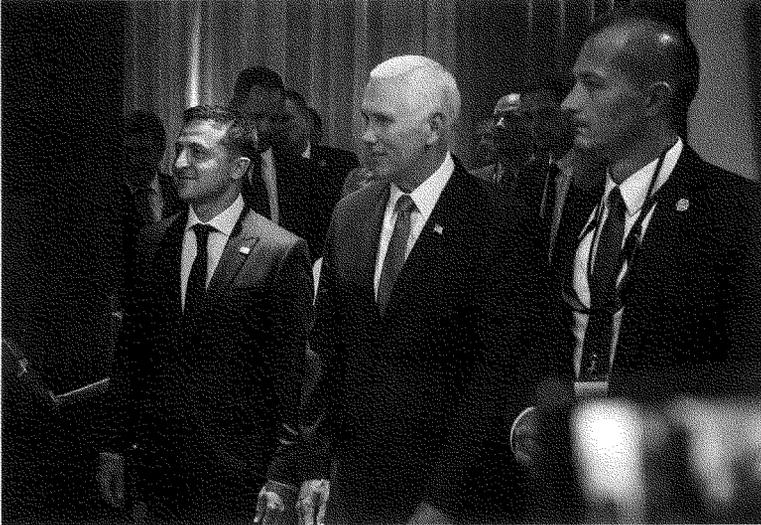
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Nov 20, 2019 at 11:49 am ET

### Pence Disputes That Sondland Raised Concerns to Him About Ukraine Aid-Investigations Link

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Pence Disputes That Sondland Raised Concerns to Him About Ukraine Aid-Investigations Link



Vice President Mike Pence, center, and Ukrainian President Volodymyr Zelensky, left, met for talks in Warsaw on Sept. 1. UKRAINIAN PRESIDENTIAL PRESS SERVICE/AGENCE FRANCE-PRESSE/GETTY IMAGES

The vice president's office has just issued a strongly worded statement disputing Mr. Sondland's assertion that he brought up investigations with Mike Pence during a September trip to Warsaw.

"The Vice President never had a conversation with Gordon Sondland about investigating the Bidens, Burisma, or the conditional release of financial aid to Ukraine based upon potential investigations," Pence chief of staff Marc Short said in a statement. "Ambassador Gordon Sondland was never alone with Vice President Pence on the September 1 trip to Poland. This alleged discussion recalled by Ambassador Sondland never happened."

Mr. Sondland testified this morning that in a September meeting he told the vice president that he was concerned that the held-up \$400 million in aid to Ukraine "had become tied to the issue of investigations."

Mr. Sondland said the vice president didn't appear confused by his question or ask what investigations he was referring to.

— *Rebecca Ballhaus*

HIGHLIGHTS

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# Pompeo Took Part in Ukraine Call, Official Says

Secretary of State listened in on July 25 Trump-Zelensky contact that is center of impeachment inquiry



Secretary of State Mike Pompeo was among officials who reportedly listened in on the July 25 call. PHOTO: AL DRAGO/REUTERS

By Courtney McBride and Sadie Gurman

Updated Sept. 30, 2019 8:32 pm ET

Secretary of State Mike Pompeo was among the administration officials who listened in on the July 25 phone call between President Trump and Ukraine's president, a senior State Department official said Monday, a disclosure that ties the State Department more closely to the House impeachment inquiry.

Mr. Pompeo's participation on the call, which hadn't been previously reported, was one of several developments related to the controversy that centers on Mr. Trump's repeated urging that Ukrainian President Volodymyr Zelensky cooperate with Rudy Giuliani, Mr. Trump's personal attorney, and Attorney General William Barr on investigations into Mr. Trump's political opponents, including Democratic rival Joe Biden.

Also Monday, House committees subpoenaed Mr. Giuliani to turn over documents related to his



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Rudy Giuliani, personal lawyer to President Trump, also has been subpoenaed by House committees in the Ukrainian matter.  
PHOTO: FLORION GOGA/REUTERS

the impeachment inquiry. Mr. Giuliani said on Twitter that the subpoena “will be given appropriate consideration,” noting that the subpoena was “signed only by Democrat Chairs who have prejudged this case.”

The impeachment inquiry is focused on Mr. Trump’s dealings with Ukraine. Lawmakers are focusing on a whistleblower complaint by a person identified as an officer at the Central Intelligence Agency and a record of the call between the two presidents that was released by the administration. If the Democrats approve articles of impeachment, the matter would move to trial in the Senate, which Senate Majority Leader Mitch McConnell confirmed Monday he would hold.

“I would have no choice but to take it up,” the Kentucky Republican said on CNBC. He added: “How long you are on it is a different matter, but I would have no choice but to take it up based on a Senate rule on impeachment.”

The scrutiny of the call with Ukraine—which came at a time when Mr. Trump had ordered U.S. aid to Ukraine put on hold—has prompted a wider examination of efforts by the Trump administration to engage foreign leaders in assisting with issues important to the president.

Mr. Barr has asked Mr. Trump to make introductions to a number of foreign officials he believes may have information relevant to the Justice Department’s review of the origins of the Russia investigation and has held overseas meetings with some of them, a Justice Department official said Monday. Mr. Trump recently called Australia’s prime minister at Mr. Barr’s request, two government officials said, to ask him to help with the inquiry.



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Mr. Barr in May tapped John Durham, the top federal prosecutor in Connecticut, to lead the review. It focuses on the counterintelligence investigation that became special counsel Robert Mueller's probe into Russian election meddling. Since then, Mr. Durham has been exploring what role if any various countries including Ukraine played in the counterintelligence probe. The Justice Department has revealed that "certain Ukrainians who are not members of the government" had volunteered information to Mr. Durham.

The department official wouldn't say from which other countries Mr. Barr is seeking information. The attorney general was in Italy last week speaking to government officials in connection with Mr. Durham's review.

The official described Mr. Barr's request that Mr. Trump speak to Australian Prime Minister Scott Morrison as standard, saying "It is typical protocol for one leader to contact another leader" for such a request.

"The Australian government has always been ready to assist and cooperate with efforts that help shed further light on the matters under investigation," according to a statement from the Australian government. "The PM confirmed this readiness once again in conversation with the president."

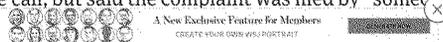
In a May 28 letter to Mr. Barr, the Australian ambassador to Washington offered to help with the examination of the Russian inquiry, saying "we stand ready to provide you with all relevant information to support your inquiries."

White House spokesman Hogan Gidley on Monday said: "The DOJ simply requested that the President provide introductions to facilitate that ongoing inquiry, and he did so, that's all."

Mr. Trump and his Republican congressional allies have long alleged that his associates were unfairly targeted for surveillance, and that investigators in the Justice Department and the Federal Bureau of Investigation were politically prejudiced against Mr. Trump in a way that could have affected their work. Mr. Trump has said he believes Mr. Durham's review will show crimes were committed by his political opponents.

Mr. Pompeo was scheduled to depart for a European trip later Monday. He said last week that he hadn't yet read the whistleblower's complaint in its entirety, but said that to his knowledge, actions by State Department officials had been "entirely appropriate and consistent" with administration efforts to improve relations with Ukraine.

In those comments, during the United Nations General Assembly meeting, he didn't mention his own participation in the call, but said the complaint was filed by "someone who had



Several days earlier, Mr. Pompeo said that he opposed releasing the record of the Trump-Zelensky call. He told "Fox News Sunday" in a Sept. 22 interview that he would defer to the White House on whether to do so.

"Those are private conversations between world leaders, and it's not often that those are released," he said in the interview. And when they're [released], it's done when the White House deems it appropriate." Mr. Pompeo dismissed a question about details of the call, saying, "There's a lot going on in the world."

Three House committees—Foreign Affairs, Intelligence and Oversight — on Friday subpoenaed Mr. Pompeo for documents related to the inquiry; he has until Oct. 4 to produce them.

The committees plan to depose former U.S. ambassador to Ukraine Marie Yovanovitch ; U.S. special envoy to Ukraine Kurt Volker ; Deputy Assistant Secretary for European and Eurasian Affairs George Kent; counselor Ulrich Brechbuhl ; and U.S. Ambassador to the EU Gordon Sondland.

Mr. Volker resigned his post last week. Mr. Sondland said he planned to attend the deposition. The State Department did not respond to questions about plans by other officials who were asked to appear.

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In Ukraine, Mr. Zelensky said Monday that his administration wouldn't release a transcript of the July phone call with Mr. Trump, while also saying he is open to investigating any alleged violation of Ukrainian law.

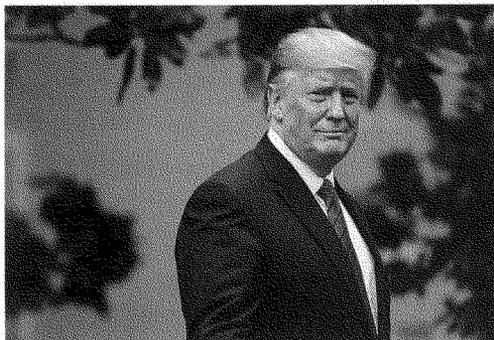


Ukrainian President Volodymyr Zelenskyy said his administration wouldn't release a transcript of the July phone call with Mr. Trump, while also saying he is open to investigating any alleged violation of Ukrainian law.

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*Does Mike Pompeo's involvement change your view on President Trump's call with Ukraine? Why or why not?*



President Trump's phone call with Ukrainian President Volodymyr Zelensky is at the center of an impeachment inquiry in the House of Representatives. PHOTO: ERIN SCOTT/REUTERS

At the White House on Monday afternoon, Mr. Trump told reporters: "We're trying to find out about a whistleblower." He didn't expand on that, and the White House didn't immediately respond to a question about the comment.

Mr. Trump has said he deserved to confront the whistleblower and anyone who provided him information and has suggested they are spies who committed treasonous acts. House Democrats are eager to hear testimony from the whistleblower—though in a way that will protect his identity.

Shortly after Mr. Trump's comment, Andrew P. Bakaj, a lawyer who represents the whistleblower, wrote on Twitter: "The Intel Community Whistleblower is entitled to anonymity. Law and policy support this and the individual is not to be retaliated against. Doing so is a violation of federal law."

The Republican-led Senate is considered unlikely to convict Mr. Trump in any impeachment trial. Removing the president requires approval by two-thirds of the 100-member Senate.

Some Senate Republicans have voiced concern over the allegations outlined by a whistleblower



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—*Rebecca Ballhaus and Natalie Andrews contributed to this article.*

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**Corrections & Amplifications**

Former Sen. Trent Lott (R., Miss.) was the Senate majority leader when the Senate was considering whether to remove President Clinton from office. In an earlier version of this article, the late Sen. Robert Byrd (D., W. Va.) was incorrectly identified as the Senate majority leader at the time. (Sept. 30, 2019)

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## POLITICS

## Trump, in August Call With GOP Senator, Denied Official's Claim on Ukraine Aid

Sen. Ron Johnson asked the president after hearing of potential pressure campaign

By *Siobhan Hughes and Rebecca Ballhaus*

Updated Oct. 4, 2019 5:47 pm ET

A Republican senator said he was told by an American diplomat in August that the release of U.S. aid to Ukraine was contingent on an investigation desired by President Trump and his allies, but Mr. Trump denied pursuing any such proposal when the lawmaker pressed him on it.

Sen. Ron Johnson said that Gordon Sondland, the U.S. ambassador to the European Union, had described to him a quid pro quo involving a commitment by Kyiv to probe matters related to U.S. elections and the status of nearly \$400 million in U.S. aid to Ukraine that the president had ordered to be held up in July.

Alarmed by that information, Mr. Johnson, who supports aid to Ukraine and is the chairman of a Senate subcommittee with jurisdiction over the region, said he raised the issue with Mr. Trump the next day, Aug. 31, in a phone call, days before the senator was to meet with Ukraine's president, Volodymyr Zelensky. In the call, Mr. Trump flatly rejected the notion that he directed aides to make military aid to Ukraine contingent on a new probe by Kyiv, Mr. Johnson said.

"He said, 'Expletive deleted—No way. I would never do that. Who told you that?'" the Wisconsin senator recalled in an interview Friday. Mr. Johnson said he told the president he had learned of the arrangement from Mr. Sondland.

Mr. Johnson's account, coupled with text messages among State Department officials released Thursday, show some Trump administration officials—including Mr. Sondland and a top U.S. diplomat in Kyiv—believed there was a link between Mr. Trump's July decision to hold up the aid to Ukraine and his interest in Kyiv's launching new probes.

A week after Mr. Trump ordered that hold on aid, he asked Mr. Zelensky in a phone call for help with two matters: an investigation of Joe Biden and one related to a conspiracy theory



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Trump, in August Call With GOP Senator, Denied Official's Claim on Ukraine Aid - WSJ



President Trump and Sen. Ron Johnson in Green Bay, Wis., this past April. PHOTO: ANDREW HARNIK/ASSOCIATED PRESS

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the president is unduly using the power of his office for his political aims.

#### SHARE YOUR THOUGHTS

*How much of an impact will these texts have on the impeachment inquiry? Join the conversation below.*

The White House didn't respond to a request for comment. Speaking to reporters Friday, Mr. Trump again denied a connection between his efforts to press Ukraine and his hold on aid to the country. The president also rejected the idea that he was pushing for a probe of Mr. Biden for political reasons.

Mr. Sondland, a former hotel executive and major Trump donor who was confirmed to the ambassador job last year, didn't respond to a request for comment through a spokesperson.

Mr. Johnson's account of Mr. Sondland's description of the conditions placed on aid to Ukraine runs counter to what Mr. Sondland told another diplomat a little over a week later.

On Sept. 9, Bill Taylor, a top U.S. diplomat in Kyiv, in a text message to Mr. Sondland also linked the hold on aid to the investigations the president was seeking. "I think it's crazy to withhold security assistance for help with a political campaign," Mr. Taylor wrote.

Mr. Sondland responded by disputing Mr. Taylor's assertion. "I believe you are incorrect about President Trump's intentions," he wrote. "The President has been crystal clear no quid pro



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Days later, the hold on the aid was lifted amid growing pressure from Congress.

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In his interview Friday, Mr. Johnson said his concern over the status of the aid was sparked by a news article about it.

Mr. Johnson said he learned of the potential arrangement involving military aid through a phone call with Mr. Sondland the day before Mr. Johnson spoke to Mr. Trump. Under the arrangement, Mr. Johnson said Mr. Sondland told him, Ukraine, under its newly elected president, would appoint a strong prosecutor general and move to “get to the bottom of what happened in 2016—if President Trump has that confidence, then he’ll release the military spending,” recounted Mr. Johnson.

“At that suggestion, I winced,” Mr. Johnson said. “My reaction was: Oh, God. I don’t want to see those two things combined.”

Mr. Johnson said he doesn’t believe Mr. Biden’s name came up during his conversations with Mr. Sondland or Mr. Trump.

In the call, Mr. Johnson said he also asked Mr. Trump if he could be authorized to tell the Ukrainians that support was coming. “He did not give me that authority,” Mr. Johnson said in a separate interview Wednesday. He said Mr. Trump assured him: “I hear what you’re saying; you’ll probably be happy with my decision.”

Mr. Trump and his allies have pushed the notion that, contrary to the conclusion by the U.S. intelligence community and by former special counsel Robert Mueller that Russia interfered in the 2016 election on Mr. Trump’s behalf, forces in Ukraine worked with Democrat Hillary Clinton’s campaign, unsuccessfully, in 2016. No evidence has emerged to support that theory.

Over the summer, the text messages show, State Department officials were seeking to work with a top aide to Mr. Zelensky to find an agreement that would pave the way for the aid to be released and a White House meeting between the two presidents. The agreement depended on Mr. Zelensky convincing Mr. Trump that “he will investigate/get to the bottom of what



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happened' in 2016," according to a text message by Kurt Volker, then the U.S. special representative for Ukraine negotiations.

The text messages released by House committees late Thursday indicate that U.S. officials coordinated with aides to the Ukrainian president and Rudy Giuliani, Mr. Trump's private lawyer, on a draft statement in which Kyiv would announce an investigation into both Mr. Biden and the 2016 race—at the same time as announcing a visit by the Ukrainian president to the White House.

Mr. Taylor couldn't be reached for comment.

Mr. Volker told House lawmakers in testimony on Thursday that he wasn't aware the president had mentioned Mr. Biden's name in the phone call with Mr. Zelensky until the White House released a rough transcript last week, according to a copy of his opening statement released Friday.

Separately, the House Intelligence Committee heard closed-door testimony Friday from Michael Atkinson, the Trump-appointed intelligence community inspector general who fielded a whistleblower's complaint about the Ukraine call.

During the all-day meeting—Mr. Atkinson's second appearance before the panel about the complaint—the inspector general filled in details about how he investigated the whistleblower's complaint and reiterated that he found the substance of it both urgent and credible, Rep. Mike Quigley (D., Ill.) said.

—Alex Leary contributed to this article.

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# The Washington Post

*Democracy Dies in Darkness*

## As impeachment tide swirls around Trump, Giuliani drops anchor in Ukraine

By **Paul Sonne**, **Greg Miller** and **Josh Dawsey**

Dec. 6, 2019 at 6:51 p.m. EST

Even as the House of Representatives began drafting charges against President Trump this week, his private attorney, who many believe is partly responsible for leading Trump on the path to his likely impeachment, made an audacious trip to the country at the center of the scandal.

Rudolph W. Giuliani departed Kyiv after meeting with a range of Ukrainians who have been feeding him unproven allegations against former vice president Joe Biden and helping construct a counternarrative that is taking hold in the Republican Party. The latter story line asserts that Ukraine interfered in the 2016 election, including with the baseless theory that Ukraine, rather than Russia, was behind the hacking of the Democratic National Committee.

The purported purpose of the trip was to conduct interviews for a documentary on a right-wing media network. But Giuliani's travel also appeared designed to send a broader and more brazen signal of the disregard that he and Trump have for the unfolding impeachment process.

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As if to underscore that, Giuliani used his Twitter account while on the trip to describe the impeachment hearings as a “witch hunt,” attack the former U.S. ambassador whom he helped oust earlier this year, and assert that Trump’s demands for politically beneficial investigations by Ukraine’s government were appropriate.

The flurry of messages seemed designed to taunt Democrats in Washington.

Current and former officials in Washington expressed astonishment at how Giuliani — apparently on behalf of the president — seemed to be mocking impeachment investigators, if not the very idea that either he or his client should answer any articles of impeachment.

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“It’s unbelievable to me the open way in which the administration and Giuliani are still pursuing this,” said Jeffrey Edmonds, who served as Russia director at the White House National Security Council under both Barack Obama and Trump. “It is a way of . . . asserting that everything that we’re doing is perfectly normal, perfectly fine and we’re going to keep doing it.”

Giuliani couldn’t be reached for comment on his trip.

The aftermath of Giuliani’s trip came as the White House signaled that it would not mount a formal defense of Trump in the House impeachment proceedings. White House counsel Pat A. Cipollone sent a letter to the chairman of the House Judiciary Committee on Friday, saying adopting articles of impeachment “would be a reckless abuse of power by House Democrats.”

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Giuliani’s trip also represented an affront to Ukrainian President Volodymyr Zelensky, whose government was welcoming a high-level State Department diplomat at the same time and hoping to return relations with the United States to normal after more than two months at the center of an American political maelstrom.

Zelensky, who didn't meet with Giuliani, is preparing for a high-stakes summit on Monday in Paris, where he is scheduled to meet Russian President Vladimir Putin alongside the leaders of Germany and France in a renewed attempt to bring an end to the war between Russia-backed proxies and Ukrainian forces in the nation's east. More than 13,000 people have died in the conflict.

The disruption in U.S.-Ukraine relations caused by Giuliani's activities and the resulting impeachment inquiry have led some Ukrainians to fear that Zelensky, who promised an end to the conflict during his campaign, will cut a bad deal with Putin, owing partly to a growing sentiment in Kyiv that Ukraine can no longer count on support from the United States.

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Such concerns appeared to be far from Giuliani's mind.

During his trip, he sat down with a mustachioed Ukrainian lawmaker who has promoted Russian interests in Ukraine and once studied at a KGB academy in Moscow.

He was accompanied by a former Ukrainian diplomat who has won renown in U.S. right-wing circles by alleging Ukraine colluded with the DNC to undermine Trump in 2016.

He received a bon voyage message from a former Ukrainian parliamentarian, who once sent a peace proposal to the White House that would have lifted sanctions on Russia and recognized the Kremlin's annexation of Crimea.

The trip also served a practical purpose ahead of a likely Senate trial of his client. Giuliani brought a correspondent from the right-wing One America News to interview many of the Ukrainians he has interacted with in the past year — people who are willing to make allegations against Biden and the Democrats.

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The footage will help inject the theories Giuliani has gathered over the past year even further into the American public discourse, as the Senate prepares to embark on a trial that some Republican lawmakers want to make as much about Biden as it is about the president.

Giuliani has alleged that Biden pushed for the 2016 firing of Ukraine's top prosecutor to help his son, Hunter Biden, who at the time was a board member of a Ukrainian gas company whose owner was under investigation in Ukraine. Apart from a claim by the top prosecutor in question that Biden had him fired for that reason, no evidence has surfaced to show that is why Biden sought his removal. European Union leaders also wanted the prosecutor removed.

During the trip, Giuliani said on Twitter that until the matter is resolved, the issue "will be a major obstacle to the U.S. assisting Ukraine with its anti-corruption efforts."

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In Kyiv, Giuliani met with two members of Ukraine's parliament, Andriy Derkach and Oleksandr Dubinsky, who have called for a joint U.S.-Ukrainian parliamentary investigation into the gas company. The One America News correspondent traveling with Giuliani posted photos of them interviewing former Ukrainian Prosecutor General Yuri Lutsenko in Budapest, where they stopped before traveling on to Ukraine.

On Capitol Hill, Democrats were shocked by Giuliani's nerve.

“It’s a brazen move,” said Rep. Raja Krishnamoorthi (D-Ill.), a member of the House Intelligence Committee, which led the impeachment inquiry. “This is emblematic of this White House: When they are in the wrong, they double down. And in this case, they are tripling down.”

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House Speaker Nancy Pelosi (D-Calif.) called the trip an indication of “the arrogance of it all” in comments at a CNN Town Hall on Thursday night.

Some Republicans were left scratching their heads.

Asked about the trip, Rep. Mo Brooks (R-Ala.) replied, “Rudy does what Rudy does.”

Others were surprised. “The fact that Giuliani is back in Ukraine is like a murder suspect returning to the crime scene to live-stream themselves moon dancing,” said Dan Eberhart, a prominent Republican donor and Trump supporter. “It’s brazen on a galactic level.”

At the White House, deputy press secretary Hogan Gidley sidestepped the matter.

“That’s a question between Rudy and the president,” Gidley said.

Privately, however, two officials involved in the White House's impeachment response said Trump aides were not told Giuliani was traveling to Ukraine and do not view it as helpful.

Some House Republicans have sought to create distance between Trump and Giuliani, but the president has not yet signaled a willingness to support such a move, the two officials said. On Friday, Gidley said that as far as he was aware, Giuliani remained Trump's personal attorney.

*Robyn Dixon in Moscow, David L. Stern in Kyiv and Rachael Bade and Mike DeBonis in Washington contributed to this report.*

## **Impeachment: What you need to read**

Updated December 30, 2019

Here's what you need to know to understand the impeachment of President Trump.

**What's happening now:** Trump is now the third U.S. president to be impeached, after the House of Representatives adopted both articles of impeachment against him.

**What happens next:** Impeachment does not mean that the president has been removed from office. The Senate must hold a trial to make that determination. A trial is expected to take place in January. Here's more on what happens next.

**How we got here:** A whistleblower complaint led Pelosi to announce the beginning of an official impeachment inquiry on Sept. 24. Closed-door hearings and subpoenaed documents related to the president's July 25 phone call with Ukrainian President Volodymyr Zelensky followed. After two weeks of public hearings in November, the House Intelligence Committee wrote a report that was sent to the House Judiciary Committee, which held its own hearings. Pelosi and House Democrats announced the articles of impeachment against Trump on Dec. 10. The Judiciary Committee approved two articles of impeachment against Trump: abuse of power and obstruction of Congress.

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## The Washington Post

*Democracy Dies in Darkness*

# Comedian Volodymyr Zelensky unseats incumbent in Ukraine's presidential election, exit poll shows

By **Anton Troianovski**

April 21, 2019 at 7:57 p.m. EDT

KIEV, Ukraine — Comedian Volodymyr Zelensky swept to victory in Ukraine's presidential election Sunday, an exit poll showed, as millions of voters weary of war and economic hardship rebuked the ruling elites and ushered in fresh uncertainty for their geopolitically pivotal nation.

Zelensky, a 41-year-old TV star with no political experience, won 73 percent of the vote in the runoff election, according to national exit poll results broadcast by Ukrainian television. President Petro Poroshenko, who was running for his second five-year term, accepted defeat in a speech soon after the polls closed.

Zelensky walked onstage at his election-night celebration to the theme song from "Servant of the People" — the popular sitcom in which he plays the president of Ukraine.

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“To all Ukrainians, no matter where you are, I promise that I will never let you down,” Zelensky said after the results came in. “Though I’m still not president, I can say as a Ukrainian citizen to all the countries of the former Soviet Union: Look at us. Everything is possible.”

The comedian had been heavily favored going into the election, holding a decisive lead in the polls in recent weeks. His surge to the top of a crowded field of candidates in the presidential campaign’s first round and his apparent landslide win Sunday reflected the disdain with which many Ukrainians see the political establishment five years after their pro-Western revolution.

“Next month, I will leave the post of the head of state,” Poroshenko said in his concession speech, pledging that he would remain in politics. “That’s how the majority of Ukrainians decided, and I accept this decision.”

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Amid a continuing war in eastern Ukraine, economic travails and popular revulsion over allegations of government corruption, Zelensky's anti-establishment, antiwar and reformist message captured the support of a wide cross-section of the country.

"I voted for Zelensky because everything he said is true," said Viktoriia Bengalska, a 45-year-old secretary in Kiev. "It's impossible to survive on this salary, prices have increased like crazy, and we were promised something totally different."

Zelensky's apparent victory is the latest in the global trend of political outsiders harnessing TV and social media to outmuscle the unpopular establishment. It is likely to reverberate in Russia and elsewhere across the former Soviet Union, where few other countries can claim a democratic system that would allow a comedian to unseat the sitting president. And it prompts questions about Ukraine's strategy in its conflict with Russian President Vladimir Putin — with whom Zelensky has promised to negotiate while not detailing how.

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"Zelensky doesn't have experience, and Putin is a very dangerous adversary," said Volodymyr Fesenko, a political analyst in Kiev. "There's a lot of risk here."

Ukraine, a country of more than 40 million people, is pivotal to Putin's effort to maintain a sphere of influence in Eastern Europe. Putin annexed Ukraine's Crimean Peninsula and backed separatists in eastern Ukraine after popular protests toppled a Moscow-friendly president in Kiev in 2014. A successful democracy in Ukraine — which shares deep historical, linguistic and cultural links with Russia — could also energize opposition within Russia to Putin's autocratic rule.

In Russia, both pro-Kremlin and independent news media broadcast live feeds of Friday's stadium debate between Poroshenko and Zelensky, a spectacle offering a striking contrast to the lack of a domestic challenge to Putin. "We want it like in Ukraine," said a headline in the Russian business newspaper Vedomosti.

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Zelensky has said he will maintain Ukraine's pro-Western course, and he has pledged not to give away any territory in negotiations with Putin. But he has signaled greater flexibility than Poroshenko in potential negotiations over the war in eastern Ukraine, sparking optimism as well as concern that he could be outmatched by the Kremlin.

But many voters brushed those fears aside Sunday amid intense dissatisfaction with their current leadership. The war in eastern Ukraine has killed about 13,000 people, according to the United Nations. Sporadic, deadly shooting continues to occur, and Russian-backed rebels occupy a swath of territory around two major cities near the Russian border.

Poroshenko, whose confectionery business makes him one of the country's richest men, took office in 2014 in the wake of Ukraine's pro-Western revolution. He built his campaign around the theme of independence from neighboring Russia — strengthening the military, promoting the Ukrainian language over Russian and forming a Ukrainian Orthodox Church separate from Moscow. His slogan: "Army! Language! Faith!"

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In his last-ditch appeal before the runoff election, Poroshenko told voters that handing the presidency to Zelensky would imperil the very existence of the country. Zelensky's slick, social media and TV-driven campaign masked the influence of the Kremlin and of unscrupulous billionaires, Poroshenko alleged.

“This is a bright candy wrapper,” Poroshenko said in the debate in Kiev’s Olympic Stadium on Friday, referring to Zelensky. “There are Russians inside and fugitive oligarchs.”

Those concerns echoed among Poroshenko’s supporters, a sign that one of Zelensky’s most difficult tasks will be to bring together a divided country. At a polling station set up at a Kiev public school, Inna Dzhurynska, 52, pointed at her traditional Ukrainian embroidered shirt when asked whom she was voting for.

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“Who do you think I will vote for?” Dzhurynska said. “We’ll lose Ukraine with Zelensky,” she added, and broke into tears.

During his campaign, Zelensky largely eschewed traditional advertising and unscripted interactions with journalists. Instead, the entertainer relied on social media and his television shows to reach voters. (Zelensky also is part of a Saturday-night comedy show.)

On his sitcom, Zelensky plays a simple, morally upright schoolteacher who is elected president after his rant of outrage over corruption is caught on camera and goes viral. He then takes on Ukraine's entrenched business and political elites, refusing to be bought. The third season of Zelensky's show, "Servant of the People," aired this spring and includes scenes of a prosperous, corruption-free Ukraine in the aftermath of the Zelensky character's presidency.

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"I'm not a politician," Zelensky said in Friday's debate, channeling his character in his show. "I'm just a simple person who came to break the system."

To be sure, his real-life political rise isn't quite the Cinderella story told in his sitcom. The long-popular entertainer has benefited from his business partnership with Ukrainian billionaire Ihor Kolomoisky, who controls the television channel that airs Zelensky's shows and gave largely positive coverage to his candidacy. Both men deny that Kolomoisky is behind Zelensky's political ambitions.

Zelensky's most powerful advantage in the runoff may have been simply that he was not Poroshenko. Many voters blame the incumbent for the failure to end the war in eastern Ukraine and for allowing corruption to fester at the highest levels of government. Poroshenko countered that it's Russia's fault that the war lingers and that he did what was possible to reform governance in Ukraine.

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Poroshenko "could have made it into history, but he was only protecting his interests and not the state's," said Valentyn Rudenko, 70, a pensioner and Zelensky voter in Kiev. "I just don't want Poroshenko to be president."

On the popular messaging app Telegram, Zelensky's campaign distributed an image for supporters of the candidate holding two automatic guns. It's a frame from a graphic dream sequence in "Servant of the People" in which Zelensky's presidential character comes to parliament, grabs his bodyguard's weapons and massacres the lawmakers in front of him.

"End of the old era," the text under the image says.

*Oksana Parafeniuk contributed to this report.*

## Former White House officials say they feared Putin influenced the president's views on Ukraine and 2016 campaign

[washingtonpost.com/national-security/former-white-house-officials-say-they-feared-putin-influenced-the-](https://www.washingtonpost.com/national-security/former-white-house-officials-say-they-feared-putin-influenced-the-2016-campaign/2019/01/24/)

By Shane Harris, Josh Dawsey and Carol D. Leonnig

Almost from the moment he took office, President Trump seized on a theory that troubled his senior aides: Ukraine, he told them on many occasions, had tried to stop him from winning the White House.

After meeting privately in July 2017 with Russian President Vladimir Putin at the Group of 20 summit in Hamburg, Trump grew more insistent that Ukraine worked to defeat him, according to multiple former officials familiar with his assertions.

The president's intense resistance to the assessment of U.S. intelligence agencies that Russia systematically interfered in the 2016 campaign — and the blame he cast instead on a rival country — led many of his advisers to think that Putin himself helped spur the idea of Ukraine's culpability, said the officials, who spoke on the condition of anonymity to describe internal discussions.

AD

One former senior White House official said Trump even stated so explicitly at one point, saying he knew Ukraine was the real culprit because "Putin told me."

Two other former officials said the senior White House official described Trump's comment to them.

The Ukraine theory that [has consumed Trump's attention](#) has now been taken up by Republicans in Congress who are defending the president against impeachment. Top GOP lawmakers have demanded investigations of Ukrainian interference for which senior U.S. officials, including [the director of the FBI](#), say there is no evidence.

Allegations about Ukraine's role in the 2016 race have been promoted by an array of figures, including right-wing journalists whose work the president avidly consumes, as well as Rudolph W. Giuliani, his personal lawyer. But U.S. intelligence officials told lawmakers and their staff members this past fall that Russian security services played a major role in spreading false claims of Ukrainian complicity, said people familiar with the assessments.

AD

The concern among senior White House officials that Putin helped fuel Trump's theories about Ukraine underscores long-standing fears inside the administration about the Russian president's ability to influence Trump's views.

The White House did not respond to requests for comment.

The Russian Embassy in Washington declined to address whether Putin told Trump that Ukraine interfered in the 2016 campaign, saying only that information about the two leaders' conversations is available on the Kremlin's website.

This article is based on interviews with 15 former administration and government officials, who spoke on the condition of anonymity to offer their candid views about the president.

AD

Aides said they have long been confounded by the president's fixation on Ukraine — a topic he raised when advisers sought to caution him that Russia was likely to try to disrupt future elections.

"He would say: 'This is ridiculous. Everyone knows I won the election. The greatest election in the world. The Russians didn't do anything. The Ukrainians tried to do something,'" one former official said.

Trump, the official said, offered no proof to support his theory of Ukraine's involvement.

"We spent a lot of time . . . trying to refute this one in the first year of the administration," Fiona Hill, a former senior director for Europe and Russia on the National Security Council, told impeachment investigators in October.

## A debunked theory takes hold

The claims that Ukraine sought to tilt the 2016 election have taken several forms. One early version was promoted by Paul Manafort, Trump's then-campaign chairman, who suggested to campaign aides as early as the summer of 2016 that Ukrainians may have been behind a hack of the Democratic National Committee (DNC), rather than the Russians, his deputy, Rick Gates, later told federal investigators.

AD

Gates said that Manafort's theory "parroted a narrative" that was advanced at the time by Konstantin Kilimnik, an employee of Manafort's whom the FBI has assessed to have connections to Russian intelligence. (Kilimnik, who is believed to be in Moscow, has denied such ties.)

Two weeks after Trump took office, Putin floated another claim: that figures in Ukraine had helped boost Democratic nominee Hillary Clinton.

“As we know, during the election campaign in the U.S., the current Ukrainian authorities took a unilateral position in support of one of the candidates,” Putin said at a [news conference](#) in Budapest on Feb. 2, 2017. “Moreover, some oligarchs, probably with the approval of the political leadership, financed this candidate.”

AD

Ukrainian steel magnate Viktor Pinchuk's foundation [donated](#) millions of dollars to the Clinton Foundation, but there is no evidence that he contributed money to Hillary Clinton's campaign, which would be prohibited under federal law. Pinchuk has also supported Trump: In 2015, he made a \$150,000 donation to [Trump's foundation](#).

RT, the Russian government-funded media network, spotlighted other arguments that Ukraine worked to help Clinton's campaign, focusing on contacts between a part-time DNC consultant and Ukrainian Embassy officials in Washington.

“Democrat-Ukraine collusion seems far deeper than anything so far proven between the Trump campaign and Russia,” an op-ed columnist [wrote](#) in July 2017.

AD

Trump added his own twist on the conspiracy theory in April 2017, in his first public allegation about Ukraine's role.

In an [interview](#) with the Associated Press, the president claimed that CrowdStrike, a computer security company the DNC hired to investigate the breach of its email systems, was based in Ukraine and played some role in hiding evidence from the FBI.

“Why wouldn't [Clinton campaign chairman John] Podesta and Hillary Clinton allow the FBI to see the server? They brought in another company that I hear is Ukrainian-based,” Trump said. “I heard it's owned by a very rich Ukrainian, that's what I heard. But they brought in another company to investigate the server. Why didn't they allow the FBI in to investigate the server?”

AD

In fact, CrowdStrike is based in California, and it is not owned by a Ukrainian. Dmitri Alperovitch, the company's co-founder, is a Russia-born U.S. citizen who is an expert in cybersecurity and national security.

It is unclear where Trump first got the idea of a Ukrainian connection to CrowdStrike. At the time, the notion was not yet being widely discussed on Twitter, his social media platform of choice and a fertile bed for disinformation, according to social media experts.

“Prior to Trump's mentioning it in his interview with the Associated Press, the idea that CrowdStrike was Ukrainian based and concocted the story of the DNC hack existed on social media but was far from mainstream,” said Darren Linvill, an associate professor of

communication at Clemson University who studies social media and online disinformation and conducted an analysis of tweets during that period for The Washington Post.

AD

"On Twitter, messages pushing the argument can be measured in the hundreds, not even the thousands, and in this context those are small numbers," Linvill said.

Trump has returned to the false Ukraine-CrowdStrike connection many times, arguing that the company had covered up Ukraine's hacking of the DNC and that it had even spirited the DNC server to Ukraine, former White House officials said.

In June, for instance, he called in to Sean Hannity's Fox News program and repeated his complaint that the FBI hadn't taken possession of the DNC email server.

"How come the FBI didn't take the server from the DNC? Just think about that one, Sean," Trump said.

That same day, Breitbart News had published a story about the FBI relying on information from CrowdStrike.

In fact, the bureau's forensic experts had taken complete copies of dozens of servers used by the DNC, which then-FBI Director James B. Comey later testified was an "appropriate substitute" for examining the actual equipment. The intelligence community also knew months before CrowdStrike was hired that the Russians had infiltrated the DNC.

Most significantly, Trump raised CrowdStrike in the July 25 phone call with Ukrainian President Volodymyr Zelensky that led to his impeachment.

"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," Trump said, according to a memorandum the White House released of the call.

Privately, officials tried in vain to convince the president that CrowdStrike was not a Ukrainian company and that it would be impossible for the server to be located there, a former administration official said.

One of the officials who Hill said tried to convince Trump, former homeland security adviser Thomas P. Bossert, publicly pleaded with the White House in September to drop the Ukraine theory, which he called "completely debunked."

"The DNC server and that conspiracy theory has got to go," he told ABC News's "This Week." "If he continues to focus on that white whale, it's going to bring him down."

Bossert pointed to Giuliani, Trump's personal lawyer, as a persistent source of the server claim. "I am deeply frustrated with what [Giuliani] and the legal team is doing in repeating that debunked theory to the president. It sticks in his mind when he hears it over and over again."

## An early coolness

Trump's suspicions about Ukraine manifested in other ways. Early in the administration, then-Ukrainian President Petro Poroshenko was eager to secure a White House meeting with Trump — ideally before he met publicly with Putin — to demonstrate U.S. commitment to defending Ukraine against Russia.

But Trump resisted the meeting, according to former U.S. officials with direct knowledge of the matter. White House aides were confused: Ukraine was an ally in a war against a country that had just undermined the U.S. elections. Meeting with Poroshenko was a "no-brainer," one former official said. "It was utterly mystifying to us why Trump wouldn't agree."

Another former official said it was clear from the beginning of Trump's presidency that he wanted to improve relations with Russia and form a bond with Putin.

John Kelly, who served as Trump's chief of staff from mid-2017 until the end of 2018, marveled to other aides that Trump expressed far less skepticism of Putin, whom Trump sometimes called "my friend," than other leaders, said a former senior White House official.

Kelly tried to get U.S. experts to speak to Trump before his scheduled calls with the Russian president to push back on some of Trump's misconceptions, the official said.

Some wondered whether Trump's coolness toward Ukraine was intended not to offend Putin.

Poroshenko came to the White House on June 20, 2017, to meet with Vice President Pence. Trump had a short "drop-in" with the Ukrainian leader, allaying some U.S. officials' concerns that he wouldn't bother to say hello.

The two leaders posed for photos with reporters in the Oval Office and made short remarks. (Notably, Trump did not mention Ukraine's war with Russia.) But the brevity of their encounter underscored Trump's reticence. He had already met with several foreign leaders for more formal, longer meetings, followed by joint news conferences. Trump hadn't snubbed Poroshenko, but he hadn't strongly embraced him, either.

The meeting stood in stark contrast to Trump's warm reception a month earlier of Russian Foreign Minister Sergei Lavrov and Sergey Kislyak, who was then Russia's ambassador to the United States. Trump told his guests that he was unconcerned about Moscow's interference in the 2016 U.S. presidential campaign because the United States did the same in other

countries, an assertion that prompted White House officials to limit access to the remarks to an unusually small number of people, according to three former officials with knowledge of the matter.

U.S. officials who had been working to deter Russia were aghast. They thought the Russians would take it as a signal that they were free to interfere in upcoming U.S. elections and those in Europe, as well.

## A private meeting

On July 7, 2017, Trump had his first in-person encounter with Putin, at the G-20 meeting in Hamburg. Their highly anticipated formal conversation lasted more than two hours. But later that day, they met informally for an additional hour, at a dinner for heads of state and their spouses.

At the time, U.S. and Russian officials didn't disclose the conversation. During the meal, Trump left his chair and sat next to Putin. Trump went alone, and Putin was assisted by his interpreter.

For some White House officials struggling to understand Trump's obsession with Ukraine, the Hamburg meetings were a turning point.

Three former senior administration officials said Trump repeatedly insisted after the G-20 summit that he believed Putin's assurances that Russia had not interfered in the 2016 campaign. The officials said Kelly, national security adviser H.R. McMaster and Secretary of State Rex Tillerson all tried to caution Trump not to rely on Putin's word, and to focus on evidence to the contrary that U.S. intelligence agencies had collected.

Over the next several months, Trump privately told aides on several occasions that he believed Ukraine had interfered and tried to help Clinton win the White House, former officials said.

"The strong belief in the White House was that Putin told him," one former official said.

Trump repeatedly told one senior official that the Russian president said Ukraine sought to undermine him, the official said.

There was no evidence that Putin pushed the Ukraine theory with Trump in their official phone calls and meetings, which were witnessed by interpreters and aides, several former administration officials said.

However, White House aides were not part of Trump's private conversation with Putin in Hamburg, or a later meeting he had in Helsinki for two hours with the Russian president, when they were accompanied by only their interpreters.

Trump also took steps to conceal the details of his formal meeting with Putin in Hamburg, taking the notes away from his interpreter and instructing her not to discuss what had transpired with other administration officials, The Post reported earlier this year.

In the wake of Hamburg, top leaders were dispatched to try to convince him that Russia interfered in the campaign. On different occasions, Kelly asked Bossert, CIA Director Mike Pompeo, Director of National Intelligence Daniel Coats and his principal deputy, Sue Gordon, to brief the president on the intelligence community's Russia assessment, said former officials with knowledge of the briefings.

They did not convince him.

A year after Trump met Putin in Hamburg, they reconvened at a summit in Helsinki. After his one-on-one with the Russian president, Trump expressed doubt that the Kremlin interfered in the campaign.

"My people came to me, Daniel Coats came to me and some others, they said they think it's Russia," Trump said at a joint news conference, standing beside the Russian leader. "I have President Putin; he just said it's not Russia. I will say this: I don't see any reason why it would be, but I really do want to see the server."

Intelligence officials were stunned that Trump would publicly side with Putin over his own advisers. His comments also revealed that he still clung to his suspicions about Ukraine.

"I really believe that this will probably go on for a while, but I don't think it can go on without finding out what happened to the server," Trump said.

Later that day, Coats issued a public statement that read like a rebuke.

"The role of the Intelligence Community is to provide the best information and fact-based assessments possible for the President and policymakers," Coats said. "We have been clear in our assessments of Russian meddling in the 2016 election and their ongoing, pervasive efforts to undermine our democracy, and we will continue to provide unvarnished and objective intelligence in support of our national security."

But after returning to Washington, Trump continued to press the Ukraine theory with more frequency, former officials said. They worried that his meeting with Putin had again influenced his thinking.

## The narrative takes hold

In the run-up to Trump's impeachment, some GOP lawmakers have echoed the Ukraine-did-it theory, weaving together events that did occur — such as the then-Ukrainian ambassador's criticism of Trump in a 2016 op-ed — as part of a conspiracy they equate with

the Kremlin's intelligence operation.

"The Democrats cooperated in Ukrainian election meddling," Rep. Devin Nunes (Calif.), the ranking Republican on the House Intelligence Committee, alleged at a Nov. 14 hearing to collect evidence for the impeachment.

Sen. John Neely Kennedy (La.) suggested in a Fox News appearance that Ukraine, not Russia, may have broken into the DNC's email system. He later retracted the comment, but in a subsequent interview on "Meet the Press," Kennedy said "both Russia and Ukraine" had interfered in 2016.

Sen. Ted Cruz (Tex.) told the same program this month that there was "considerable evidence" that Ukraine had interfered.

This fall, U.S. intelligence officials informed lawmakers about what they have concluded has been an organized campaign by Russian propagandists to spread the Ukraine theory on social media, said people with knowledge of the reporting.

The reports by intelligence analysts cite evidence that the propagandists were taking credit for helping to spread disinformation that equated Ukraine's actions to Russia's, and celebrating the traction it was getting, particularly with conservative news organizations.

The intelligence reports were shared with members of Congress and their staff, including lawmakers who have in recent weeks become some of the most vocal advocates for investigating Ukraine's alleged interference, said people with knowledge of the matter. The New York Times first reported the briefings to lawmakers.

In her public testimony in the impeachment proceedings, Hill, the NSC's former Russia director, admonished lawmakers not to take the Kremlin's bait.

"Based on questions and statements I have heard, some of you on this committee appear to believe that Russia and its security services did not conduct a campaign against our country — and that perhaps, somehow, for some reason, Ukraine did," she said. "This is a fictional narrative that has been perpetrated and propagated by the Russian security services themselves."

Hill implored the lawmakers not to help Russia's campaign. "In the course of this investigation, I would ask that you please not promote politically driven falsehoods that so clearly advance Russian interests."

Last month, RT rejected the idea that Russia had promoted such a narrative, noting that - Putin said in July that he did not think the actions of wealthy individuals in that country amounted to "interference by Ukraine."

More recently, however, the Russian president has expressed satisfaction in the new focus on Ukraine.

"Thank God no one is accusing us of interfering in the U.S. elections anymore; now they're accusing Ukraine," the Russian president said at a news conference in Moscow in November. "Well, let them sort this out among themselves."

Ellen Nakashima and Greg Miller contributed to this report.

## Giuliani says Trump asked him to brief Justice Dept. and GOP senators on his Ukraine findings

By **Josh Dawsey**

Dec. 10, 2019 at 4:34 p.m. EST

Rudolph W. Giuliani, President Trump's personal lawyer, said Tuesday that the president has asked him to brief the Justice Department and Republican senators on his findings from a recent trip to Ukraine ahead of a likely Senate impeachment trial.

"He wants me to do it," Giuliani said in a brief interview. "I'm working on pulling it together and hope to have it done by the end of the week."

However, it is unclear whether GOP senators or Justice Department officials want information from Giuliani, whose meetings in Europe last week with Ukrainian sources drew condemnation from Democratic lawmakers and wincing even from some Republicans.

In a recent interview, Sen. Lindsey O. Graham (R-S.C.) said he had no plans for Giuliani to appear before the Senate Judiciary Committee, which has launched an inquiry into former vice president Joe Biden and his communications with Ukrainian officials. Attorney General William P. Barr has counseled Trump in general terms that Giuliani has become a liability and a problem for the administration, as The Washington Post previously reported.

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A Justice Department spokeswoman declined to comment. The White House did not immediately respond to a request for comment.

Two White House officials who spoke on the condition of anonymity to describe internal conversations said that Trump did not instruct Giuliani to go to Ukraine. The president's advisers were displeased about the trip, although Trump has not expressed those concerns, they said.

Indeed, on Saturday, Trump appeared happy with his lawyer's work, telling reporters that Giuliani was going to "make a report" to the attorney general and Congress.

“He says he has a lot of good information,” Trump said, adding, “I hear he has found plenty.”

AD

Meanwhile, federal prosecutors in New York are scrutinizing Giuliani’s ties to two recently indicted associates and his consulting business as part of a broad probe of possible foreign-lobbying violations and other potential crimes, according to people familiar with the investigation.

Giuliani said Tuesday that he has unsuccessfully sought to learn why he is under investigation in the Southern District of New York, the office he led as U.S. attorney in the 1980s.

“They are refusing to tell us why they are investigating,” he said. Giuliani said he wants to present evidence that he is innocent to prosecutors but has not been given the chance.

He said his former office is pursuing the “most unfair, vindictive investigation they have ever conducted.”

AD

“I believe that the leaks and the investigation is intended to intimidate me as the president’s lawyer,” Giuliani said. “I am fully confident that I did not commit any crimes of any kind. They’re going after the wrong guy. The more they try to intimidate me, the more I think, I better go get additional evidence.”

The U.S. attorney’s office declined to comment.

Giuliani said he returned Saturday from a trip that took him to Ukraine, Hungary and Vienna, where he said he was looking for documents and witnesses to buttress unproven claims he has made about Biden’s son Hunter, as well as the unfounded assertion that Ukraine interfered in the 2016 election.

AD

Giuliani said he had gotten new documents and additional witnesses to participate in his effort, though he declined to provide details.

He was accompanied by correspondents from the conservative One America News Network, which is producing a documentary about his work.

While Giuliani was in Kyiv, he met with Andriy Derkach, a Ukrainian lawmaker who told The Post that he handed Giuliani documents on allegations relating to inefficient expenditure of U.S. government money on projects in Ukraine and other matters.

Derkach, an independent lawmaker who was formerly a member of a pro-Russian party in parliament, went to the Dzerzhinsky Higher School of the KGB in Moscow. He is the son of a KGB officer who later served as head of Ukrainian intelligence.

Giuliani said he also wanted to meet with former prosecutor general Viktor Shokin, but the latter was unable to travel to meet him, he said.

“I’m fearful Mr. Shokin is not healthy, and it is important to memorialize his testimony on tape,” Giuliani said.

*Devlin Barrett in Washington and Shayna Jacobs in New York contributed to this report.*

## **Impeachment: What you need to read**

Updated December 30, 2019

Here's what you need to know to understand the impeachment of President Trump.

**What's happening now:** Trump is now the third U.S. president to be impeached, after the House of Representatives adopted both articles of impeachment against him.

**What happens next:** Impeachment does not mean that the president has been removed from office. The Senate must hold a trial to make that determination. A trial is expected to take place in January. Here's more on what happens next.

**How we got here:** A whistleblower complaint led Pelosi to announce the beginning of an official impeachment inquiry on Sept. 24. Closed-door hearings and subpoenaed documents related to the president's July 25 phone call with Ukrainian President Volodymyr Zelensky followed. After two weeks of public hearings in November, the House Intelligence Committee wrote a report that was sent to the House Judiciary Committee, which held its own hearings. Pelosi and House Democrats announced the articles of impeachment against Trump on Dec. 10. The Judiciary Committee approved two articles of impeachment against Trump: abuse of power and obstruction of Congress.

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## The Washington Post

*Democracy Dies in Darkness*

# How a CIA analyst, alarmed by Trump's shadow foreign policy, triggered an impeachment inquiry

By **Greg Miller**, **Greg Jaffe** and **Paul Sonne**

November 16, 2019 at 7:00 a.m. EST

The lights are often on late into the evening at CIA headquarters, where a team of elite analysts works on classified reports that influence how the country responds to global crises.

In early August, one of those analysts was staying after hours on a project with even higher stakes. For two weeks, he pored over notes of alarming conversations with White House officials, reviewed details from interagency memos on the U.S. relationship with Ukraine and scanned public statements by President Trump.

He wove this material into a nine-page memo outlining evidence that Trump had abused the powers of his office to try to coerce Ukraine into helping him get reelected. Then, on Aug. 12, the analyst hit “send.”

AD



Keep up with the **impeachment inquiry**



His decision to report what he had learned to the U.S. intelligence community's inspector general has transformed the political landscape of the United States, triggering a rapidly moving impeachment inquiry that now imperils Trump's presidency.

Over the past three months, the allegations made in that document have been overwhelmingly substantiated — by the sworn testimony of administration officials, the inadvertent admissions of Trump's acting chief of staff and, most important, the president's own words, as captured on a record of his July 25 call with the leader of Ukraine.

As the impeachment inquiry entered a new phase of public hearings on Wednesday, the outlines of the case have been thoroughly established: the president, his personal lawyer Rudolph W. Giuliani and two diplomats are alleged to have collaborated to pressure Ukraine to pursue investigations to bolster Trump's conspiracy theories about the 2016 election and damage the prospects of a potential opponent in next year's election, former vice president Joe Biden.

AD

To advance this hidden agenda, Trump and his allies orchestrated the ouster of a

1/3/2020

How the whistleblower triggered an impeachment inquiry - The Washington Post

U.S. ambassador, the withholding of an Oval Office meeting from Ukraine's new president and the suspension of hundreds of millions of dollars in U.S. aid.

But beyond that familiar fact pattern, the revelations reflect a country in political crisis.

The United States has embarked on an impeachment proceeding against a president for only the fourth time in its history. The voluminous testimony so far has revealed a government at war with itself over how to respond to Trump's frequent conflation of the country's interests with his own. After casting itself as a force against corruption, condemning politically driven prosecutions in other countries, the United States now appears to have sought to coerce such actions from a partner nation.

AD

It is not clear whether any of this would have come to light were it not for the actions of a relatively junior CIA employee, who is now the target of almost daily attacks by Trump and right-wing efforts to make his identity widely public.

Dozens of senior officials — including the national security adviser, the secretary of

1/3/2020

How the whistleblower triggered an impeachment inquiry - The Washington Post

state and the acting White House chief of staff — were either aware of or involved in the Ukraine scheme and failed to expose or stop it. More than a half-dozen lower-ranking officials made futile attempts to intervene.

Ultimately, it came down to a lone analyst, in a cubicle miles from the White House, drafting an unprecedented document in the detached manner he had learned in his CIA training.

AD

“In the course of my official duties,” he wrote, “I have received information from multiple U.S. government officials that the President of the United States is using the power of his office to solicit interference from a foreign country in the 2020 U.S. election.”

This article is based on interviews with dozens of U.S. and Ukrainian officials, the whistleblower report, the White House call record and thousands of pages of impeachment hearing transcripts. Many officials and others spoke on the condition of anonymity, citing the sensitivity of the issue and fear of retaliation.

The CIA declined to comment on all matters related to the whistleblower, including

whether he is employed at the agency. The whistleblower's lawyers also declined to comment.

AD

## THE IMPEACHMENT HEARINGS

### **'The center of our investigation'**

Attempts to discredit the whistleblower have depicted him as driven by ideology or political grievance, secretly determined to unseat the president. The inspector general did note "an arguable political bias" on the part of the whistleblower but found his complaint "credible."

Current and former officials familiar with the analyst's actions said that he was daunted by the implications of his decision, both for the country and his career, and that he never contemplated becoming a whistleblower until learning about the nature of Trump's July 25 call with Ukrainian President Volodymyr Zelensky.

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The rough transcript of that call, which was released by the White House after the analyst's concerns became public, shows Trump opening with congratulations on Ukraine's recent parliamentary elections and then transitioning swiftly into applying pressure.

"I would like you to do us a favor though," Trump says, urging Zelensky to order investigations into a baseless claim that Kyiv is hiding computer equipment that would supposedly prove it was Ukraine, and not Russia, that hacked the Democratic National Committee's network in 2016; and into a Ukrainian energy company, Burisma Holdings, that had employed Biden's son Hunter to serve on its board of directors for up to \$100,000 a month.

In their 30-minute conversation, there was no mention of the two nations' shared goals of repelling Russian aggression, no expression of broader concern about corruption, no reference to Ukraine's desire for a closer relationship with the West.

AD

The call is at the heart of the impeachment inquiry in the House of Representatives,

1/3/2020

How the whistleblower triggered an impeachment inquiry - The Washington Post

rising above all other allegations or evidence in significance, according to senior officials involved in the probe.

“The call itself shows what we believe to be a misuse of power of the office of the presidency for personal gain,” said a senior Democratic official. “It quickly became the center of our investigation.”

Still, the official said, “We wanted to expand outward before and after the call. What was the impetus? Why was Trump asking about these investigations? Who was involved and who knew about it?”

The timing of Trump’s attempt to pressure Zelensky made it all the more extraordinary. One day earlier, former special counsel Robert S. Mueller III had, in halting testimony before Congress, essentially ended any prospect that Trump would face impeachment for his campaign’s ties to Russia in 2016 or alleged efforts to obstruct the investigation into election interference that followed.

AD

The Russia “cloud” that Trump has so frequently railed against had finally been

lifted. And yet, within hours, he was exposing himself to new allegations of collusion, this time not with Russia, but with neighboring Ukraine.

On the call, however, Trump makes clear that he sees the two threats to his presidency as inextricably linked, and his attempt to pressure Ukraine appears driven by his refusal to accept the reality of Moscow's interference and the stain he believes that left on his surprising win.

Midway through the call, Trump appears to gloat about the collapse of the Russia investigation. "That whole nonsense ended with a very poor performance by a man named Robert Mueller, an incompetent performance," Trump said. "But they say a lot of it started with Ukraine."

#### BEFORE THE CALL

### **The 'irregular' channel**

Several witnesses in the impeachment inquiry have said that Trump bears significant hostility toward Ukraine, stemming in part from the country's role in exposing the financial corruption of his 2016 campaign chairman, Paul Manafort.

Trump began airing conspiratorial claims about Ukraine as early as April 2017. That month, he made a baseless allegation he has since repeated frequently: that Democratic Party officials had refused to let computers hacked by Russia be examined by the FBI and instead "brought in another company that I hear is Ukraine-based."

The president, who derided Russia allegations against him as a "hoax," was advancing one of his own.

The "blame Ukraine" idea gained additional traction after Trump hired Giuliani as

his lawyer. The former New York mayor began scavenging the factionalized and often conspiratorial world of Kyiv politics for material that might be used to construct an alternate scenario of what happened in 2016 and help blunt the Mueller probe.

Early this year, as the Russia investigation neared its conclusion, Giuliani began meeting with Ukrainian officials, including the country's top prosecutor, Yuri Lutsenko, who were eager to gain an ally in the White House.

In the ensuing months, Giuliani appears to have functioned as a conduit for specious claims that made their way to Trump and right-wing media outlets. Among them were allegations that the U.S. ambassador in Kyiv was actively undermining Trump's agenda and that Biden had used his power as vice president to derail a Ukraine corruption investigation into the company that had hired his son.

The allegations had important qualities in common: They were distortions, if not outright fabrications, and they were easier to spread than to disprove.

Giuliani's activities became a source of concern to wary officials at the White House and the State Department in the early months of 2019, worries that intensified in May when U.S. Ambassador Marie Yovanovitch was forced out of her position in Kyiv over baseless allegations against her and Giuliani seized on her ouster to declare that he would be pushing a new agenda in the U.S. relationship with Ukraine.

In a May interview with the New York Times, Giuliani declared that he would be

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traveling to Ukraine for meetings aimed at advancing investigations that “will be very, very helpful to my client.” He added: “We’re not meddling in an election, we’re meddling in an investigation.” Giuliani later scrapped the trip, telling Fox News that he wasn’t going because Zelensky was surrounded by enemies of the U.S. president — a statement that unnerved Zelensky’s team in Kyiv and sent them scrambling for advice about what to do.

Giuliani’s brazenness also caused confusion and alarm in the White House. Fiona Hill, who until July served as Trump’s top adviser on Russia and Ukraine, found herself tuning in to television coverage in a search for answers about Giuliani’s activities that she couldn’t get at work.

“I would have to go home in the evening and try to look on the news to see what Giuliani was doing,” Hill testified, “because people were constantly saying to me: ‘My God, have you seen what Giuliani is saying now?’ ”

National security adviser John Bolton also took to turning up the volume on the television set in his office whenever Giuliani appeared on-screen, an effort to get a sense of what the president’s personal lawyer was planting in Trump’s ear in their off-the-books conversations on Trump’s personal cellphone.

The ouster of Yovanovitch and the private calls between Trump and Giuliani marked the activation of a rogue front in the relationship with Ukraine that was at odds with established policy.

By month’s end, the division would crack open further as Giuliani acquired reinforcements.

In May, Trump blocked a plan to send Vice President Pence to Zelensky’s

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inauguration and instead dispatched a delegation that included Energy Secretary Rick Perry, U.S. special envoy Kurt Volker and Gordon Sondland, a Trump megadonor with no diplomatic experience who had been named ambassador to the European Union.

On May 23, the trio, who dubbed themselves “the three amigos,” met with Trump in the Oval Office, eager to share their favorable impression of Zelensky as an anti-corruption reformer. “He didn’t want to hear about it,” Sondland said of Trump.

Instead, Trump railed that the Ukrainians were “horrible, corrupt people” and ordered the three men to “talk to Rudy.”

Trump’s grievances were so ingrained and irrational that the three officials decided, according to the testimony of Sondland and Volker, that they had no choice but to do as the president directed and hope that Giuliani could help them broker a meeting between Trump and Zelensky that might reset the American president’s views.

The three convinced themselves that they were serving the interests of Ukraine and the United States, even as they were drawn into a furtive scheme that Democrats say appeared to have elements of bribery: There would be no Oval Office meeting for Zelensky until he committed to Trump-specified, politically motivated investigations.

With a White House visit a distant goal, Sondland and Volker set their sights on an intermediate objective — a Trump-Zelensky phone call. As they pursued that, Hill and others at the White House chafed at the emergence of a new, seemingly unauthorized diplomatic channel.

On June 18, Hill had what she described as a “blow up” with Sondland after she

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challenged him to explain why the E.U. ambassador was meddling in the affairs of a country that is not part of his portfolio.

“Who has put you in charge of it?” Hill asked, according to her testimony. Sondland shot back: “The president.”

At the same time, a new obstacle for the three amigos emerged in Kyiv: William B. Taylor Jr., a veteran diplomat, had arrived as acting ambassador, armed with what he thought were rock-solid assurances that there would be no diminution in U.S. support for Ukraine.

But within weeks of his arrival, Taylor also began to sense the presence of what he would later call an “irregular” U.S.-Ukraine channel. On June 27, Sondland told Taylor by phone that hopes for a Trump-Zelensky meeting hinged on the Ukrainian leader making it clear that he did not stand in the way of “investigations.”

A day later, as Taylor, Sondland, Volker and Perry spoke by phone to prepare for a conference call with Zelensky, Sondland ordered State Department support staff off the line, saying he “wanted to make sure no one was transcribing” what they were about to say.

Volker then said he planned to meet with Zelensky in Toronto on July 2 to secure his commitment to “get to the bottom of things,” a cryptic reference that Taylor sensed was tied to the hidden agendas of Giuliani and Trump. Sondland told Volker to ask that Zelensky use the words “no stone unturned.”

Two weeks later, the irregular and regular channels collided in spectacular fashion in the White House. On July 10, two of Zelensky’s top advisers, Oleksandr Danylyuk and Andriy Yermak, were escorted into the West Wing for a meeting with Bolton.

Danylyuk, Ukraine’s national security adviser, had been coached by Sondland to

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press Bolton for a date for Zelensky and Trump to meet. But that advice proved misguided. Bolton was at that point against a meeting, in part because of concerns about Giuliani's influence and Trump's motives.

As Bolton resisted being pinned down, Sondland tried to intercede, telling the Ukrainians that an agreement was already in place and that Ukraine needed to commit to unspecified "investigations," according to Hill, who witnessed the event.

Bolton, who had previously told subordinates that he worried Giuliani was a "hand grenade," suddenly "stiffened and ended the meeting," Hill testified.

Sondland, seemingly unperturbed, instructed the Ukrainians to follow him into a meeting room in the West Wing basement.

Bolton dispatched Hill to follow the group. When she reported back that Sondland had gone even further in the follow-up session by specifically mentioning Burisma, Bolton ordered her to report what she had heard to John Eisenberg, the National Security Council's senior lawyer.

"Tell Eisenberg that I am not part of this drug deal that Sondland and Mulvaney are cooking up," he told her, referring to acting White House chief of staff Mick Mulvaney, whom Sondland had depicted as an ally of his efforts on Ukraine.

Lt. Col. Alexander Vindman, a senior Ukraine specialist on Bolton's staff, witnessed both meetings and also sought out Eisenberg. Vindman testified that it was in those sessions that he realized that Trump was using a White House meeting as leverage on investigations with Zelensky.

If Zelensky were to do as Trump asked and launch such probes, Vindman testified, it would damage Ukraine's standing, weaken its ability to fight off Russian aggression and "this would all undermine U.S. national security."

At the same time as the volatile meetings in the West Wing, Zelensky's team was

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learning that even a phone call with Trump might have a price. Zelensky's chief of staff was warned through backchannel communications that Giuliani, who was growing frustrated with a perceived lack of access and cooperation from Kyiv, would oppose even a call with Trump, according to Taylor and a person familiar with the message.

Eight days after the White House meeting, Taylor learned about a troubling new aspect of the effort to pressure Ukraine. In a July 18 video conference call with National Security Council officials, the acting ambassador "sat in astonishment" as an aide representing the Office of Management and Budget informed the others that \$391 million in security aid to Ukraine was being put on hold. She offered no explanation, except to say that the order had "come from the president."

"In an instant, I realized that one of the key pillars of our strong support for Ukraine was threatened," Taylor testified. "The irregular policy channel was running contrary to the goals of long-standing U.S. policy."

It was seven days before the Trump-Zelensky call.

THE CALL: JULY 25

### **On a collision course**

When Trump was elected, there was wishful thinking in Washington that his unconventional behavior as a candidate would be curbed by the responsibilities of the office — that he would gradually absorb the wisdom of foreign policy experts and welcome the advice of Cabinet officials.

The Ukraine story shows the extent to which the opposite has happened: Trump has outlasted virtually all of those who fought to check his impulses, including former defense secretary Jim Mattis and former chief of staff John F. Kelly. Their absence has bolstered his ability to bend institutions to his will.

When the White House operator patched Trump through to Zelensky on the

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morning of July 25, it was despite attempts by Bolton to head off a call he worried would be a “disaster.” Bolton had sought to coach Trump earlier that morning, only to learn later that Sondland had secretly arranged a follow-up conversation and gotten the final word.

The amigos had also coached Zelensky before the conversation, with Volker telling a top adviser to the Ukrainian president hours earlier that Zelensky should specifically pledge that he will “get to the bottom of what happened” in 2016.

Trump, who rarely arrives at his office before 11 a.m., was still in the residence when he got on the line. Several floors below, a handful of national security officials were following protocol and monitoring the conversation from the Situation Room.

Notably missing were Bolton, Pence and Hill, who had left her White House job days earlier. The only high-ranking official on the line was Secretary of State Mike Pompeo — a fact he concealed for a week after the record of the call was disclosed.

Almost immediately, Vindman noticed an edge in the president’s voice, his misplaced grievances about Ukraine coming through. He brought up U.S. aid and said the country’s generosity was not reciprocated. He disparaged Yovanovitch, saying: “She’s going to go through some things.”

He leaned on Zelensky to hunt for the supposedly missing Democratic computer equipment, even though his top advisers had been warning him for years that the claim was baseless. Trump zeroed in on the former vice president and urged Zelensky to coordinate with Giuliani and U.S. Attorney General William P. Barr.

“Biden went around bragging that he stopped the prosecution,” Trump said, mischaracterizing Biden’s statements and intentions. “So if you can look into it. . . . It sounds horrible to me.”

The call ended at 9:33 a.m. Over the next 24 hours, a climate of fear and suspicion

descended on the White House, as Vindman and others who had either listened to the call or learned about it indirectly raised alarms with lawyers and senior officials, including Bolton, as well as with peers from the State Department and the CIA.

Though neither side grasped it at the time, the regular and irregular channels were now on a collision course — each taking steps that ensured the inevitability of an impeachment inquiry. Neither side appears to have had any clue that the trigger would be a CIA analyst, who kept his plans secret to all but a trusted few.

The warnings from Vindman and others failed to prompt any kind of mobilization in the senior ranks of the White House, such as an emergency meeting of National Security Council officials or a direct intervention with the president. Instead, officials sought to contain the fallout from the call, even as Trump's allies escalated their pressure campaign in Ukraine.

Eisenberg, the top National Security Council lawyer, responded by moving to restrict access to the transcript of the call, which was placed on a computer system normally reserved for highly classified intelligence programs. It took weeks for the administration to enlist Justice Department officials to review the call record, an exercise that narrowly concluded that there were no campaign finance crimes in a call that included references to Barr.

In Kyiv, the reaction to the call was mixed. Zelensky seemed pleased that the conversation had occurred as scheduled and that his relationship with Trump might finally move forward, according to an official in the room with Ukraine's leader. But others were either confused or concerned about the content and the failure to agree upon a date for a face-to-face meeting.

Some on Zelensky's team worried that Trump would send a tweet claiming a

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commitment from Ukraine to investigate Biden and the 2016 election, dragging the country into American politics.

AUGUST 2019

### **A nightmare scenario**

In the ensuing days, the pressure campaign only intensified.

On July 26, Trump spoke by phone with Sondland, who was in Kyiv, and asked whether Zelensky would “do the investigation” he had raised in their conversation the previous day, according to the testimony of a U.S. Embassy staffer in Kyiv, David Holmes, who witnessed the Trump-Sondland call.

Sondland had met with Zelensky earlier in the day and had called Trump to provide an update.

Sondland replied: “He’s gonna do it,” adding that Zelensky will “do anything you ask him to,” Holmes testified. Holmes said that he asked Sondland about Trump’s views toward Ukraine and that the ambassador told him that Trump did not “give a s--- about Ukraine.”

The disclosure provides new evidence of Trump’s direct hand in the Ukraine matter. The conversation was overheard by U.S. Embassy officials accompanying Sondland. It may also have been monitored by Russian intelligence. Sondland had called Trump by cellphone from a restaurant. Russian spy services have substantial surveillance capabilities in Kyiv.

On Aug. 2, Giuliani traveled to Madrid to meet with Yermak. Giuliani wanted

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Zelensky to issue a public statement confirming that the Ukrainian government would undertake the investigations. Sondland and Volker spent much of that month trading text messages with Yermak over the preferred language, making it clear that the statement was now a prerequisite to an Oval Office meeting.

The gesture had outsized importance to Zelensky, who regarded a White House meeting as the clearest way to send a signal of U.S.-Ukraine solidarity to Moscow, which is still waging a proxy war in Ukraine's eastern territory that has claimed 13,000 lives.

Members of Zelensky's inner circle say they didn't learn until the end of August about the suspension of U.S. aid meant to help Ukrainian forces, when it was revealed in a Politico story. One Ukrainian official said it appeared earlier in internal Ukrainian government reports that may not have reached Zelensky.

The disclosure created a new rupture in the relationship on the eve of what was supposed to be the first encounter between Trump and Zelensky at a gathering of world leaders on Sept. 1 in Warsaw. The prospect of that meeting evaporated when a hurricane bearing down on Florida prompted Trump to send Pence to the event, a World War II commemoration, in his stead.

Pence was either woefully unprepared or unwilling to provide straight answers to anxious Ukrainian officials. At a large, formal meeting, Zelensky immediately pressed the vice president about the frozen aid. Pence professed not to know the cause of the holdup, speaking vaguely about corruption concerns and promising to raise the issue with Trump.

The Ukrainians were flummoxed by Pence's evasion. "You're the only country providing us military assistance," one of Zelensky's aides told him. "You're punishing us."

Sondland, who had also traveled to Poland, used a side conversation in a hotel with

one of Zelensky's advisers to fill in the blanks. He laid out the transaction in the starkest terms to date: To get the funding and a White House meeting, Zelensky had to commit publicly to investigating Burisma in an interview with CNN that would be seen in the United States.

When word of this encounter made its way back to Taylor, the acting ambassador was outraged. That same day, Sept. 1, Taylor confronted Sondland via text: "Are we now saying that security assistance and Wh meeting are conditioned on investigations?"

Sondland refused to answer in writing, saying: "Call me."

The development led to skirmishes between Taylor and Sondland. A week later, Taylor threatened to resign over what he warned would be a "nightmare" scenario. "The nightmare is they give the interview and don't get the assistance," Taylor said by text, voicing concern that Trump would betray Zelensky even if he announced Burisma investigations. "The Russians love it. (And I quit.)"

The next day, Sept. 9, Taylor texted Sondland after another tense call. "As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign."

Sondland didn't reply until the following day. That evening, he called the White House and was patched through to Trump. The next morning, he delivered a scripted reply to the wary ambassador.

"Bill, I believe you are incorrect about President Trump's intentions," Sondland wrote. "The president has been crystal clear no quid pro quo's of any kind."

## BLOWING THE WHISTLE

### **Crazy and frightening**

Two days later, on Sept. 11, the White House removed the ban on aid to Ukraine,

capitulating to rising pressure from Congress, the Pentagon and the State Department after the existence of the whistleblower report was known. The restoration of the flow of money was seen by Sondland, Taylor and others as a sign that the crisis had abated.

They were oblivious to events unfolding in Washington that would expose the Ukraine scheme. The “regular” channel, as Taylor called it, was about to reassert itself.

The day after Trump’s conversation with Zelensky, the CIA analyst spoke by phone with a highly agitated official at the White House. The official was “shaken by what had transpired and seemed keen to inform a trusted colleague,” the analyst noted in a memo he wrote to record the conversation.

The White House official described the Trump call as “crazy,” “frightening” and “completely lacking in substance related to national security.” The official said he had already raised the matter with White House lawyers, convinced that Trump had “clearly committed a criminal act.”

The analyst does not identify the official in his July 26 memo, which was obtained by congressional investigators in the impeachment inquiry. But Vindman, in his testimony, disclosed that he had spoken to officials outside the White House within days of the Trump-Zelensky call.

The analyst appears to have concluded almost immediately that he was obligated to act but seemed unsure about how.

His first step was to approach an official in the office of the CIA general counsel to raise concerns about the Trump call, according to people familiar with the whistleblower’s actions.

Days later, the analyst learned that the CIA’s top lawyer, Courtney Simmons

Elwood, had notified the White House and became concerned that the matter would be stifled. He then sought out an official on the House Intelligence Committee, conveying his concern only in the broadest terms before the official urged him to say no more and consult a lawyer.

The analyst next turned to a friend who is an attorney and an expert on national security law. The two chatted briefly at a coffee shop before the lawyer, recognizing the magnitude of the matter, also stopped the analyst before any details were broached.

The friend referred the analyst to another attorney, Andrew Bakaj, who had more expertise on whistleblower procedure and law. After parting ways, the friend pulled out his iPhone and deleted a calendar item he had created for their meeting that included the whistleblower's name.

The analyst had served on the National Security Council during the Trump administration and had been in the presence of the president. After returning to the CIA, his job required him to continue to participate in National Security Council meetings.

His White House contacts became conduits of concern about Trump's behavior toward Ukraine, though the analyst appears not to have told any of those officials — on the advice of Bakaj — about his plan to submit an official whistleblower complaint to the U.S. intelligence community inspector general.

The report he submitted reveals aspects of how he went about assembling this file. Though triggered by the July 25 call, he made clear that it drew on information that had been shared with him “over the past four months” from “more than half a dozen U.S. officials.”

The file was heavily focused on what Trump had said to Zelensky in their half-hour

conversation, but it also contained details about what had happened in the aftermath, including the move to “lock down” the call record and follow-up efforts by Sondland and Volker to help Zelensky “navigate” Trump’s demands.

It described Giuliani’s meetings with Ukrainian prosecutors seen by the U.S. government as corrupt and seeking to settle scores with their perceived adversaries. It outlined the smear campaign to oust Yovanovitch and his own discovery in mid-July — long before officials in Kyiv knew — that U.S. aid to Ukraine had been suspended.

When the report was submitted on Aug. 12, it triggered a constitutional clash. White House officials fought for weeks to block the acting director of national intelligence from turning the complaint over to relevant committees in Congress, as required by law.

But the administration relented under mounting pressure, including demands by House Intelligence Committee Chairman Adam B. Schiff (D-Calif.) and press reports including a Sept. 18 story in *The Washington Post* revealing that the focus of the complaint was a call that Trump had with a foreign leader.

On Sept. 25, the administration released the rough transcript of the call in a futile attempt to head off the formation of a House impeachment inquiry. Then, on Sept. 26, the administration declassified the whistleblower complaint itself.

None of its core contentions has been substantially discredited in the seven weeks since, though Trump has continued to insist that his conversation with Zelensky was “perfect” and that the public should “read the transcript.”

His former advisers have characterized the call more harshly and voiced concern

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that Trump's political machinations represent an assault on American values that has eroded the country's standing and played into Russia's hands. In her testimony last month, Hill delivered an impassioned warning that the United States' faltering resistance to conspiracy theories and corruption represents a self-inflicted crisis and renders the country vulnerable to its enemies.

"The Russians, you know, can't basically exploit cleavages if there are not cleavages," she said. "The Russians can't exploit corruption if there's not corruption. They can't exploit alternative narratives if those alternative narratives are not out there and getting credence. What the Russians do is they exploit things that already exist."

Trump has waged a campaign to impugn the motives of the whistleblower, attacking him more than 50 times on Twitter and demanding that his identity be exposed.

Congressional allies and right-wing media sites have attempted to follow suit. Only minutes after the first public impeachment hearing got underway Wednesday — with Taylor and George Kent, a deputy assistant secretary at the State Department overseeing European and Eurasian affairs, as witnesses — Republican lawmakers sought to halt the proceedings and force the whistleblower to appear.

But the events he set in motion, and the evidence now driving them, have moved beyond the complaint he submitted three months ago. The CIA has taken security measures to protect the analyst, who has continued to work at agency headquarters on Russia and Ukraine issues.

*Sonne reported from Kyiv. Julie Tate and David L. Stern in Kyiv contributed to this report.*

## **Impeachment: What you need to read**

Here's what you need to know to understand the impeachment of President Trump.

**What's happening now:** Trump is now the third U.S. president to be impeached, after the House of Representatives adopted both articles of impeachment against him.

**What happens next:** Impeachment does not mean that the president has been removed from office. The Senate must hold a trial to make that determination. A trial is expected to take place in January. Here's more on what happens next.

**How we got here:** A whistleblower complaint led Pelosi to announce the beginning of an official impeachment inquiry on Sept. 24. Closed-door hearings and subpoenaed documents related to the president's July 25 phone call with Ukrainian President Volodymyr Zelensky followed. After two weeks of public hearings in November, the House Intelligence Committee wrote a report that was sent to the House Judiciary Committee, which held its own hearings. Pelosi and House Democrats announced the articles of impeachment against Trump on Dec. 10. The Judiciary Committee approved two articles of impeachment against Trump: abuse of power and obstruction of Congress.

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# The Washington Post

*Democracy Dies in Darkness*

## In court hearing, Trump lawyer argues a sitting president would be immune from prosecution even if he were to shoot someone

By **Ann E. Marimow** and **Jonathan O'Connell**

Oct. 23, 2019 at 11:23 a.m. EDT

NEW YORK — President Trump's private attorney said Wednesday that the president could not be investigated or prosecuted as long as he is in the White House, even for shooting someone in the middle of Fifth Avenue.

The claim of "temporary presidential immunity" from Trump's private attorney William S. Consovoy came in court in response to a judge's question that invoked the president's own hypothetical scenario. As a candidate in 2016, Trump said his political support was so strong he could "stand in the middle of Fifth Avenue and shoot somebody" and not "lose any voters."

The president's lawyer was asking the U.S. Court of Appeals for the 2nd Circuit to block a subpoena for Trump's private financial records from New York prosecutors investigating hush-money payments made before the 2016 election. The judges seemed skeptical of the president's sweeping claims of immunity from not just prosecution but also investigation.

Judge Denny Chin pressed Consovoy about the hypothetical shooting on the streets of Manhattan.

“Local authorities couldn’t investigate? They couldn’t do anything about it?” he asked, adding, “Nothing could be done? That is your position?”

“That is correct,” Consovoy answered, emphasizing that such immunity would apply only while Trump is in office.

The exchange came during an hour-long argument centering on Trump’s effort to fend off a subpoena to his longtime accounting firm from Manhattan District Attorney Cyrus Vance Jr. Vance is seeking eight years of Trump’s tax returns from the firm, Mazars USA, among other documents. Unlike past presidents and presidential nominees, Trump has refused to release any of his tax returns.

The case is a test of the sweep of presidential privilege and one of several battles over Trump's business records that began before the House opened its impeachment inquiry. As with the other disputes, this one seems destined for the Supreme Court, which could hear the case as early as this term.

Several legal experts said the assertion by Trump's lawyer that the president would be immune from investigation, even in an extreme case such as murder, was a stretch and ultimately should not be validated by the courts. But it was not surprising. That is the logical progression of the argument the president's attorneys have been making all along in court filings, they said.

"This had always been where the argument led, but now that it's out in the open, hopefully everyone understands just how dangerous it is," said Steve Vladeck, a University of Texas at Austin law professor and constitutional expert.

AD

Trump's argument could "easily allow the president to get away with major crimes. It's not enough to say that they could investigate after he leaves office, since evidence can disappear or spoil if it isn't collected promptly," said Cornell Law School professor Josh Chafetz.

Trump's immunity claim, the experts said, extends not only to himself, but also to his business, the Trump Organization.

Consovoy said in court Wednesday that the president objects to the entire subpoena, not just the request for Trump's tax records, because the company is "wholly owned by the president and they do hold his personal records."

According to Justice Department legal opinions, sitting presidents cannot be charged by federal prosecutors. Trump's lawyers have taken that a step further, saying the president cannot be investigated by any prosecutor. But Vance, an elected district attorney, is not bound by the federal guidelines and has discretion to bring charges in New York state courts.

AD

Judge Robert A. Katzmann asked what harm would come from turning over the president's tax records to a grand jury when state and federal officials already retain such documents.

Consovoy said there was no guarantee the records would remain private once prosecutors and a grand jury were granted access.

In response, the district attorney's office noted that the private business records they are seeking predate Trump's tenure as president. Carey Dunne, general counsel for the Manhattan District Attorney's Office, told the court "there is no such thing as presidential immunity for tax returns" and that "they're making this up."

Dunne added: "[President Trump] may view them as embarrassing or sensitive, but tax returns do in fact get subpoenaed all the time in financial investigations."

AD

Earlier this month, U.S. District Judge Victor Marrero rejected Trump's broad claims of immunity and refused to block the subpoena. The judge said such a shield for the president would be "virtually limitless" and characterized Trump's argument as "repugnant to the nation's fundamental structure and constitutional values."

The subpoena for records from Mazars USA remains on hold while the appeals court reviews the case. Vance's office agreed to pause enforcement of the subpoena if the president loses his appeal, so long as the president abides by an expedited timeline to ask the Supreme Court to intervene.

The appeal Wednesday was heard by three judges — Katzmann, Chin and Christopher F. Droney — all of whom were nominated by Democratic presidents.

Droney questioned why Trump should be allowed to block a subpoena for his tax returns when the Supreme Court had ordered the White House to hand over President Richard Nixon's audiotapes during the Watergate investigation.

Consovoy said the cases differed in important ways and that if this case were allowed to move forward, it could unleash myriad investigations of future presidents from state and local prosecutors.

"The idea that this would not lead to a greater investigations of the president" was not believable, Consovoy said.

In August, Vance subpoenaed Mazars USA as part of his examination into whether any state laws were broken in connection to the 2016 payments to two women who said they had had affairs with Trump years earlier.

Trump has denied the affairs and any wrongdoing in connection to the payments. The president's lawyers say it is unprecedented for a local prosecutor to seek the records of a sitting president. His legal team has called the subpoena to Mazars "a bad faith effort to harass the President by obtaining and exposing his private financial information, not a legitimate attempt to enforce New York law."

The lawsuit is one of three cases in which Trump has sued investigators and the companies they subpoenaed to try to block access to his financial records. In the two other cases, Trump faces investigations that predate impeachment proceedings from congressional committees seeking his tax returns and financial documents.

A federal appeals court in Washington this month ruled against the president and refused to block a House committee subpoena for Trump's records from Mazars. In that case, the court upheld Congress's oversight powers and broad authority to issue subpoenas for information.

In the New York case, the Justice Department has backed the president's position that the subpoena from Vance's office should be blocked. But the government lawyers did not fully embrace Trump's assertion that he is immune from all investigation.

"A subpoena directed at the president's records should be permitted only 'as a last resort,' " the Justice Department said in its filing.

The local investigation followed the conviction last year of Trump's former attorney Michael Cohen. He pleaded guilty to federal campaign finance violations for helping arrange payments to Stormy Daniels and Karen McDougal to keep their allegations of affairs with Trump from becoming public before the election.

Cohen has said Trump directed the payments and reimbursed him.

# The Washington Post

*Democracy Dies in Darkness*

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## Inside Joe Biden's brawling efforts to reform Ukraine — which won him successes and enemies

By **Matt Viser** and **Paul Sonne**

Oct. 19, 2019 at 7:33 p.m. EDT

Vice President Joe Biden was losing his temper, dressing down the president of Ukraine in front of a group of high-level advisers and officials from both countries inside a regal complex at the United Nations.

“Don’t give me this bullshit,” Biden bellowed in the September 2016 encounter, according to an aide who was present, unloading on Petro Poroshenko after Biden felt he was making excuses for failing to root out corruption involving the country’s state-owned gas company.

“There’s nothing that happens in Ukraine you don’t know about,” Biden continued. “If something like this happens again, I’m done with you.”

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The public humiliation of Poroshenko illustrated the unusually aggressive approach employed by Biden, the Obama administration's chief Ukraine envoy, to bring the distant but strategically important former Soviet republic closer to the West. It was an approach that yielded successes but also earned Biden and his aides a slew of enemies and detractors in Ukraine, and it may now have boomeranged to hurt his 2020 presidential campaign.

AD

Biden's actions unfolded over an extraordinary period of turmoil in Ukraine, as well as trauma in his own life. When Poroshenko took over as the country's fifth president in mid-2014, there was hope that the man with the slogan "Live in a new way" would implement changes and unite the country against the Russian threat.

During the last three years of the Obama administration, Biden made five trips to Ukraine. He held at least 70 phone calls with Ukrainian leaders, the bulk of them with Poroshenko, and had meetings in Washington, Munich, and at the United Nations. He delivered a speech to the Ukrainian parliament, attended ceremonies and acted as an intermediary to the international community for Kyiv. He constantly urged the country to implement reforms, holding out U.S. financial assistance in return.

Biden and Poroshenko's conversations continued even after Biden left office, through earlier this year.

AD

Poroshenko would typically call Biden to wish him happy birthday. When Biden's son Beau died in 2015, Poroshenko was one of the first to call with condolences. And when Poroshenko came to Washington, Biden sent flowers to his wife.

Biden's extensive involvement in the country's fitful march toward reform has highlighted the political risks of becoming so deeply enmeshed in another country's murky domestic affairs. The danger increased when Biden's son Hunter took a paid position on the board of a Ukrainian gas company owned by a former government minister later accused of corruption. Though both Bidens say they did not discuss the gas company, the arrangement raised the perception that Biden's family was benefiting from his vice-presidential role and gave ammunition to his critics, some of whom have now linked up with allies of Trump to smear the former vice president.

The relationship between the two leaders fractured over time in part because of Biden's repeated demands on Poroshenko, to the point that Biden's allies now view some of the unsubstantiated allegations of corruption leveled against Biden as fallout from his actions on behalf of the U.S. government. Those allegations have been stoked in part by two Poroshenko allies — former prosecutor general Viktor Shokin, whose firing Biden demanded, and his successor, Yuri Lutsenko. Both men coordinated with President Trump's personal attorney, Rudolph W. Giuliani, earlier this year. The actions of those Ukrainian prosecutors in Poroshenko's orbit have led to President Trump's insistence on an investigation into the Bidens that lies at the heart of the impeachment inquiry.

AD

“The vice president's pressure on Poroshenko dialed up: Stop with excuses, get things done,” said Jake Sullivan, who for a year and a half was Biden's national security adviser. “Ultimately, I think for Poroshenko, the VP embodied the persistent pressure the U.S. put on him to do things he didn't want to do. And his relationship with the VP suffered as a result of that.”

This story is based on interviews with nearly a dozen aides and officials in the United States and Ukraine, including representatives to both Biden and Poroshenko. Some would speak only on the condition of anonymity given the fraught nature of the relationship.

In early 2014, Ukraine was in turmoil. An uprising by Ukrainians demanding closer ties to Europe had led to the ouster of the country's Russian-leaning government, followed closely by Russia's invasion of its territory in Crimea. Biden had been tasked with overseeing efforts in a country that was teetering between Russian influence and a desire to be integrated with the European Union. It was a role made to order for Biden, raised politically during the Cold War and its aftermath.

AD

If he was sometimes wary of U.S. intervention, in this case Biden defined a broader rationale on behalf of the United States: dismantling the influence of Russia. The U.S. view was widely shared: European nations, the International Monetary Fund and the World Bank offered Ukraine aid, loan guarantees and political support, so long as the government in Kyiv implemented reforms to make Ukraine less corrupt and more economically stable.

1/3/2020

Inside Joe Biden's brawling efforts to reform Ukraine — which won him successes and enemies - The Washington Post

As he grew further enmeshed during the spring of 2014, Biden took two trips there, first in April and then in June, for Poroshenko's inauguration, where he walked the red carpet and grew optimistic that the allure of democracy could overcome autocracy.

Biden and Poroshenko met for three hours, far past the allotted time, the two men sitting across from each other at a table filled with five aides on each side. One was a lifelong politician who called himself "Middle Class Joe," the other a Ukrainian oligarch-turned-president who was known as "Chocolate King" because of his confectionery company.

AD

"There was guarded optimism with Poroshenko, that he was perhaps someone who could run a more effective, cleaner government than his predecessors had," said Sullivan, who accompanied Biden on those two trips. "He and the VP had a friendly, familiar rapport."

1/3/2020

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Between Biden's two springtime meetings, his son was appointed to a board seat at Burisma Holdings, the Ukrainian gas company whose owner was the subject of a money-laundering probe and would later be investigated on charges of corruption. The position, for which Hunter Biden made between \$50,000 and \$100,000 a month, was part of the company's effort to burnish its credentials and send a message that it had access to powerful people in the West. There were multiple red flags at the time that his son's involvement appeared to be a conflict of interest, but Biden took no action to discourage it.

Biden and Poroshenko began to clash as Biden continued pushing the Ukrainian president to do things he did not want to do, such as implement politically difficult reforms and push out some of his former allies.

AD

“Poroshenko undoubtedly was annoyed by always having to do these politically difficult things, and being asked by the U.S. to do it,” said Colin Kahl, who became Biden's national security adviser in August 2014. “He was always trying to do the de minimis. Biden wasn't naive. He knew as soon as you slacked off things would backslide.”

It was also a time of personal turmoil for Biden. His son Beau had been diagnosed with brain cancer in 2013, a crisis that those close to Biden said made him reluctant to criticize the decisions of Hunter Biden. By May 2015, when Beau Biden died, Hunter would be his only living son.

In early 2015, Poroshenko tapped Viktor Shokin as prosecutor general. U.S. officials pushed for more — for Ukraine to establish several anti-corruption agencies and courts, and new requirements for public disclosure about the finances of elected officials. They saw Poroshenko as a vehicle to help push for some of those reforms, but over time they came to believe he was an obstacle.

AD

Biden would persistently and forcefully raise questions on his calls with Poroshenko about the depth of his commitment to root out corruption, said Mike Carpenter, a former foreign policy adviser to Biden who was also deputy assistant secretary of defense for Russia, Ukraine, and Eurasia. “It was just excuses, excuses, excuses,” he said. “And it dragged for over a year. It just became more and more grating. It became obvious to us in Washington that the resistance was within Poroshenko’s inner circle.”

Both sides were frustrated, he said, but Biden “wasn’t moving on . . . he pressed each and every time for these reforms to be implemented. And that created friction in the relationship.”

In the fall of 2015, U.S. officials begin targeting Shokin specifically. Victoria Nuland, the assistant secretary of state, said during congressional testimony in October 2015 that the prosecutor general’s office needed to clean up corruption including the “dirty personnel” in its own office.

AD

“He became a single point of failure,” Kahl, Biden’s national security adviser, said of Shokin. “We could keep pushing corruption cases, but unless there was a fundamental change at the top, things weren’t going to change.”

Among the matters that had lain largely dormant under Shokin, according to U.S. officials and Ukrainian anti-corruption activists, was the earlier investigation into the former minister who owned Burisma, the Ukrainian gas company on whose board Hunter Biden served.

When Biden went to Ukraine in December 2015, he used a new piece of leverage to try to force Poroshenko to act. For the first time, he linked a \$1 billion loan guarantee with Shokin's firing.

"Look, you're not getting this money unless Shokin is fired," Biden told Poroshenko, according to Kahl.

As Biden approached his speech to Ukraine's parliament, his advisers crafted two versions. One would announce the \$1 billion loan guarantee as long as Shokin was removed, and the other would take on corruption. With Poroshenko still resistant, Biden and his aides gathered in a room and opened a laptop, reworking his speech just before he was scheduled to give it. They increased the degree to which Biden called for corruption crackdowns, attempting to ratchet up the pressure on Poroshenko to remove Shokin.

Biden aides at the time figured Poroshenko was reluctant to get rid of Shokin because Shokin had something on him. But Poroshenko was also aggravated with Biden, who kept pressing him to do politically difficult things.

It would take several more months — and a string of persistent calls from Biden — before Poroshenko removed Shokin. A few days later, Poroshenko arrived in Washington for a nuclear summit. He met with Biden, and Biden congratulated him. A deal on the \$1 billion loan guarantee would soon be finalized.

Biden would later brag openly about the pressure he had applied and the threat he leveled over the loan guarantees, footage that one day would be used in an ad against him as supposed evidence of his own corruption. Biden's public recounting of how he pressured Poroshenko to fire Shokin also came across in Kyiv as making the Ukrainian president look weak, like a marionette taking orders from Washington.

Pressure against Poroshenko, which usually took place behind closed doors, continued in 2016, most dramatically in the September blowout at the United Nations. But a few months later, three days before Donald Trump's inauguration, Biden was in Ukraine for the last time. The Obama administration was on its way out, and any sense of urgency was gone.

"I may have to call you once every couple weeks just to hear your voice," Biden told Poroshenko during a news conference. "This has been going on a long time."

In a private meeting, recounted by a Biden aide who was there, Poroshenko indicated he was baffled by Trump and eager to figure out how to get on his good side. He asked Biden for advice on how to approach the new leader. Biden told Poroshenko that U.S. foreign policy was much broader than Trump; he urged him to engage with incoming defense secretary Jim Mattis, Vice President-elect Mike Pence and others in the administration who had opposed Russian aggression.

"I strongly urge the people of Ukraine: Keep demonstrating your commitment to the rule of law; keep fighting corruption; insist on transparency; investigate and prosecute government officials who siphon off public funds for their own enrichment," Biden said during the news conference.

Several times in 2017, Poroshenko called Biden, at times soliciting advice about how to deal with the new administration. He also repeatedly invited Biden to Ukraine to receive an award.

"Biden was very cautious," said Carpenter, who still works with Biden. "He didn't want to step on the toes of the new administration. He took the calls, but he said, 'Look, you need to establish a relationship with Trump and Pence. They're in office now.'"

Biden called Pence to brief him on the contents of his calls with Poroshenko, according to Carpenter.

In his 2017 book, and in a speech he delivered in 2018 to the Council on Foreign Relations, Biden unflatteringly cast Poroshenko as an unwilling partner in moving Ukraine forward and, alternately, as someone he could bend to his demands.

Poroshenko was furious at the portrayals, according to people who spoke with him.

A spokeswoman for Poroshenko said in a statement that the Ukrainian leader had not considered his relationship with Biden ruined. She did not respond to other questions.

In January, Giuliani conducted interviews with Shokin, the prosecutor Poroshenko fired at Biden's urging, and Lutsenko, his successor. Both stirred up perceptions that Biden had pushed for Shokin's firing to quash investigations into the owner of Burisma, where Hunter Biden was on the board — a baseless allegation that Giuliani is peddling for political gain in the 2020 election. (In his interactions with the Ukrainian prime minister's office, Biden never mentioned anything that could be considered personal, such as cases against Burisma, said a former Ukrainian official familiar with the interactions. The former official dismissed the idea that Shokin was fired over Burisma.)

Biden allies and some in Ukraine suspect that Lutsenko would not have met with Giuliani without the blessing of Poroshenko — who was his boss at the time. But Lutsenko has said he met Giuliani in a personal capacity and told Poroshenko only after the meeting, which came at a time when both men were fighting for political survival and eager for support from the Trump administration.

A month after Giuliani spoke with Lutsenko and Shokin, Biden went to the Munich Security Conference and had a private one-on-one meeting with Poroshenko. It is not clear what they discussed, but those who heard about the meeting described it as tense.

1/3/2020

Inside Joe Biden's brawling efforts to reform Ukraine — which won him successes and enemies - The Washington Post

It is the last known time the two men spoke. In late April, Poroshenko conceded defeat in his race for a second five-year term to political neophyte and comedian Volodymyr Zelensky. Days later, Biden would announce his third bid for the presidency.

*David Stern in Kyiv contributed to this report.*

## The Washington Post

*Democracy Dies in Darkness*

# Justin Amash: Our politics is in a partisan death spiral. That's why I'm leaving the GOP.

By **Justin Amash**

July 4, 2019 at 6:00 a.m. EDT

*Justin Amash, an independent, represents Michigan's 3rd Congressional District in the House.*

When my dad was 16, America welcomed him as a Palestinian refugee. It wasn't easy moving to a new country, but it was the greatest blessing of his life.

Throughout my childhood, my dad would remind my brothers and me of the challenges he faced before coming here and how fortunate we were to be Americans. In this country, he told us, everyone has an opportunity to succeed regardless of background.

Growing up, I thought a lot about the brilliance of America. Our country's founders established a constitutional republic uniquely dedicated to securing the rights of the people. In fact, they designed a political system so ordered around liberty that, in succeeding generations, the Constitution itself would strike back against the biases and blind spots of its authors.

AD

My parents, both immigrants, were Republicans. I supported Republican candidates throughout my early adult life and then successfully ran for office as a Republican. The Republican Party, I believed, stood for limited government, economic freedom and individual liberty — principles that had made the American Dream possible for my family.

In recent years, though, I've become disenchanted with party politics and frightened by what I see from it. The two-party system has evolved into an existential threat to American principles and institutions.

George Washington was so concerned as he watched political parties take shape in America that he dedicated much of his farewell address to warning that partisanship, although “inseparable from our nature,” was the people’s “worst enemy.” He observed that it was “the interest and duty of a wise people to discourage and restrain it.”

AD

Washington said of partisanship, in one of America's most prescient addresses:

"The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty. ...

"It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another."

True to Washington's fears, Americans have allowed government officials, under assertions of expediency and party unity, to ignore the most basic tenets of our constitutional order: separation of powers, federalism and the rule of law. The result has been the consolidation of political power and the near disintegration of representative democracy.

AD

These are consequences of a mind-set among the political class that loyalty to party is more important than serving the American people or protecting our governing institutions. The parties value winning for its own sake, and at whatever cost. Instead of acting as an independent branch of government and serving as a check on the executive branch, congressional leaders of both parties expect the House and Senate to act in obedience or opposition to the president and their colleagues on a partisan basis.

In this hyperpartisan environment, congressional leaders use every tool to compel party members to stick with the team, dangling chairmanships, committee assignments, bill sponsorships, endorsements and campaign resources. As donors recognize the growing power of party leaders, they supply these officials with ever-increasing funds, which, in turn, further tightens their grip on power.

The founders envisioned Congress as a deliberative body in which outcomes are discovered. We are fast approaching the point, however, where Congress exists as little more than a formality to legitimize outcomes dictated by the president, the speaker of the House and the Senate majority leader.

AD

With little genuine debate on policy happening in Congress, party leaders distract and divide the public by exploiting wedge issues and waging pointless messaging wars. These strategies fuel mistrust and anger, leading millions of people to take to social media to express contempt for their political opponents, with the media magnifying the most extreme voices. This all combines to reinforce the us-vs.-them, party-first mind-set of government officials.

Modern politics is trapped in a partisan death spiral, but there is an escape.

Most Americans are not rigidly partisan and do not feel well represented by either of the two major parties. In fact, the parties have become more partisan in part because they are catering to fewer people, as Americans are rejecting party affiliation in record numbers.

AD

These same independent-minded Americans, however, tend to be less politically engaged than Red Team and Blue Team activists. Many avoid politics to focus on their own lives, while others don't want to get into the muck with the radical partisans.

But we owe it to future generations to stand up for our constitutional republic so that Americans may continue to live free for centuries to come. Preserving liberty means telling the Republican Party and the Democratic Party that we'll no longer let them play their partisan game at our expense.

Today, I am declaring my independence and leaving the Republican Party. No matter your circumstance, I'm asking you to join me in rejecting the partisan loyalties and rhetoric that divide and dehumanize us. I'm asking you to believe that we can do better than this two-party system — and to work toward it. If we continue to take America for granted, we will lose it.

**Read more:**

Rep. Justin Amash, lone-wolf GOP Trump critic, leaves House Freedom Caucus

Eugene Robinson: Republicans may never forgive Justin Amash. The nation should thank him.

Jennifer Rubin: Why Justin Amash stands alone

George F. Will: To construe the Constitution, look to the Declaration

Block parties, the census and women's soccer: Nine things to celebrate this July 4

AD

# The Washington Post

*Democracy Dies in Darkness*

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## Rudy Giuliani's remarkable Ukraine interview, annotated

By **Aaron Blake**

September 20, 2019 at 10:44 a.m. EDT

*As he has been so many times before, President Trump's lawyer Rudolph W. Giuliani was dispatched Thursday night to respond to a suspicious set of circumstances involving his boss and/or to preempt bad news that might result from it.*

*And as he has been so many times before, Giuliani was both all over the place and possibly more forthcoming than would serve his client's interests. At one point, he denied that he personally asked Ukraine to investigate unproven allegations involving former vice president and Democratic presidential candidate Joe Biden, only to state 30 seconds later that he had done just that.*

*Below is the transcript of his appearance on CNN, with highlights, analysis and fact-checking in yellow.*

Keep up with the **impeachment inquiry**



CHRIS CUOMO: The president's counselor, former mayor Rudy Giuliani. Good to have you on the show.

GIULIANI: Oh, I'm glad I'm on tonight because what you just said is totally erroneous.

Every single thing you just said is completely spun in the same direction you've been doing for two years with these, "Oh, tonight, Papadopoulos is going to prove Russian collusion." Let me tell you what happened, okay?

CUOMO: Yes.

GIULIANI: What — what happened is that I was investigating, going back to last year, complaints that the Ukrainian people, several people in Ukraine, knew about a tremendous amount of collusion between Ukrainian officials, and Hillary Clinton, and the Democratic National Committee, including a completely fraudulent document that was produced, in order to begin the investigation of [Paul] Manafort.

AD

They were trying to get to us. But they were being blocked by the ambassador who was [an] Obama appointee, in Ukraine, who was holding back this information. In the course of investigating that, I found out this incredible story about Joe Biden that he bribed the president of the Ukraine in order to fire a prosecutor who was investigating his son.

That is an astounding scandal, of major proportions, which all of you have covered up, for about five or six months. You've also covered up the fact that Biden and his son took \$1.5 billion out of China.

And that's why the president thinks you're a corrupt media, because if this would — President Trump and Donald Trump Jr., and they took millions of dollars from a corrupt oligarch in the Ukraine, and they took \$1.5 billion out of China, while the president was negotiating with China, you would be screaming and yelling and going crazy about how corrupt it is. And because it's Joe Biden, and he's a protected Democrat, you don't cover it.

AD

CUOMO: All right.

GIULIANI: This scandal is a scandal —

CUOMO: I —

GIULIANI: — of major proportion. Now, was I —

CUOMO: Are you — are you done now?

GIULIANI: No, I'm not done now.

CUOMO: Because you haven't said anything — you have well —

GIULIANI: No.

CUOMO: But you can't just talk the whole time, Rudy.

GIULIANI: I have — I haven't done — I haven't — I haven't said anything yet.

CUOMO: You can't say that everything I said was erroneous.

GIULIANI: I haven't said anything yet.

CUOMO: When I didn't say anything that's untrue yet.

GIULIANI: No, you did.

CUOMO: By your own reckoning.

GIULIANI: You said I was investigating —

CUOMO: What did I say?

GIULIANI: — it for political purposes. I was not.

AD

CUOMO: You — I said you — I said —

GIULIANI: I'm a lawyer, Chris.

CUOMO: I know what you are.

GIULIANI: I'm a defense lawyer.

CUOMO: I know what you are.

GIULIANI: That's protected by the United States Constitution.

CUOMO: Which raises the question why were you investigating this? Why did you back away from the trip when it got scrutiny?

GIULIANI: Because I was told —

CUOMO: Why did you wind up meeting in Spain instead of Ukraine?

GIULIANI: — because I was told that the people at the meeting with the president were people who work for George Soros. And George Soros had been funding this whole thing from the very, very beginning. Not only that. That was corroborated —

AD

CUOMO: That's why you backed away?

GIULIANI: Yes. Because they were going to lie about the conversation I was having with the president.

CUOMO: You have proof that Soros was funding it?

GIULIANI: I — oh, I absolutely do. I have proof.

CUOMO: How so?

GIULIANI: Okay. George Soros had a — had a not-for-profit called AntAC. AntAC is the one that developed all of the dirty information that ended up being a false document that was created in order to incriminate Manafort.

CUOMO: Do you have the proof of that?

GIULIANI: They also helped —

CUOMO: That that's who funded all these things?

GIULIANI: Absolutely.

CUOMO: Because, you know, the — the —

GIULIANI: December — Chris, Chris —

AD

CUOMO: — the United States Attorney just found its —

GIULIANI: — December —

CUOMO: — own stuff about Manafort.

GIULIANI: — December 16th, 2018, there is a finding by a court in the Ukraine that a man named Telechenko (ph), Yushchenko (ph) — something like that — that he produced a phony affidavit that was given to the American authorities and an FBI agent named Greenwood, and they found him guilty of that. Nobody reports that —

CUOMO: All right, so, Rudy —

GIULIANI: — in the United States because you don't report things that are favorable to the president —

[21:05:00] CUOMO: Rudy — well, that's not true.

GIULIANI: — and negative to Democrats.

CUOMO: But — but, Rudy, listen.

AD

GIULIANI: Let me go further about finding —

CUOMO: Wait, hold on a second. Let's — let's go step by step, because forget about the fact that you said what I said was erroneous, one.

GIULIANI: It is, Chris.

CUOMO: I haven't said — I didn't say any of the things you're saying now.

GIULIANI: I wasn't — I was not investigating it —

CUOMO: I don't even know if they're true.

GIULIANI: — for political —

CUOMO: But the idea —

GIULIANI: Well, then why did you say I was doing it for political —

CUOMO: Be —

GIULIANI: — purposes?

CUOMO: I — I didn't say political purposes. I said you were going after political —

GIULIANI: I am the president's —

CUOMO: — opponents of Mr. Trump.

AD

GIULIANI: — I am the — I am the president's attorney.

CUOMO: That's what Joe Biden is. That's what Hillary Clinton is.

GIULIANI: Joe Biden is presumed innocent. But somebody's got to investigate him for going to the president of the Ukraine, and telling him —

CUOMO: That's fine. You just want to make sure that —

GIULIANI: — I'm not going to give you —

CUOMO: — you're not going there under color of authority of the president.

GIULIANI: — but somebody has to investigate it. No, no, no, no.

CUOMO: But let me ask you something else.

GIULIANI: Not because of the authority of the president because when the new prosecutor, that Joe put in, came in, he not only dismissed the case on Hunter Biden, for getting about \$6 million in laundered money from —

CUOMO: The prosecutor that was removed, which was the original intrigue on Joe Biden — that prosecutor was removed, first of all, by consensus of a multiple of Western countries, and it was after Hunter Biden's stuff was done.

Yes, look, you should have your hand on your face. You know why? This is all a distraction from what I asked you first —

GIULIANI: No, it isn't a distraction, Chris.

CUOMO: — about in the first place, which is —

GIULIANI: What you just said is totally wrong.

CUOMO: — is it's — it's not what I just —

GIULIANI: It's completely wrong.

CUOMO: It — it is totally correct.

GIULIANI: The prosecutor —

CUOMO: And in the factual timeline.

GIULIANI: Chris, you don't know what happened.

CUOMO: The prosecutor was out.

GIULIANI: I know what happened.

CUOMO: How do you know when I don't know?

GIULIANI: You are — you are just repeating — you're just repeating spin. The prosecutor —

CUOMO: Oh, but — but you don't, right?

GIULIANI: — the prosecutor —

CUOMO: You're not spinning anything.

GIULIANI: The —

CUOMO: Go ahead.

GIULIANI: I'm not spinning a d---- thing.

CUOMO: Okay.

GIULIANI: I'm telling you the truth.

CUOMO: Okay.

GIULIANI: The prosecutor was removed because he was investigating the son, and he was investigating Soros's charity or whatever the hell it was, AntAC. The new prosecutor that came in dismissed both cases, and the president —

CUOMO: The prosecutor who was pushed out was unanimously seen as corrupt, by the way.

GIULIANI: No, he wasn't. He wasn't unanimously seen as corrupt.

CUOMO: All right, so —

GIULIANI: That's an after-the-fact statement. The prosecutor —

CUOMO: What do you mean after-the-fact statement?

GIULIANI: You don't look at Joe Biden —

CUOMO: Was he seen as corrupt or no?

GIULIANI: — who probably is working with half the IQ that you and I have. If you listen to Joe Biden's tape, he convicts himself. He says, 'I told the president of the Ukraine, if you don't dismiss this guy, you're not going to get your 1.2—'

CUOMO: All right, so that's what you say —

GIULIANI: — billion dollar —

CUOMO: — Biden said to the Ukraine. Did you to ask the Ukraine to investigate Joe Biden?

GIULIANI: No. Actually, I didn't. I asked the Ukraine to investigate the allegations that there was interference in the election of 2016, by the Ukrainians, for the benefit of Hillary Clinton, for which there already is a court finding —

CUOMO: You never asked anything about Hunter Biden? You never asked anything about Joe Biden —

GIULIANI: The only thing I asked about Joe Biden —

CUOMO: — and his role with the prosecutor?

GIULIANI: — is to get to the bottom of how it was that Lutsenko who was appointed —

CUOMO: Right.

GIULIANI: — dismissed the case against AntAC.

CUOMO: So, you did ask Ukraine to look into Joe Biden?

GIULIANI: Of course, I did.

CUOMO: You just said you didn't.

GIULIANI: No. I didn't ask them to look into Joe Biden. I asked them to look into the allegations that related to my client, which tangentially involved Joe Biden in a massive bribery scheme.

CUOMO: Rudy? Rudy?

GIULIANI: Not unlike what he did in China.

CUOMO: Rudy?

GIULIANI: You explain to me how the kid got \$1.5 billion from China —

CUOMO: Rudy, I have no problem with you launching allegations.

GIULIANI: — when Joe Biden was still in his —

CUOMO: But just be careful about what you say. I asked you, did you ask Ukraine —

GIULIANI: I am very careful about what I say.

CUOMO: — to look at Joe Biden, you said “No.”

GIULIANI: I didn't ask —

CUOMO: Then you went on to say that you did. The — it's all —

GIULIANI: No, I didn't say that.

CUOMO: — it's all recorded, Rudy.

GIULIANI: What I said was this. I asked them to investigate the allegations that relate to the false charges against the president of the United States. Those allegations tangentially involved Biden —

CUOMO: So your answer —

GIULIANI: — getting the —

CUOMO: — should have been yes.

GIULIANI: Let me finish, Chris. Let me finish.

CUOMO: Go ahead.

GIULIANI: And don't try to interrupt because you don't like the answer. And you don't like —

CUOMO: Well, I don't like the evasiveness.

GIULIANI: — in what I'm saying. And you don't like —

CUOMO: Evasiveness, I don't like.

GIULIANI: — and you want to distort what I'm saying.

CUOMO: I don't want to distort.

GIULIANI: Because it is totally biased.

CUOMO: I'm not biased.

GIULIANI: You are, Chris. It's sad.

CUOMO: Why would I have you on if I were biased?

GIULIANI: Because —

CUOMO: Knowing that we're going to have this kind of conversation.

GIULIANI: — because it is sad to watch what happened to you. It's sad.

CUOMO: Sad with what — what happened to me?

GIULIANI: You're a total sellout.

CUOMO: I'm a sellout?

GIULIANI: You are a sellout. I'm going to tell you why.

CUOMO: You are telling me that I'm a sellout?

GIULIANI: These are crimes of major proportions. And because they're Democrats, you won't cover it. \$1.5 million investment by China in Biden's private equity fund, and the partners are —

CUOMO: I'm not saying that these types of things haven't —

GIULIANI: — Kerry's son and —

CUOMO: — shouldn't be looked at.

GIULIANI: — Whitey Bulger's nephew. Do you know that they were partners with Whitey Bulger's nephew?

CUOMO: Rudy, I'm not saying that anything —

GIULIANI: That's outrageous.

CUOMO: — that you're saying shouldn't be looked at.

GIULIANI: And your corrupt media won't cover it because he's a Democrat.

CUOMO: Rudy, I can't just cover something because you say I should, all right?

GIULIANI: No, you don't have to —

CUOMO: That's not the way it works.

GIULIANI: — say I should.

CUOMO: But it got to tell you. You who —

GIULIANI: Read the book.

CUOMO: — you who my whole lifetime stood up for one simple ideal —

GIULIANI: And I do.

CUOMO: — when you were at your best —

GIULIANI: And I am standing — standing up for justice.

CUOMO: — which was character counts and leadership.

GIULIANI: And you are standing up for two systems of justice.

CUOMO: Oh, I'm standing up for two systems of justice?

GIULIANI: Joe Biden can be involved in bribery. Joe Biden's son can get \$1.5 billion from China, and you won't cover it. And you want to cover some ridiculous charge that I urged the Ukrainian government to investigate corruption. Well, I did, and I'm proud of it. And you should encourage it —

CUOMO: Well, then it's not — then it's not a ridiculous allegation. You just admitted it.

GIULIANI: It's a ridiculous allegation.

CUOMO: You just admitted it.

GIULIANI: It's a ridiculous allegation.

CUOMO: Rudy, you just admitted —

GIULIANI: Of course, of course, of course, I should —

CUOMO: — that you did it.

GIULIANI: — of course I should.

CUOMO: I'm not saying it was wrong for you to do it. I'm asking you —

GIULIANI: It wasn't wrong for me to do it.

CUOMO: — if you asked them, and now you're finally saying yes.

GIULIANI: And I am glad that the only way —

CUOMO: Did the president ask the president of Ukraine —

GIULIANI: — the only way — I knew this —

CUOMO: — to do the same thing?

GIULIANI: — I knew this a year ago. The only way this would come out is if you come after me. Well, fine.

CUOMO: I'm not coming after you.

GIULIANI: Come after me.

CUOMO: I'm asking you questions, okay? And I'm asking you —

GIULIANI: And I'm answering your questions. But you don't like —

CUOMO: — yes, kind of, kind of —

GIULIANI: — the answers.

CUOMO: That's — well, some of the answers I don't love, but I'm letting you give the answers.

GIULIANI: Well, you don't like the answers, because the answers make out a prima facie case of bribery against a vice president of the United States.

CUOMO: Well, no. They're your — they're your suggestions about it.

GIULIANI: At the time.

CUOMO: And that's fine. I'm not saying that it doesn't—

GIULIANI: No, Chris.

CUOMO: — deserve discussion.

GIULIANI: Let's talk like a —

CUOMO: Will you please answer my question?

GIULIANI: Let's talk like lawyers for a minute.

CUOMO: All right, good, then respect this lawyer asking you —

GIULIANI: Is the crime of bribery —

CUOMO: Hold on. I don't want to hear it.

GIULIANI: — is the crime of bribery — the crime of bribery —

CUOMO: Rudy, Rudy, I don't want to go down the rabbit hole of them right now.

GIULIANI: I taught law. You're going to listen.

The crime of bribery is if I offer something of value to someone in return for their official action. Joe Biden offered them a 1.5 billion — billion dollar, \$1.2 billion loan guarantee in return for him firing a prosecutor.

CUOMO: And you have proof?

GIULIANI: That is a prima —

CUOMO: That it was a quid pro quo situation, and you can show it?

GIULIANI: Yes. You know what the proof is? Joe Biden, 2018, January, in front of the Council on Foreign Relations, saying the whole thing.

CUOMO: He said —

GIULIANI: He just —

CUOMO: — I'm going to give you this money if you get rid of this prosecutor?

GIULIANI: 100 percent, exactly.

CUOMO: Send me the transcript.

GIULIANI: Go listen to it and apologize to me. Go listen to it. He said exactly that. But he left one thing out.

CUOMO: Oh! What did he leave out?

GIULIANI: Left out the fact that his son was under investigation —

CUOMO: But isn't that the important thing —

GIULIANI: — which is the motive.

CUOMO: — because he needed to have a motive in order to do it?

GIULIANI: No. The crime actually gets completed when he says, 'I'll give you the \$1.2 billion, but you have to fire the prosecutor.'

For whatever reason he wants the prosecutor fired, you cannot offer something of value in exchange for official action. Crime over with. Motive: The kid was under investigation because he had gotten \$6 billion from the most crooked Ukrainian oligarch.

CUOMO: Look, obviously, if they could have —

GIULIANI: — a guy named Chenko (ph).

CUOMO: — shown that Biden was doing something for his son that went beyond —

GIULIANI: Get out of here. Get out.

CUOMO: — questionable ethics.

GIULIANI: You believe that, Chris —

CUOMO: All right, listen.

GIULIANI: — then go somewhere on an island.

CUOMO: Listen, but I'll tell you what.

GIULIANI: No. They wouldn't do it.

CUOMO: I wish you had this same attitude when I was asking you —

GIULIANI: And not only that. Not only that.

CUOMO: — about all the ridiculous things that this president has tried to —

GIULIANI: You guys don't cover —

CUOMO: — pass off as truth.

GIULIANI: — You don't cover corruption —

CUOMO: No, you're all about incredulous.

GIULIANI: — against Democrats the way you cover corruption —

CUOMO: Yes. All right, you know, it's easy for you to say.

GIULIANI: — against Republicans. If suppose —

CUOMO: — when the current administration is the one we're look at, right?

GIULIANI: — suppose — suppose Donald Trump Jr.—

CUOMO: Why don't you wait for a Democratic administration and then level the charge?

GIULIANI: — got \$6 billion — got \$1.5 billion from China while Trump is negotiating with China —

CUOMO: It would be a problem.

GIULIANI: You're d--- right. Well —

CUOMO: It would be a big problem.

GIULIANI: — well, how come you're not covering the fact that that happened with —

CUOMO: Because I don't know that it did.

GIULIANI: — Vice President Biden.

CUOMO: That's why.

GIULIANI: You know what happened.

CUOMO: You're making it sound like he did it to help his son.

GIULIANI: I'll give you a book.

CUOMO: And I don't know that he did it to help his son.

GIULIANI: It's written in a book.

CUOMO: And he said he didn't do it to help his son.

Now, will you finally answer my question now that we're 12 minutes in it?

GIULIANI: Well, do we really believe —

CUOMO: Did the president —

GIULIANI: — we really believe he didn't know his son was under investigation?

CUOMO: Why won't you answer the question?

GIULIANI: What was the question?

CUOMO: What is it with you?

GIULIANI: What's the question?

CUOMO: Thank you. Did the president talk to the Ukrainian president about what he wanted done with Joe Biden and what he wanted done with Paul Manafort?

GIULIANI: I have no idea. I never asked him that. I don't know if he did. And I wouldn't care if he did. He had every right to do it at the president of the United States.

He had every right to say to the Ukrainian president: We have two outstanding allegations of massive corruption and —

CUOMO: Did he ask you to do —

GIULIANI: — you should investigate it.

CUOMO: — what you're doing?

GIULIANI: No. I did what I did on my own. And then I told him —

CUOMO: Really?

1/3/2020

Rudy Giuliani's remarkable Ukraine interview, annotated - The Washington Post

GIULIANI: — about it afterwards because I'm his lawyer, and I know how to investigate —

CUOMO: So, you never talk to him about it before —

GIULIANI: — and I —

CUOMO: — you only talk to him about it after.

GIULIANI: Three months after I found out about it, and then I found out that it was true, by getting signed sworn statements, from five people in the Ukraine, who said that we were brought into the White House, the Obama White House, and we were told, go dig up dirt on Trump and Manafort in January of 2016. You have no idea how big this is because you're blinded.

CUOMO: I loved —

GIULIANI: You're blinded by —

CUOMO: Give me — give me the affidavits.

GIULIANI: — your prejudice.

CUOMO: Give me the affidavits. I appreciate the personal insults.

GIULIANI: I'm not going to give you the affidavit.

CUOMO: Well, why not?

GIULIANI: I'll give them in court. I'm not going to give them to you.

CUOMO: So go present them.

GIULIANI: Who are you?

CUOMO: Who am I? I'm a journalist.

GIULIANI: I'll give them to a court.

CUOMO: You keep saying that —

GIULIANI: But you're not the FBI.

CUOMO: Hold on, hold on, Rudy, Rudy.

GIULIANI: You can't indict anybody.

CUOMO: You — you want to say I won't cover it because I'm like this, right, you say?

GIULIANI: Oh, man, when I — when I watched the introduction to your show —

CUOMO: But now you won't give me the proof.

GIULIANI: I'm not going to give you proof.

CUOMO: What?

GIULIANI: What can you do? You can't indict anybody.

CUOMO: I'm — So what?

GIULIANI: Believe me. The proof is in the right hands. And you're going to find out about it. And I — I used to think you'll be embarrassed when you find out what happened. But you know something?

CUOMO: Why would I be embarrassed by the truth —

GIULIANI: You'll find some other excuse —

CUOMO: — coming out?

GIULIANI: Because you should have been embarrassed —

CUOMO: Why would I be embarrassed?

GIULIANI: — when there was no Russian collusion. You should have apologized for all the coverage that you did about —

CUOMO: Why would I apologize?

GIULIANI: — Russian collusion.

CUOMO: I was one of the —

GIULIANI: You should.

CUOMO: — first to say that there is no crime of collusion. I was one of the first to say that —

GIULIANI: Yes. But then you went to say, well, he did other things wrong.

CUOMO: — there is no such thing as collusion as a crime.

GIULIANI: He did this wrong.

CUOMO: He did do other things wrong.

GIULIANI: Look, you guys are —

CUOMO: And you know it.

GIULIANI: — you guys are on a mission.

CUOMO: And the Rudy Giuliani who was a prosecutor —

GIULIANI: Do you think I'm a fool?

CUOMO: — and a mayor knew what right was.

GIULIANI: You think I'm a fool?

CUOMO: And what wrong was before he became a lawyer —

GIULIANI: You're on a mission —

CUOMO: — for this guy.

GIULIANI: You're on a mission to get this guy no matter what. And you know something?

CUOMO: That couldn't be farther from the truth.

GIULIANI: Whatever he did is nothing compared to what Biden did. And when you find out —

CUOMO: Listen, all —

GIULIANI: — you should be embarrassed but you won't.

CUOMO: All right, fine, fine.

GIULIANI: You'll find another excuse.

CUOMO: I, look, I — I'm very — I'm very interested in your personal insults of me. We can meet some other time.

GIULIANI: I'm not — I'm not — I'm not personally insulting you.

1/3/2020

Rudy Giuliani's remarkable Ukraine interview, annotated - The Washington Post

CUOMO: And you can say it all to me face-to-face. And we can get it out.

GIULIANI: I am institutionally —

CUOMO: The hell you're not! But that's okay.

GIULIANI: — insulting you. Chris —

CUOMO: That's — okay, that's okay. That's what you want to do.

GIULIANI: — I'm institutionally insulting you because —

CUOMO: You're institutionally insulting me.

GIULIANI: — your coverage is horrendous.

CUOMO: All right, fine. Let me —

GIULIANI: It is so unfair, and it shocks —

CUOMO: — ask you this. If the —

GIULIANI: — me as a person who fought for justice all his life.

CUOMO: Well, let me tell you. It gets called into —

GIULIANI: It is shocking to me.

CUOMO: — question with what you've been doing as counsel in this particular case.

GIULIANI: What I've been doing as counsel —

CUOMO: Yes, that's right.

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GIULIANI: — is represent my client in the best spirit and in the best way that I can do as a lawyer. And I vindicated him. And now, I am proving that what happened to him was a frame-up.

CUOMO: You didn't vindicate him.

GIULIANI: You're d--- right I vindicated him.

CUOMO: You kept him out of — you kept him out of the chair.

GIULIANI: All you did — all you did was Russian collusion, Russian collusion, Russian collusion.

CUOMO: You kept him out of the chair with Mueller, and that was the best thing you did. And that was a great move.

GIULIANI: And you know what you're going to find out? It was Ukrainian collusion with Hillary Clinton —

CUOMO: Well, what we're finding out right now —

GIULIANI: — that she paid \$1.1 million for —

CUOMO: — is that an intel official —

GIULIANI: — and Joe Biden — and the Joe Biden family —

CUOMO: Fine. Let's —

GIULIANI: — has been selling his office —

CUOMO: — Look, you don't want to give me the — the proof. That's fine. When it comes out —

GIULIANI: I don't have to give you the proof.

CUOMO: — I'll cover it.

GIULIANI: Go read it.

CUOMO: I'm not saying you have to. It'd be nice —

GIULIANI: It's written in books.

CUOMO: — is all I'm saying.

GIULIANI: You just won't read it. It's all over the Internet.

CUOMO: You — you send —

GIULIANI: Go read it.

CUOMO: All over the Internet!

GIULIANI: I have the proof. I could —

CUOMO: You send me the affidavits you have of people who give sworn statements of what you said —

GIULIANI: I don't even need affidavits. All I need is Joe Biden's statement on television that he told the president of the Ukraine I'm going to hold back the \$1.2 billion —

CUOMO: Right. And he said it had nothing to do —

GIULIANI: — I'm going to finish this sentence that I'm going to —

CUOMO: You said it five times. Say it again.

GIULIANI: — hold back the \$1.2 billion if you don't fire the prosecutor. That is the crime of bribery —

CUOMO: Fine.

GIULIANI: — in every country in the world.

CUOMO: He doesn't agree with you.

GIULIANI: And then, if you want a motive for it, his son was under an investigation. And if he didn't notice his son was under investigation —

CUOMO: No. He said he had nothing — it had nothing to do with him.

GIULIANI: — then he is truly mentally ill.

CUOMO: Now, listen, Rudy, the —

GIULIANI: You don't think I would know my son was under investigation? You don't think when I took my son to China —

CUOMO: I'm saying that if you said that you did something —

GIULIANI: — and he came back with a billion dollars, I wouldn't know it?

CUOMO: — and it had nothing to do with your son. I'd have to have proof of otherwise. Now —

GIULIANI: How about circumstantial evidence?

CUOMO: Rudy, let me ask — can I — can I ask you —

GIULIANI: How about circumstantial evidence?

CUOMO: — one thing about the news today so that we can —

GIULIANI: Sure. Whatever you — whatever you — whatever you —

CUOMO: — get a little bit of — little bit of an understanding about national security considerations? Is that all right? Okay?

GIULIANI: Sure.

CUOMO: Thank you.

GIULIANI: The national security consideration you should be worried about —

CUOMO: Oh, here we go.

GIULIANI: — is how a compromised Ukraine —

CUOMO: Is that Joe Biden with his son and the thing, right.

GIULIANI: — how they — how they completely compromised Ukraine —

CUOMO: Right, now —

GIULIANI: — in 2016.

CUOMO: And here's what we —

GIULIANI: And used them as an arm of the Democratic National Committee.

CUOMO: Okay. I hear you. Whenever you want the proof to come out, and it comes out, and we can cover it, and I can see what you're talking about —

GIULIANI: No, you won't. No, you won't. No, you won't.

CUOMO: All right. So, you —

GIULIANI: I — I have no confidence that you will.

CUOMO: — You won't give — you won't give —

GIULIANI: I used to think that six months ago.

CUOMO: I know. But and — and you won't give me the proof.

GIULIANI: I do not believe.

CUOMO: All right, fine.

GIULIANI: I believe your network will cover it up.

CUOMO: All right, all right.

GIULIANI: I believe your network will spin it —

CUOMO: Okay. Well we'll see.

GIULIANI: — against us that we created it.

CUOMO: You — you won't give us the proof. But you think we'll spin it. I got you.  
So —

GIULIANI: I'm not going to give you the proof.

CUOMO: I know. I heard you five times.

GIULIANI: I'm going to give the proof to authorities.

CUOMO: Look, here's what I want to ask you.

GIULIANI: There's enough proof —

CUOMO: This —

GIULIANI: There's enough proof for you go after it.

CUOMO: All right, fine. This U.S.—

GIULIANI: If you are being honest and fair.

CUOMO: Okay. So, this U.S. intel official who worked in the White House says he hears something on a phone call, we believe, with the president of Ukraine. That's what The Washington Post has, that troubled him. So, he formed the — he lodged the complaint with the inspector general.

GIULIANI: Good.

CUOMO: Now, there's one legal fight going on between the I.G. and the DNI. That is what it is. But I want to ask you this. You say —

GIULIANI: Well, who — who is this guy? I have no idea who he is.

CUOMO: Well, neither do I.

GIULIANI: I'm here — I'm here on television telling you everything I did. This guy is hiding somewhere —

CUOMO: Well, whistleblowers —

GIULIANI: — and skulking around.

CUOMO: — whistleblowers deserve protection.

GIULIANI: And you —

CUOMO: We both know that. But—

GIULIANI: Yes. They do. And whistleblowers are liars, right?

CUOMO: Okay. But I'm just saying so —

GIULIANI: Little of both.

CUOMO: Well, it'd be nice. Look, if you're not worried about anything — it's interesting question.

GIULIANI: So why — how — how about we take a impartial position and we say this whistleblower could be telling the truth.

CUOMO: Yes, or he could be lying.

GIULIANI: Or this whistleblower could be a Democrat holdover.

CUOMO: Yes.

GIULIANI: Who was trying to destroy —

CUOMO: And he could be lying.

GIULIANI: — Donald Trump.

CUOMO: And he could be destroying — he could try to be doing that. 100 percent.

GIULIANI: Like a lot of people have done.

CUOMO: A 100 percent. So, in your opinion, now —

GIULIANI: Like the stupid New York Times story the other day, right?

CUOMO: Now, listen, if —

GIULIANI: Did you cover that?

CUOMO: — if —

GIULIANI: How the Times really s----wed up the other day?

CUOMO: Listen, if the —

GIULIANI: Did you cover it?

CUOMO: — if the complaint had come out —

GIULIANI: You don't answer that.

CUOMO: Well, I'm trying to get a question out to you about this.

GIULIANI: Okay. Well, Chris, what — what do you —

CUOMO: Because this kind of matters to me.

GIULIANI: — what do you want to know?

CUOMO: I got to be honest, Okay?

GIULIANI: Okay. Well, try.

CUOMO: So, if — if the complaint goes to the I.G., we'll both know what the law is, okay, the DNI and the I.G. have a disagreement about whether or not they're supposed to get it. The DNI then says, reportedly, "There is someone above us that does not want this to be discovered — delivered to Congress." If —

GIULIANI: I don't even know what you're talking about. There's somebody above us doesn't want to be delivered it to.

CUOMO: Above the DNI.

GIULIANI: What are we talking about?

CUOMO: I don't that —

GIULIANI: I don't know about this —

CUOMO: — that's why I'm asking you. Who —

GIULIANI: — conversation.

CUOMO: — what power in the executive branch above the DNI would not want this kind of complaint delivered to Congress?

GIULIANI: I have no — I have no idea why they — why they would or why they wouldn't. All I can tell you is if what is reported is true, it doesn't make a d---. It doesn't make any difference.

If the president of the United States said to the president of Ukraine: 'Investigate the corruption in your country that has a bearing on our 2016 election,' isn't that what he's supposed to do?

CUOMO: What if he said —

GIULIANI: That is what he's supposed — unless you assume that the president's guilty.

CUOMO: What if he said —

GIULIANI: As opposed to the fact that those people in the Ukraine were trying to frame the president —

CUOMO: What if he said —

GIULIANI: — which is exactly what they were doing.

CUOMO: What if he said I have \$250 million —

GIULIANI: Oh, man!

CUOMO: — that you want.

GIULIANI: If he said that?

CUOMO: Why don't you investigate —

GIULIANI: Hold God! That would be really—

CUOMO: — what's happening with Joe Biden and what's happening and —

GIULIANI: Is it but you know —

CUOMO: — what you did to me in 2016.

GIULIANI: Isn't that —

CUOMO: And I'll give you the \$250 million.

GIULIANI: Isn't that exactly what Joe Biden did and admitted on tape in —

CUOMO: So, you so —

GIULIANI: — in 2018.

CUOMO: — so if — so if the president said that —

GIULIANI: No, wait a second. Wait a second, Chris. Stop going.

CUOMO: — you think it was wrong?

GIULIANI: Can I — You asked me the question. You got to take the answer. You can't cut — cut if off.

CUOMO: No. I don't have to take it. You can't run in an —

GIULIANI: No, no.

CUOMO: — opposite direction towards Joe Biden —

GIULIANI: No, I'm not running in an opposite direction.

CUOMO: — every time I ask you something about the instant case.

GIULIANI: I am — I am making a point, which I'm entitled to make, if you want to hear from me. If you don't want to hear from me, just cut me off. So, the —

CUOMO: No, I will never cut you off.

GIULIANI: — the fact is —

CUOMO: Go ahead.

GIULIANI: — the fact is what you're saying to me is completely equivalent with what Joe Biden admitted on tape two years ago, and you didn't cover, which is, 'I told the president of the Ukraine, you're not going to get your \$1.2 billion, unless you fire the prosecutor.'

How come you didn't cover that? How come I wasn't called on here the night that that happened? Because you're not fair. You're not fair in your coverage.

CUOMO: Okay.

GIULIANI: Would you please recognize that? Now, I'll tell you about Trump, right?

CUOMO: Go ahead.

GIULIANI: I have — I have no knowledge that the president ever said anything. I don't even know about the \$250 million —

CUOMO: Okay.

GIULIANI: — in — in aid. I have no — no knowledge of that. I just know about me — various meetings —

CUOMO: When you're done —

GIULIANI: — they were going to have.

CUOMO: — I'll tell you why I'm asking.

GIULIANI: But the reality is that the president of the United States, well, whoever he is, has every right to tell the president of another country, you better straighten out the corruption in your country, if you want me to give you a lot of money, because if you are so d--- corrupt that you can't investigate allegations of corruption —

CUOMO: That would be fine.

GIULIANI: — our money is going to get squandered.

CUOMO: That would be fine.

GIULIANI: And don't you think that's happened in the Ukraine under Yanukovich?

CUOMO: I think that there was a lot of corruption.

GIULIANI: You don't think all that money that Obama gave him was squandered?

CUOMO: I think there was a lot of corruption.

GIULIANI: Of course, it was. The guy was working for Russia —

CUOMO: All right, so —

GIULIANI: — while Joe — while Joe and Obama —

CUOMO: — here's why I ask you the question.

GIULIANI: — were giving him billions.

CUOMO: Here's why I ask you the question.

GIULIANI: But nobody covers that.

CUOMO: Here's why I ask you the question. So —

GIULIANI: Okay.

CUOMO: — the president has this conversation. There's something in the conversation that's troubling enough for someone to lodge a complaint under the whistleblower statute about it.

GIULIANI: Who knows who this person and what motive he has?

CUOMO: Okay. But just —

GIULIANI: Half the people in the government —

CUOMO: Hey, Rudy, we covered that.

GIULIANI: — half the people in the —

CUOMO: I'm — I'm trying to tell you my premise for the question.

GIULIANI: You don't think there's a deep state?

CUOMO: Listen.

GIULIANI: Of course, there is.

CUOMO: I think there's a little bit of a "deep state" going on —

GIULIANI: I know it. I've confronted it.

CUOMO: — right in this conversation right now. What I'm trying to say is —

GIULIANI: I'm a deep state? I'm totally transparent, Chris.

CUOMO: — after Adam Schiff —

GIULIANI: I go on television. I answer the questions.

CUOMO: — after — well, not so great tonight.

GIULIANI: I don't lodge anonymous —

CUOMO: I got to be honest.

GIULIANI: — I don't lodge anonymous complaints.

CUOMO: You know, you've been very insulting. You've been very circumspect —

GIULIANI: Yes, I'm very, Chris —

CUOMO: — and very distracting.

GIULIANI: — I'm very insulting directly to your face.

CUOMO: So —

GIULIANI: Not behind your back.

CUOMO: Well, yes.

GIULIANI: And I don't do anonymous sources or let me skulk around and scoot somebody up.

CUOMO: No, I know. But it's also not very fair what you're saying.

GIULIANI: If I don't like —

CUOMO: But let me get back to what matters.

GIULIANI: If I don't like what you're doing, I'd tell you.

CUOMO: I understand.

GIULIANI: And I think your network is corrupt —

CUOMO: I know. I heard you the first five times.

GIULIANI: — in the way they cover —

CUOMO: And yet, here I am, giving 20-plus —

GIULIANI: — the way they cover the president.

CUOMO: — minutes to the president's lawyer to make the case —

GIULIANI: Yes, you're —

CUOMO: — on national television.

GIULIANI: Right.

CUOMO: Hmm! Boy, do I hide the ball?

GIULIANI: Go cover — go cover Biden's bribery —

CUOMO: So, look, one — one sticky —

GIULIANI: — in Ukraine. Go cover him taking —

CUOMO: — wicket at a time.

GIULIANI: —\$1.5 billion out of China.

CUOMO: Let me ask you —

GIULIANI: And then I'll respect you again.

CUOMO: — this question because I want your —

GIULIANI: Then I'll respect you again.

CUOMO: — lawyer's mind. Listen, if I — if — listen —

GIULIANI: Not just you.

CUOMO: You respect —

GIULIANI: Your network.

CUOMO: You respect — no, no, you keep saying it.

GIULIANI: It's in the tank.

CUOMO: So let's — let's — deal with me. You say whatever you want.

GIULIANI: I am dealing with you.

CUOMO: You respect me. You don't respect me. That's on you.

GIULIANI: I don't respect the way you're covering the fact —

CUOMO: I live my life. I do my job the way I think.

GIULIANI: — that there was a —

CUOMO: Fine.

GIULIANI: — massive —

CUOMO: So —

GIULIANI: — there was a massive scandal involving Joe Biden.

CUOMO: I hear it. I've let you say it 10 times.

GIULIANI: In the billions of dollars.

CUOMO: I've heard it.

GIULIANI: And you are not covering it.

CUOMO: I know. But you are also you are doing everything you can to spin away from what I'm trying to ask you about.

GIULIANI: I am not. The president did nothing wrong.

CUOMO: You said you know nothing about anything.

GIULIANI: Zero. Wrong.

CUOMO: The president, who's your client —

GIULIANI: He did nothing wrong.

CUOMO: — knew nothing about what you were doing for him in the Ukraine.

GIULIANI: He did what a president — what an honest —

CUOMO: He only knew after.

GIULIANI: — decent president should do.

CUOMO: Very convenient. So then, this is what I want to ask you about.

He has this conversation. The person gets upset and files the complaint. After Adam Schiff sends the letter, to the DNI, saying I want that complaint, the \$250 million is released to the Ukraine that had been held back all this time.

GIULIANI: I don't know anything about that except for the fact that if Adam Schiff sent me a letter, I would just tear it up, and throw it in the garbage.

CUOMO: Yes, yes, yes, of course, of course. Why did they release the money right after Adam Schiff?

GIULIANI: I — I don't know. I have no idea. I don't —

CUOMO: You don't think that's co —

GIULIANI: — I don't run the government.

CUOMO: Listen, you're spinning things together at a whole cloth.

GIULIANI: I'm not spinning anything, Chris.

CUOMO: Now, you're not curious about that.

GIULIANI: I'm not serious about what?

CUOMO: You're not curious about the \$250 million getting —

GIULIANI: Okay. You want to talk hypothetically?

CUOMO: — getting released only after —

GIULIANI: I can only talk hypothetically about it.

CUOMO: — there are questions about what was said to the president of Ukraine.

GIULIANI: If the president of the United States said to the president of any country, I have — I am not going to give you money because your country is corrupt. You got to straighten out these problems.

CUOMO: We don't know that that's what he said.

GIULIANI: Well, I don't know what he said either.

CUOMO: And — and — and but why would that upset —

GIULIANI: We don't know what he said because —

CUOMO: — an intel official. Why would an intel official —

GIULIANI: — we're having a — you and I are talking about —

CUOMO: — get upset by that?

GIULIANI: — an anonymous informant.

CUOMO: That's right.

GIULIANI: We have no idea if he's credible or not. And you're making a big deal out of it because —

CUOMO: Well — well —

GIULIANI: — you want to make a big deal.

CUOMO: — we don't know nothing.

GIULIANI: Wait, wait. D---it.

CUOMO: The inspector general —

GIULIANI: Let me finish.

CUOMO: No, I got — I got to cut you. You've been talking the whole time.

GIULIANI: No. You can't cut me off.

CUOMO: The inspector general —

GIULIANI: This isn't —

CUOMO: — knew enough about —

GIULIANI: You only cut me off because this is —

CUOMO: — what was said —

GIULIANI: — this is a program with an agenda as opposed doing a program —

CUOMO: Listen, the agenda is to get some truth —

GIULIANI: — that wanted to cover the truth.

CUOMO: — and not spin. The inspector general assessed the whistleblower complaint. They found it urgent enough to want to go to the DNI —

GIULIANI: But they don't know all —

CUOMO: — and under the statute.

GIULIANI: The only thing the inspector general can do is look at the — look at what the person says, and say we have to investigate it. He has no idea if the person is honest, dishonest or crazy.

CUOMO: Really? You don't think part of what the I.G. is doing is assessing the credibility of the person who comes forward with the complaint?

GIULIANI: 100 percent, they have no idea how to do that.

CUOMO: What do you mean he doesn't know how to do that?

GIULIANI: No idea how to do it.

CUOMO: How could you say that?

GIULIANI: And, by the way, it is perfectly appropriate for a president to say to a leader of a foreign country, investigate this massive bribe —

CUOMO: I know. But if it was in general —

GIULIANI: — that was paid by a former vice president —

CUOMO: — and it was specific, and it was quid pro quo —

GIULIANI: — that our media in America is covering up.

CUOMO: — that would be troubling and then the money got released right after Adam Schiff asked for the complaint. That's what I wanted to ask you about.

GIULIANI: All right, so you got to ask somebody else about that.

CUOMO: I appreciate your take on it.

GIULIANI: I don't know the —

CUOMO: I will.

GIULIANI: — I don't know the answer to why it was released. But I find nothing wrong in what he did. I find a lot wrong —

CUOMO: You don't even know what he did.

GIULIANI: — I find a lot wrong in what you are covering up.

CUOMO: Believe me, I'm well aware.

GIULIANI: And what you continue to cover up, and what your network continues to cover up —

CUOMO: And I'm telling you, you give me proof —

GIULIANI: — which you'll make what —

CUOMO: — of what you found.

GIULIANI: I have proof.

CUOMO: I will vet it and put it — give it to me.

GIULIANI: Go look — go look at Joe Biden —

CUOMO: I did. Everybody has heard that video.

GIULIANI: — January of 2018 admitting —

CUOMO: It's not a new story.

GIULIANI: — bribery, 100 percent.

CUOMO: He does not admit bribery —

GIULIANI: Go look.

CUOMO: — a 100 percent because he says —

GIULIANI: Go look.

CUOMO: — there — there was no quid pro quo. He wasn't doing it for his son.

GIULIANI: He didn't say that. He didn't say that.

CUOMO: He said I'm not doing it for my son.

GIULIANI: He left his son out of the conversation. He just said I told the president of the Ukraine —

CUOMO: When he's been asked about this, he said, I did nothing for my son and the timing —

GIULIANI: A year later.

CUOMO: — doesn't match up.

GIULIANI: A year later.

CUOMO: That's when he was asked.

GIULIANI: And he said, "I didn't know my son was under investigation."

CUOMO: All right, Rudy, look —

GIULIANI: Garbage!

CUOMO: — no matter — no matter what I hear tonight after this interview —

GIULIANI: Completely not true. And you are —

CUOMO: — I won't —

GIULIANI: — you are now —

CUOMO: Yes, what am I now?

GIULIANI: — engaging in all kinds of fantasies —

CUOMO: What am I — What am I now?

GIULIANI: — about the president when there's clear proof about a Democrat, and you can't handle it.

CUOMO: What?

GIULIANI: And how about we go to China when he flew his son there on Air Force Two —

CUOMO: Listen, Rudy —

GIULIANI: — and eight days later, the son —

CUOMO: — I don't know what any of this has to do —

GIULIANI: — got 1.2 —

CUOMO: — with what I've been asking you about tonight.

GIULIANI: What it has to do with —

CUOMO: I got to be honest.

GIULIANI: — how unfair you are. Do you get that?

CUOMO: It's unfair for me to not —

GIULIANI: It's unfair.

CUOMO: — want to tolerate you talking about Joe Biden all night long when we have an inspector general, fighting with the DNI, fighting with Congress, over a whistleblower complaint that involves this president —

GIULIANI: So, we have an anonymous whistleblower compliant —

CUOMO: — and you and what you've been doing playing with Ukraine.

GIULIANI: — we have an anonymous whistleblower compliant compared to clear proof —

CUOMO: All right, I got to go, Rudy.

GIULIANI: — that Biden's son got \$1.5 billion from China. And you won't cover it. Tell me you're not unfair.

CUOMO: Rudy, I told you. Give me the proof.

GIULIANI: Nobody — nobody buys that, Chris.

CUOMO: But I'm — I'm sure they buy —

GIULIANI: That's why your network has no ratings.

CUOMO: — I'm sure they buy that —

GIULIANI: They buy the fact that you are in the tank —

CUOMO: — everything you are saying right now has nothing to do with —

GIULIANI: — of the Democratic Party.

CUOMO: — distracting from what this president's problems —

GIULIANI: I am not distracting.

CUOMO: — might be.

GIULIANI: What I am pointing out —

CUOMO: You've been doing it for over a year and a half, okay?

GIULIANI: I haven't been doing that.

CUOMO: The hell you haven't.

GIULIANI: What I've been doing is pointing out how unfair you are —

CUOMO: You've been distracting from the truth —

GIULIANI: — and how you tried to frame the president.

CUOMO: — for a year and a half, and I hope you enjoy it.

GIULIANI: And you're doing it again.

CUOMO: Because this president got the benefit of something you built up for decades, your credibility, and you put it on the line for him.

GIULIANI: I'll put my credibility on the line —

CUOMO: Good choice.

GIULIANI: — 1,000 percent. And I think your network is a horror to this country.

CUOMO: That's fine.

GIULIANI: You are undermining —

CUOMO: That's — and I — yet I still have you on.

GIULIANI: — you are undermining fairness and justice in this country.

CUOMO: And yet, I still had you on.

GIULIANI: When a vice president —

CUOMO: I'm so unfair that I had you on.

GIULIANI: — of the United States can come out of China eight days later —

CUOMO: And I've had you say that a dozen times —

GIULIANI: — with \$1.5 billion, and you won't cover it.

CUOMO: — on my air. And I've asked you for proof.

GIULIANI: Tell me you're not corrupt.

CUOMO: And I have you on anyway —

GIULIANI: I have proof.

CUOMO: — even with all this trash coming out of out.

GIULIANI: There is proof. The proof has been there for two years.

CUOMO: All right.

GIULIANI: And you're covering it up. And the proof of his bribery —

CUOMO: I got you. Rudy, send the proof whenever you want.

GIULIANI: — is from his own mouth. And you're covering it up.

CUOMO: I hear up.

GIULIANI: And you covered up so much more about Hillary.

CUOMO: I'm covering it up so much —

GIULIANI: It's disgusting.

CUOMO: — that I've kept this interview going 28 minutes, and let you say it a dozen times.

GIULIANI: Yes, and interrupted me 500 times.

CUOMO: That's how afraid of it I am.

GIULIANI: To try to stop me from —

CUOMO: Well, you've made two points.

GIULIANI: — telling the American people —

CUOMO: You've made two points.

GIULIANI: — what's actually going on —

CUOMO: You've made two points.

GIULIANI: — so you can continue to mislead them —

CUOMO: All right.

GIULIANI: — which is what you're doing.

CUOMO: Well, you've been here the whole time, so you're part of it now. You're co-conspirator.

GIULIANI: I'm not part of misleading.

CUOMO: Rudy Giuliani —

GIULIANI: Everything I said, I can document.

CUOMO: — Thank you — give it to me.

GIULIANI: Every single thing I said I can document.

CUOMO: Then give me the documents. Thank you.

GIULIANI: I'm not going to give you the documents. Why would I give you the documents?

CUOMO: Because you want the truth to come out.

GIULIANI: You're not going to use them for a good purpose.

CUOMO: You're not making any sense to me on this point.

GIULIANI: If I trusted you — of course I'm making sense.

CUOMO: All right, now you don't trust me either. All right, Rudy Giuliani —

GIULIANI: Why would I give the enemy the documents?

CUOMO: Oh, now I'm the enemy?

GIULIANI: You are not fair.

CUOMO: Now I'm the enemy?

GIULIANI: You are not impartial.

CUOMO: Great!

GIULIANI: You are totally biased.

CUOMO: Rudy, anything else?

GIULIANI: And your network is the creature of the Democratic National Committee.

CUOMO: Okay. Rudy Giuliani, I appreciate your take, as always.

GIULIANI: And you should be embarrassed —

CUOMO: All right, I'm the one who should be embarrassed?

GIULIANI: — to be on that network.

CUOMO: Okay, Rudy.

GIULIANI: Absolutely.

CUOMO: I'm — I'm embarrassed.

GIULIANI: Man, the CNN is a disgrace.

CUOMO: I'm embarrassed. I'm embarrassed, for you. Have a good night.

GIULIANI: Well, you shouldn't be embarrassed for me. That's garbage.

CUOMO: Have a good night.

GIULIANI: Don't be embarrassed for me.

CUOMO: Somebody needs to.

GIULIANI: I'm worried about you.

CUOMO: Because you're not aware of what you're doing.

GIULIANI: And your integrity.

CUOMO: Good night.

GIULIANI: Of course, I'm aware of what I'm saying.

CUOMO: Good night. Have a good night.

GIULIANI: Well you — you shouldn't have a good night because what you're doing is very bad for the country.

CUOMO: Rudy, all right, I got to go, all right? With respect —

GIULIANI: Yes, well go.

CUOMO: — I've got to go.





# The Washington Post

*Democracy Dies in Darkness*

## Trump administration sought billions of dollars in cuts to programs aimed at fighting corruption in Ukraine and elsewhere

Democrats have slammed White House insistence that Trump was focused on corruption — not Bidens — when he blocked Ukraine aid funds.

By **Erica Werner**

Oct. 23, 2019 at 11:25 a.m. EDT

The Trump administration has sought repeatedly to cut foreign aid programs tasked with combating corruption in Ukraine and elsewhere overseas, White House budget documents show, despite recent claims from President Trump and his administration that they have been singularly concerned with fighting corruption in Ukraine.

Those claims have come as the president and his administration sought to explain away a July phone call between Trump and Ukrainian President Volodymyr Zelensky, during which Trump pressured his counterpart to open investigations into Joe Biden and his son Hunter, and into a debunked conspiracy theory involving a hacked Democratic National Committee computer server.

“I don’t care about politics, but I do care about corruption. And this whole thing is about corruption,” Trump told reporters earlier this month when discussing the Ukraine issue. “This whole thing — this whole thing is about corruption.”

The phone call is central to the impeachment inquiry by House Democrats. The Democrats have accused Trump of holding back a congressionally approved military aid package for Ukraine until Zelensky publicly committed to launching investigations into the Bidens. On Tuesday, the senior U.S. diplomat in Ukraine — acting ambassador William B. Taylor Jr. — told lawmakers that Trump made the release of military aid to Ukraine contingent on public declarations that it would investigate the Bidens and the 2016 election.

Trump, acting chief of staff Mick Mulvaney and other administration officials have insisted repeatedly that their goal in delaying the military aid package to Ukraine was to ensure corruption was addressed in that country — not to produce political benefit to Trump.

“There were two reasons that we held up the aid. We talked about this at some length. The first one was the rampant corruption in Ukraine,” Mulvaney said on “Fox News Sunday.” “Corruption is a big deal; everyone knows it,” he said. (The second reason was to ensure that other nations contributed to Ukraine’s defense, Mulvaney said.)

The administration's professed interest in fighting corruption in Ukraine has not been reflected in its annual budget requests to Congress.

For example, the administration sought to cut a program called International Narcotics Control and Law Enforcement. Among the goals of the program, as described in White House budget documents, is "helping U.S. partners address threats to U.S. interests by building resilience and promoting reform in the justice and law enforcement sectors through support to new institutions and specialized offices, such as Ukraine's National Anti-Corruption Bureau and Special Anti-Corruption Prosecutor's Office."

The program directs specific sums of money to individual countries. In 2019, \$30 million was directed to Ukraine, after Congress rejected an administration request to cut the sum to \$13 million. In its 2020 budget request, released in March, the administration again sought to cut the program's spending on Ukraine to \$13 million. Congress seems likely to once again reject the proposed cut, although lawmakers have yet to agree on any spending bills for the 2020 budget year that began Oct. 1.

In another example, the administration sought to streamline a number of overseas democracy assistance and foreign aid accounts under one larger umbrella called the Economic Support and Development Fund. The White House believed that consolidation would cut those programs by more than \$2 billion. This fund, too, is aimed at fighting corruption in countries around the world, among other goals, according to White House budget documents. Spending in Ukraine for the accounts in question was \$250 million in 2018; the White House has asked for \$145 million in 2020 under the new iteration of the program.

Democrats have alleged the White House's recent comments on combating corruption aren't consistent with the administration's track record.

"Numbers don't lie," Senate Minority Leader Charles E. Schumer (D-N.Y.) said in a statement. "It's even more clear now that President Trump is not the anti-corruption crusader he claims to be. The House impeachment inquiry must continue unimpeded so all the facts can come out."

The Trump White House has routinely pursued deep cuts to foreign aid in its budget proposals, only to be rebuffed by Congress. The proposed cuts to anti-corruption programs were a byproduct of the administration's larger goals of cutting the budgets of the State Department and U.S. Agency for International Development and were not specifically targeted, according to the White House Office of Management and Budget.

"The president has consistently sought across-the-board cuts to foreign aid, and has proposed more cuts in his budgets than any other president in history," said Rachel Semmel, spokeswoman for the Office of Management and Budget. "He has also strongly encouraged other countries to contribute their own efforts and resources to their defense and reform efforts."

Nonetheless, the cuts to anti-corruption aid stand in contrast to recent claims from administration officials and the president himself about being focused on corruption in Ukraine, raising the question of why the White House has not sought a larger budgetary commitment to addressing the issue. Democrats have largely dismissed the White House's insistence that Trump was focused on corruption, but White House officials continue to say it was a primary reason the military aid was held up.

"This is about corruption, and this is not about politics," Trump said. "This is about corruption. And if you look and you read our Constitution and many other things, we — I have an obligation to look at corruption. I have an actual obligation and a duty."

## Impeachment: What you need to read

Updated December 30, 2019

Here's what you need to know to understand the impeachment of President Trump.

**What's happening now:** Trump is now the third U.S. president to be impeached, after the House of Representatives adopted both articles of impeachment against him.

**What happens next:** Impeachment does not mean that the president has been removed from office. The Senate must hold a trial to make that determination. A trial is expected to take place in January. Here's more on what happens next.

**How we got here:** A whistleblower complaint led Pelosi to announce the beginning of an official impeachment inquiry on Sept. 24. Closed-door hearings and subpoenaed documents related to the president's July 25 phone call with Ukrainian President Volodymyr Zelensky followed. After two weeks of public hearings in November, the House Intelligence Committee wrote a report that was sent to the House Judiciary Committee, which held its own hearings. Pelosi and House Democrats announced the articles of impeachment against Trump on Dec. 10. The Judiciary Committee approved two articles of impeachment against Trump: abuse of power and obstruction of Congress.

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## The Washington Post

*Democracy Dies in Darkness*

# Trump meets Russia's top diplomat amid scrap over election interference

By **John Hudson** and **Anne Gearan**

Dec. 10, 2019 at 7:33 p.m. EST

President Trump met with Russia's top diplomat in the Oval Office on Tuesday, creating a dramatic contrast as House Democrats unveiled articles of impeachment against him for his actions in Ukraine, an ally fending off a Russian-backed insurrection.

After the meeting, Trump said he warned Russian Foreign Minister Sergei Lavrov not to interfere in U.S. elections and urged a resolution to the Moscow's conflict with Ukraine, the White House said.

But later in the day, Lavrov only suggested that Secretary of State Mike Pompeo raised the issue during their separate meeting at the State Department, Lavrov told reporters at the Russian Embassy.

The two diplomats clashed during their bilateral meeting when the veteran Russian diplomat denied any evidence of Russian interference in the 2016 presidential election. Pompeo declared that interference had happened and "it's unacceptable."

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Trump later tweeted a picture of himself grinning alongside Lavrov in the Oval Office that recalled one the Russians released following Lavrov's 2017 visit.

“Just had a very good meeting with Foreign Minister Sergey Lavrov and representatives of Russia. Discussed many items including Trade, Iran, North Korea, INF Treaty, Nuclear Arms Control, and Election Meddling. Look forward to continuing our dialogue in the near future!” Trump wrote, using a different transliteration of the diplomat's name.

Trump has repeatedly questioned the findings of U.S. intelligence agencies that Russia interfered in the 2016 election to help Trump and harm his Democratic opponent, Hillary Clinton. He has also given credence to a baseless conspiracy theory that Ukraine, which is fighting an irregular war with Russia, had interfered in 2016 on behalf of Clinton.

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Lavrov's invitation to Washington came as House Democrats unveiled two articles of impeachment against Trump over his efforts to pressure Ukraine to investigate his political rivals.

It also came one day after a meeting between Russian President Vladimir Putin and Ukrainian President Volodymyr Zelensky in Paris, where the two leaders agreed to implement a "full and comprehensive" cease-fire in eastern Ukraine by the end of the year.

Some Trump administration critics said the White House should have invited Zelensky to Washington instead of granting Lavrov an Oval Office visit.

The former U.S. ambassador to Moscow in the Obama administration, Michael McFaul, said he hoped the "horrible symbolism" of Lavrov's invitation was "just a mistake and not on purpose."

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The United States is the principal backer of Ukraine in its conflict with Russia, but Zelensky entered the negotiating session with Russia weakened by revelations that Trump held up military aid and withheld a White House meeting with Zelensky. Those actions are now the basis for the impeachment charge that Trump abused his office for personal gain.

The White House statement said only that Trump urged Russia to resolve the conflict. The statement made no mention of Crimea, the region of Ukraine that Russia annexed in 2014.

Trump did not respond to questions about the Lavrov meeting when he spoke to reporters as he left White House for an evening political rally in Pennsylvania.

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At a news conference at the State Department, Pompeo and Lavrov both stated their support for an improvement in U.S.-Russia relations despite broad disagreement between the two powers on an array of issues from Venezuela to Syria to Ukraine.

Pompeo said that the bilateral relationship is “complicated” but that the two countries discussed arms control issues and made progress on “economic” cooperation that would be announced “before too terribly long.”

Pompeo said he conveyed to Lavrov that the United States will not tolerate Russian interference in U.S. elections. “I was clear — it’s unacceptable,” he said.

Lavrov said Russia has demanded that the United States provide evidence of election interference, but when asked by a reporter why he doesn’t simply “read the Mueller report,” Lavrov dismissed the suggestion.

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“We read it. There is no proof of any collusion,” he said, speaking through an interpreter.

While special counsel Robert S. Mueller III did not establish a conspiracy between Russia and members of the Trump campaign, his office issued an indictment of 12 Russian intelligence officers for the hacking of the Democratic National Committee and the Clinton campaign.

In response to Lavrov’s calls for more evidence, Pompeo said this was unnecessary.

“We think we’ve shared plenty of facts to show what happened in the 2016 election with our Russian counterparts. We don’t think there’s any mistake about what really transpired there,” he said.

Pompeo also said he raised the issue of Paul Whelan, a former U.S. Marine detained by Moscow on spying charges since 2018.

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Lavrov said that an investigation into Whelan finished in September and that the matter was making its way through the courts. He suggested concerns about Whelan’s health were not credible.

“We are acting in full compliance with our laws and with the international norms that can be applied in this case,” he said.

He also expressed an interest in renewing the New Strategic Arms Reduction Treaty, known as New START, but said Moscow has not received a proposal from the United States.

Pompeo expressed his desire to include China in the arms talks with Russia, even though Beijing has said that it will not participate given that Moscow and Washington have significantly larger nuclear arsenals. Lavrov noted China's concerns but said Russia is open to a trilateral arrangement.

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China figured prominently in the White House meeting that followed, which Pompeo also attended. Trump advocated for global arms control involving the United States, Russia and China, the White House summary said. Trump also "reiterated the need for fair and reciprocal trade with China," and addressed nuclear weapons concerns in Iran and North Korea, the White House said.

"President Trump welcomed continued engagement with Russia to address areas of mutual concern, including how the United States and Russia can take positive steps with respect to detained citizens," the White House said.

When asked whether the visit provides bad optics amid the Democrats' impeachment inquiry, White House spokesman Hogan Gidley told Fox Business that the dialogue is "critical to America's well-being."

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“The president talked about and campaigned about having a better relationship with Russia. So did the Democrats, for that matter. It’s incumbent on any American president to build better relationships across the globe,” he said.

Lavrov’s visit to Washington in 2017 ended in controversy after the Russian Embassy in Washington released images of him and other U.S. officials smiling and shaking hands in the Oval Office. The Russian delegation was allowed to bring a photographer in the room from the state news agency Tass, while U.S. photojournalists were barred entry to the meeting.

The meeting came a day after Trump fired FBI Director James B. Comey, who was leading the investigation into the Trump campaign’s contacts with Russian officials. Trump reportedly told Lavrov that Comey was “crazy” and a “real nut job.”

U.S. officials later revealed that Trump disclosed highly classified information to Lavrov in the meeting that related to a critical source of intelligence on the Islamic State.

## Trump retweets a post naming the alleged whistleblower

By **Colby Itkowitz**

Dec. 28, 2019 at 9:18 p.m. EST

President Trump retweeted a post naming the alleged whistleblower who filed the complaint that became the catalyst for the congressional inquiry that resulted in his impeachment by the House of Representatives.

On Friday night, Trump shared a Twitter post from @surfermom77, who describes herself as “100% Trump supporter,” with his 68 million followers. That tweet prominently named the alleged whistleblower and suggested that he had committed perjury.

By Saturday morning, the post did not appear on Trump’s timeline, though it was visible to certain users and via direct link. On Saturday evening, Twitter acknowledged that a technical glitch made Trump’s retweet appear visible to some users but not others.

Twitter said the discrepancy was the result of a system error that affected tweets from millions of users, including the president.

For months, Trump has threatened to disclose the identity of the whistleblower, complaining that he should be able to face his accuser. In the past few days, he has inched closer to doing so. On Thursday night, the president retweeted a link to a Washington Examiner story that used the name.

The alleged whistleblower has also been named in other conservative media, including Breitbart News. He was named by a contributor on Fox News, and Donald Trump Jr. has tweeted the name.

The White House did not respond to a request for comment.

The whistleblower's identity has been kept secret because of whistleblower protection laws, which exist to shield those who come forward with allegations of wrongdoing by the government. Whistleblower advocates say this anonymity is important, because it protects those who speak up from retaliation and encourages others to come forward.

The Washington Post has chosen not to publish the name. Vice President for Communications Kris Coratti said The Post "has long respected the right of whistleblowers to report wrongdoing in confidence, which protects them against retaliation. We also withhold identities or other facts when we believe that publication would put an individual at risk. Both of those considerations apply in this case."

Trump and his allies claim the law does not forbid disclosing the identity of the whistleblower. Federal laws offer only limited protection for those in the intelligence community who report wrongdoing, and those in the intelligence community have even fewer protections than their counterparts in other agencies.

The 1998 Intelligence Community Whistleblower Protection Act did not detail any protections for whistleblowers from retaliation — instead merely describing the process to make a complaint.

Whistleblower attorney Bradley P. Moss told the The Post in September that the law does not apply to members of Congress who might disclose the whistleblower's name. "This is all very, very fragile, and a lot of the protections that we understand to exist are based more on courtesy and custom than anything written down in law," Moss said.

Moss is the law partner of Mark Zaid, one of the whistleblower's attorneys, though he has had no involvement in that case.

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Attorney Stephen Kohn, an expert in whistleblower protection laws, said this circumstance is unprecedented given the president's unique duty to protect the confidentiality of intelligence agency whistleblowers.

In the whistleblower protection act that covers the intelligence community, Congress gave the president enforcement authority to protect the whistleblower because of the sensitivity of what that person could be revealing.

“The paradox is that it was the president’s duty to protect this person,” Kohn said. “It’s inconceivable that he not only doesn’t do it, but violates it.”

The whistleblower, who works for the CIA, filed an official complaint that, among other concerns, pointed to a July 25 phone conversation in which Trump asked Ukrainian President Volodymyr Zelensky to investigate former vice president Joe Biden, a Democratic presidential candidate.

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After several months of investigation, the House voted Dec. 18 to impeach Trump on charges of abuse of power and obstruction of Congress. The Senate will hold a trial — where the Republican majority is expected to acquit him — in early 2020, once House Speaker Nancy Pelosi (D-Calif.) transfers the articles of impeachment.

Congressional Republicans have demanded the whistleblower testify as part of the impeachment probe. Democrats have countered that such testimony is unnecessary because other witnesses have corroborated and expanded on the original complaint, which was based on secondhand information.

The president has repeatedly disparaged the whistleblower, though never by name, in tweets, interviews and rally speeches. In late September, Trump accused the whistleblower's sources of being "close to a spy," adding, "you know what we used to do in the old days when we were smart? Right? With spies and treason, right? We used to handle them a little differently than we do now."

AD

In early November, the whistleblower's attorney sent White House counsel Pat Cipollone a cease-and-desist letter, demanding the president stop denigrating the whistleblower.

"I am writing out of deep concern that your client, the President of the United States, is engaging in rhetoric and activity that places my client, the Intelligence Community Whistleblower, and their family in physical danger," wrote attorney Andrew P. Bakaj. "I am writing to respectfully request that you counsel your client on the legal and ethical peril in which he is placing himself should anyone be physically harmed as a result of his, or his surrogates', behavior."

The whistleblower, who is reportedly still at his job, is driven to and from work by armed security officers when threats are elevated. Threats against him seem to spike whenever Trump tweets about him, The Post has previously reported.

The Twitter feed for @surfermom77, who identifies herself as “Sophia” on the social media site, is a daily stream of pro-Trump and anti-Democrat memes and propaganda. In 2016, the account shared the false conspiracy theory that President Barack Obama was a Muslim.

In the days after Christmas, Trump retweeted more than a dozen posts from users affiliated with QAnon, the conspiracy theory that there is a “deep state” secretly plotting to take down Trump. The FBI has identified QAnon as a potential domestic terrorism threat.

On Saturday morning, former solicitor general Neal Katyal, a frequent Trump critic, reacted to Trump’s retweet, writing on Twitter: “Who would want to live in a country where its leader could just name the identity of a whistleblower and invite retaliation against him? Despicable, unAmerican, and @MittRomney your country (and your Party) needs you now.”

Former senator Claire McCaskill (D-Mo.), who sponsored whistleblower protection legislation in the Senate, singled out another Republican on Saturday, tweeting at Sen. Charles E. Grassley (R-Iowa), who co-founded the Senate Whistleblower Protection Caucus and has authored and co-authored many of the nation's whistleblower protection laws. "@ChuckGrassley where the hell are you?" McCaskill tweeted. "We worked hard on whistleblower protections. I thought your desire to protect and defend whistleblowers was in your bones. Was I wrong? What happened to you?"

Representatives for Grassley and Romney did not immediately respond to a request for comment.

*CORRECTION: An earlier version of this story incorrectly stated that Trump deleted his post retweeting the name of the whistleblower. While the retweet was not visible from Trump's timeline, it was accessible via direct link.*

*Matt Zaposky contributed to this story.*

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Updated December 30, 2019

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## Trump says he'd consider accepting information from foreign governments on his opponents

By **Colby Itkowitz** and **Tom Hamburger**

June 12, 2019 at 7:26 p.m. EDT

President Trump on Wednesday said he would consider accepting information on his political opponents from a foreign government, despite the concerns raised by the intelligence community and special counsel Robert S. Mueller III over Russian interference in the 2016 presidential election.

In an Oval Office interview with ABC's George Stephanopoulos, Trump also said he wouldn't necessarily alert the FBI if a foreign country approached his campaign with "oppo research" about his Democratic challenger.

"I think you might want to listen; there isn't anything wrong with listening," Trump said. "If somebody called from a country, Norway, 'We have information on your opponent,' oh, I think I'd want to hear it."

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When Stephanopoulos asked the president whether he'd want that kind of "interference" in American politics, Trump pushed back on the word.

"It's not an interference, they have information — I think I'd take it," Trump said. "If I thought there was something wrong, I'd go maybe to the FBI, if I thought there was something wrong."

Although Mueller did not find enough evidence to establish a criminal conspiracy involving the Trump campaign in his probe of Russia's role in the 2016 election, his report said that the Russian government interfered in the election in a "sweeping and systemic fashion" and that Trump's campaign was open to assistance from Russian sources.

AD

Trump's remarks go further than those of his son-in-law and adviser, Jared

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Trump says he'd consider accepting information from foreign governments on his opponents - The Washington Post

Kushner, who told Axios last week that he didn't know whether he'd contact the FBI if Russians reached out again.

And they are likely to reignite a debate on the 2020 campaign trail and in Congress over what should be considered acceptable behavior by candidates — a debate that was unresolved by Mueller's decision not to bring charges against any Americans related to Russia's attack on the U.S. political system.

Trump dismissed the idea that his son, Donald Trump Jr., should have told the FBI about his 2016 contacts with the Russians, including the Trump Tower meeting Trump Jr. hosted after he was promised damaging information about Democrat Hillary Clinton as part of a Russian government effort to help his father's campaign.

AD

"You're a congressman, someone comes up and says, 'I have information on your opponent,' do you call the FBI?" Trump asked.

"If it's coming from Russia, you do," Stephanopoulos said, pointing out that Al

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Gore's campaign contacted the FBI when it received a stolen briefing book in 2000 and that the FBI director said recently that the agency should have been notified when the Trump campaign received an offer of information on Clinton.

"The FBI director is wrong," Trump said.

An FBI spokeswoman declined to comment.

The FBI offers generic defensive briefings to campaigns, warning them of foreign influence efforts, and at a May 7 Senate hearing, FBI Director Christopher A. Wray said any suspected attempts should be reported.

AD

"I think my view is that if any public official or member of any campaign is contacted by any nation-state or anybody acting on behalf of a nation-state about influencing or interfering with our election, then that is something that the FBI would want to know about," Wray said.

It is illegal to accept foreign campaign contributions, although an exchange of information is a more murky matter.

Mueller found that it was not clear whether courts would accept that opposition

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research provided free by a foreign government constituted a “thing of value” and thus an illegal foreign campaign contribution.

Ultimately, Mueller also found that he could not sustain a criminal case around the meeting, in part because it would be difficult to prove that Trump Jr. knew it could violate the law.

AD

Trevor Potter, counsel to John McCain’s presidential campaigns, said that any candidate who takes intelligence from a foreign government would be compromised and left beholden to that country.

“The Founders feared exactly such foreign attempts to interfere in U.S. politics,” he said.

Republicans have accused Clinton’s campaign of also accepting foreign assistance. An opposition research firm funded by Clinton’s campaign hired a former British spy who interviewed Russian sources and others and produced a dossier that included lurid and unproven allegations against Trump.

Democrats jumped on Trump’s remarks Wednesday and called for the passage of

legislation to explicitly require candidates to disclose a foreign government's help as it would campaign contributions.

AD

“Does he not know the oath of office requires him to defend the Constitution against all enemies foreign and domestic?” said Sen. Mark R. Warner (Va.), the highest-ranking Democrat on the Senate Intelligence Committee.

Warner said that if the president “does not have enough of a moral compass” to understand this is wrong, “perhaps we need legislation saying that there is a duty to report such offers of assistance to law enforcement. I just can't understand this. I think every past presidential campaign — Republican or Democrat — would have recognized that obligation.”

Appearing on CNN shortly after Trump's remarks aired, House Intelligence Committee Chairman Adam B. Schiff (D-Calif.) said a change in campaign law is needed “to deter the kind of unethical unpatriotic conduct the president engaged in the last campaign and is completely willing to do all over again. He learned nothing.”

*Matt Zapposky and Rosalind S. Helderman contributed to this report.*

## The Washington Post

*Democracy Dies in Darkness*

# Trump tries to force Ukraine to meddle in the 2020 election

By **Editorial Board**

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

UKRAINE'S NEOPHYTE president, Volodymyr Zelensky, took a big step this week toward proving that he will be, as he promised, the most pro-reform president in Ukraine's history. On Monday, he laid out a breathtakingly ambitious five-year plan including virtually every measure the International Monetary Fund and Western governments have urged on Ukraine in recent years, from land reform to the privatization of state companies to a cleansing of the judiciary.

That ought to be cause for celebration in Washington, where successive Democratic and Republican administrations have tried to draw Ukraine away from Vladimir Putin's Russia and into the ranks of Western democracies, only to be frustrated by the fecklessness and corruption of the country's political leaders. Yet Mr. Zelensky has so far failed to win the backing of President Trump. Not only has Mr. Trump refused to grant the Ukrainian leader a White House visit, but also he has suspended the delivery of \$250 million in U.S. military aid to a country still fighting Russian aggression in its eastern provinces.

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Some suspect Mr. Trump is once again catering to Mr. Putin, who is dedicated to undermining 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.

AD

The strong-arming of Mr. Zelensky was openly reported to the New York Times last month by Mr. Trump's personal lawyer, Rudolph W. Giuliani, who said he had met in Madrid with a close associate of the Ukrainian leader and urged that the new government restart an investigation of Mr. Biden and his son. Hunter Biden served on the board of a Ukrainian gas company, while Joe Biden, as vice president, urged the dismissal of Ukraine's top prosecutor, who investigated the firm.

Mr. Giuliani also wants a probe of claims that revelations of payments by a Ukrainian political party to Mr. Trump's 2016 campaign chairman, Paul Manafort, were part of a plot to wreck Mr. Trump's candidacy. In other words, Trump associates want the Ukrainian government to prove that Ukraine improperly acted against Mr. Trump in the 2016 election; but they also want it to meddle in his favor for 2020.

Mr. Zelensky is incapable of delivering on either demand. The revelations about Mr. Manafort came from a Ukrainian legislator who was fighting for domestic reform, not Hillary Clinton. And the Biden case, which has already been investigated by Ukrainian authorities, is bogus on its face. The former vice president was one of a host of senior Western officials who pressed for the dismissal of the prosecutor, who was accused of blocking anti-corruption measures.

AD

The White House claims Mr. Trump suspended Ukraine's military aid in order for it be reviewed. But, as CNN reported, the Pentagon has already completed the study and recommended that the hold be lifted. Yet Mr. Trump has not yet acted. If his recalcitrance has a rationale, other than seeking to compel a foreign government to aid his reelection, the president has yet to reveal it.

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Maksym Eristavi: Ukraine's new president needs to let his diplomats do their job

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## The Washington Post

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# Trump wanted Barr to hold news conference saying the president broke no laws in call with Ukrainian leader

By **Matt Zapotosky**, **Josh Dawsey** and **Carol D. Leonnig**

November 6, 2019 at 8:02 p.m. EST

President Trump wanted Attorney General William P. Barr to hold a news conference declaring that the commander in chief had broken no laws during a phone call in which he pressed his Ukrainian counterpart to investigate a political rival, though Barr ultimately declined to do so, people familiar with the matter said.

The request from Trump traveled from the president to other White House officials and eventually to the Justice Department. The president has mentioned Barr's demurral to associates in recent weeks, saying he wished Barr would have held the news conference, Trump advisers say.

In recent weeks, the Justice Department has sought some distance from the White House, particularly on matters relating to the burgeoning controversy over Trump's dealings on Ukraine and the impeachment inquiry they sparked.

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People close to the administration say Barr and Trump remain on good terms. A senior administration official said Trump praised the attorney general publicly and privately Wednesday, and deputy White House press secretary Hogan Gidley said in a statement: “The President has nothing but respect for AG Barr and greatly appreciates the work he’s done on behalf of the country — and no amount of shady sources with clear intent to divide, smear, and slander will change that.”

But those close to the administration also concede that the department has made several recent maneuvers putting it at odds with the White House at a particularly precarious time for the president. Like others, they spoke on the condition of anonymity to discuss the politically fraught situation.

The request for the news conference came sometime around Sept. 25, when the administration released a rough transcript of the president’s July phone call with Ukrainian President Volodymyr Zelensky. The document showed that Trump urged Zelensky to investigate former vice president Joe Biden and his son Hunter — while dangling a possible White House visit for the foreign leader.

AD

By then, a whistleblower complaint about the call had moved congressional Democrats to launch the impeachment inquiry, and the administration was on the defensive. As the rough transcript was released, a Justice Department spokeswoman said officials had evaluated it and the whistleblower complaint to see whether campaign finance laws had been broken, determined that none had been and decided “no further action was warranted.”

It was not immediately clear why Barr would not go beyond that statement with a televised assertion that the president broke no laws, nor was it clear how forcefully the president’s desire was communicated. A Justice Department spokeswoman declined to comment. A senior administration official said, “The DOJ did in fact release a statement about the call, and the claim that it resulted in tension because it wasn’t a news conference is completely false.”

From the moment the administration released the rough transcript, Barr made clear that whatever the president was up to, he was not a party to it.

AD

Though the rough transcript shows Trump offering Zelensky the services of his attorney general to aid investigations of Biden and his son, a Barr spokeswoman said that Barr and Trump had never discussed that.

“The President has not spoken with the Attorney General about having Ukraine investigate anything relating to former vice president Biden or his son,” spokeswoman Kerri Kupec said in a statement released at the same time as the rough transcript. “The President has not asked the Attorney General to contact Ukraine — on this or any other matter. The Attorney General has not communicated with Ukraine — on this or any other subject.”

It would not be the last time the Justice Department would have to distance itself from the White House on a matter relevant to the impeachment inquiry. After acting White House chief of staff Mick Mulvaney said at a televised briefing last month that Ukraine’s cooperation in the investigations Trump wanted was tied to hundreds of millions of dollars of aid that the United States had withheld from Kyiv, a Justice Department official quickly made clear to reporters that the department did not endorse that position.

AD

“If the White House was withholding aid in regards to the cooperation of any investigation at the Department of Justice, that is news to us,” the official said.

The department — and Barr in particular — has similarly sought separation from Rudolph W. Giuliani, the president’s personal lawyer who was leading the effort to investigate the Bidens.

In addition to asserting that Barr and Trump had never discussed investigating the Bidens, Kupec said in her statement that the attorney general had not “discussed this matter, or anything relating to Ukraine, with Rudy Giuliani.” Barr’s allies had previously confided to reporters that the attorney general was unhappy with Giuliani, particularly over his going outside of normal channels to pursue investigations of interest to the president.

AD

Last month, after the department arrested two Giuliani associates who had worked on investigating the Bidens’ activities in Ukraine, the New York Times reported that Giuliani had participated in a meeting about a separate case with Brian A. Benczkowski, the head of the Justice Department’s Criminal Division, and lawyers in the department’s fraud section.

The day after that report, the department issued an unusual statement saying those in the meeting were unaware of the case that led to charges against Giuliani's associates for alleged campaign finance violations. Giuliani also is being investigated as a part of the case, though he has said he has not been told of that.

"When Mr. Benczkowski and fraud section lawyers met with Mr. Giuliani, they were not aware of any investigation of Mr. Giuliani's associates in the Southern District of New York and would not have met with him had they known," Peter Carr, a department spokesman, told the Times.

AD

People close to Barr assert that while Barr is a strong believer in the power of the presidency, he has always recognized there might be times when he has to preserve the Justice Department's independence.

"My take is that Barr hasn't changed one bit, that he has had a healthy distance from the beginning," one person close to the administration said, speaking on the condition of anonymity to candidly describe Barr's relationship with Trump. "He knows the parameters of the relationship between a president and an AG."

Trump had a famously dysfunctional relationship with his first Senate-confirmed attorney general, Jeff Sessions. The president blamed Sessions for special counsel Robert S. Mueller III's investigation into whether his campaign coordinated with Russia to influence the 2016 election because — in the president's view — Sessions's recusal from that case allowed for Mueller's appointment and everything that followed. Mueller, though, was appointed by the deputy attorney general at the time, Rod J. Rosenstein, weeks after Sessions recused himself.

AD

Trump publicly and privately attacked Sessions for virtually Sessions's entire tenure in the top law enforcement job and toyed constantly with firing him. He finally did so after the 2018 midterm elections and nominated Barr as his permanent replacement. His resentment lingers to this day, as Sessions is expected to announce a run for his old Senate seat.

Though Barr was a relative outsider to Trumpworld when the president picked him as attorney general, he quickly won the president's affection. In announcing Mueller's principal conclusions — before Mueller's final report had been issued — Barr declared that the special counsel had found insufficient evidence to allege coordination between Russia and the Trump campaign. And while Mueller had not reached a determination on whether the president had obstructed justice, Barr said he had reviewed the case himself and determined Trump had not.

Barr's descriptions so agitated Mueller that the special counsel sent a letter to the attorney general complaining that Barr "did not fully capture the context, nature, and substance" of the special counsel's work. Barr ultimately would release Mueller's final report — which painted a far more damning picture for Trump — but even as he did so, he held a news conference and endorsed one of the president's famed talking points.

AD

"As he said from the beginning," Barr declared, referring to Trump, "there was, in fact, no collusion."

Detractors have criticized the attorney general as eroding the Justice Department's independence, though Trump has generally been pleased. Most recently, allies say he has been heartened as Barr has sought to investigate those involved in the Russia case, tapping U.S. Attorney John Durham to lead an inquiry into the origins of the Mueller investigation and whether the U.S. government's "intelligence collection activities" related to the Trump campaign were "lawful and appropriate."

On Ukraine, though, the White House and Justice Department have been somewhat out of sync.

Some time after The Washington Post began reporting on the nature of the whistleblower's complaint about Trump's phone call, the Justice Department pushed to release the rough transcript. Leaders there believed — perhaps misguidedly — that doing so could quell the budding controversy, because in his conversation with Zelensky, Trump did not explicitly push for a quid pro quo tying U.S. aid for Ukraine to the politically beneficial investigations he sought. The White House was initially resistant.

The Justice Department had not always been on the side of full transparency, blocking transmission of the whistleblower complaint to Congress after its Office of Legal Counsel determined it was not appropriate to do so— even though the intelligence community inspector general felt the law required it to be handed over. Unbeknown to the public, the department weighed whether to investigate a potential campaign finance crime, though ultimately concluded there was not sufficient basis to do so after an inquiry limited essentially to reviewing the rough transcript of the Trump-Zelensky call.

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Though Barr did not hold a news conference clearing Trump of any wrongdoing, the Justice Department did issue its statement saying it would not investigate the matter — at least for campaign finance violations. While that was a partial win for Trump, it has allowed Congress to expedite its impeachment inquiry without fear of impeding law enforcement — and make public unflattering testimony about the president and his allies' dealings in Ukraine.

*Tom Hamburger contributed to this report.*

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## Trump's lawyer and the Venezuelan president: How Giuliani got involved in back-channel talks with Maduro

By **Rosalind S. Helderman, Tom Hamburger, Anthony Faiola** and **Josh Dawsey**

Dec. 30, 2019 at 7:38 a.m. EST

The international call came in September 2018, after months of rising tension between the United States and Venezuela, a key strategic player in South America.

On one end of the line was Venezuela's socialist president, the pariah leader of a disintegrating economy whom President Trump's administration was seeking to isolate.

On the other end: the U.S. president's personal attorney Rudolph W. Giuliani and then-Rep. Pete Sessions (R-Tex.).

Both were part of a shadow diplomatic effort, backed in part by private interests, aimed at engineering a negotiated exit to ease President Nicolás Maduro from power and reopen resource-rich Venezuela to business, according to people familiar with the endeavor.

AD

Sessions had served as emissary in the back-channel effort, visiting Maduro in Caracas that spring. The phone call, which Giuliani joined, was a follow-up to that visit, Sessions's spokesman Matt Mackowiak told The Washington Post.

The phone conversation involving the Venezuelan president and Trump's personal lawyer, which has not been previously reported, provides another example of how Giuliani used his private role to insert himself into foreign diplomacy, alarming administration officials confused about whose interests he was representing.

Giuliani operated a similar campaign this year in Ukraine, where he pressured officials to announce investigations to benefit Trump — an endeavor that led to the president's impeachment this month.

AD

The impeachment inquiry pushed into the spotlight consulting work Giuliani has undertaken around the globe even as he has been representing Trump at no charge. His freelancing has triggered concerns among White House officials that his intercessions have muddied and at times undercut official U.S. policy, according to people familiar with the worries, who, like others cited in this story, spoke on the condition of anonymity to describe internal discussions. Meanwhile, federal prosecutors are scrutinizing the former New York mayor as part of an investigation into possible foreign lobbying violations.

Word of Giuliani's call with Maduro eventually reached White House officials who did not know why he was involved, according to one former senior administration official.

Giuliani's willingness to talk with Maduro in late 2018 flew in the face of the official policy of the White House, which, under national security adviser John Bolton, was then ratcheting up sanctions and taking a harder line against the Venezuelan government.

Around the time of the phone call, Giuliani met with Bolton to discuss the off-the-books plan to ease Maduro from office — a plan Bolton vehemently rejected, two people familiar with the meeting said.

Giuliani did not respond to multiple requests for comment. A lawyer for Bolton declined to comment. The White House did not respond to requests for comment.

In January 2019, the United States formally recognized Maduro's rival Juan Guaidó as president, a policy move backed by Bolton. Later in the year, Giuliani would pick up a client in the region: a Venezuelan tycoon under investigation by the Justice Department for possible money-laundering.

It is not clear why Giuliani became involved in the back-channel negotiations with Venezuela's president or the extent of his role. But the tale of behind-the-scenes talks with Maduro offers another example in which the president's personal attorney aligned with private interests to try to sway U.S. foreign policy. And the episode involves some of the figures who played a role in the Ukraine effort — including Sessions, an 11-term congressman who pushed for the ouster of the U.S. ambassador to Ukraine around the time he met with Giuliani associate Lev Parnas in 2018.

Sessions, who lost his seat that November and is now running for Congress in another Texas district, said through his spokesman that he has known Giuliani for three decades but has never worked with him on any private-sector activities.

### **Back-channel mission**

When Trump took office, he promised to take a tougher stand against Maduro, who has been Venezuela's president since the 2013 death of leader Hugo Chávez and has grown increasingly repressive, even as his country has sunk into economic crisis.

That approach had the backing of Republicans in Florida, which has large and politically engaged Venezuelan and Cuban communities. Sen. Marco Rubio (R-Fla.) accused then-President Barack Obama of failing to hold Maduro accountable and of naively pursuing negotiations that failed to remove him from office.

Trump's personal interest in the country was piqued by a February 2017 White House visit by Lilian Tintori, the wife of a prominent Venezuelan political prisoner. She was also a former kite-surfing champion who had appeared in that country's version of the reality show "Survivor."

Trump quickly adopted Venezuela as a cause, surprising some in the human rights community, who noted that he did not show similar interest in abuses in countries such as North Korea and Russia.

That year, the Trump administration labeled Venezuela's vice president a drug kingpin and froze his assets in the United States. It also imposed economic sanctions on Venezuelan companies and banned travel to the United States by government officials and their families.

"This corrupt regime destroyed a prosperous nation by imposing a failed ideology that has produced poverty and misery everywhere it has been tried," Trump declared before the U.N. General Assembly in September 2017. "To make matters worse, Maduro has defied his own people, stealing power from their elected representatives to preserve his disastrous rule."

Conditions worsened in Venezuela, where there were frequent shortages of basic goods including food and medicine, runaway inflation and spates of civil unrest. But Maduro remained in power.

In February 2018, Maduro announced that a presidential election would be held that spring. But most opposition candidates would be banned from running, leading to fears that the vote would be a sham election used to consolidate his power.

U.S. business executives with interests in Venezuela — among them Harry Sargeant III, the chief executive of a Florida-based global energy and shipping company who has worked extensively in the country — began encouraging negotiations to ease Maduro out of office.

In a statement, Sargeant said he “supported the idea of a back channel based on my over 30 years of firsthand experience in Venezuela and my observation of the political dynamic going on in Caracas at the time.”

“I believed then and now that an adversarial sanctions policy alone would have two profoundly negative effects,” he added. “First, it would exacerbate Venezuela’s humanitarian crisis. Second, I believed it would undermine key U.S. business interests in Venezuela to the benefit of American adversaries like the Russians and Chinese.”

It was against this backdrop that Mackowiak said Sessions accepted an invitation from Maduro to quietly visit Caracas and try to negotiate a path to improved relations between the United States and Venezuela.

Sessions, a former chairman of the National Republican Congressional Committee who chaired the House Rules Committee at the time, had long been interested in Venezuela, in part because many of his Texas constituents had energy interests there, according to his spokesman.

“He was pleased to help with this back-channel mission, which was coordinated with the highest levels of the U.S. State Department,” Mackowiak said, adding that Sessions met with top U.S. officials before and after his trip.

The State Department did not respond to requests for comment.

But people familiar with State Department officials’ role said those officials did not initiate the trip or organize or participate in Sessions’s meeting with Maduro. And several U.S. officials disputed the notion that the trip was done with the government’s backing, noting that the White House at the time wanted to take a harder line with Maduro and was not interested in making concessions.

AD

National Security Council officials, in particular, were opposed to the kind of settlement with Maduro that Sessions was advocating.

“There was absolutely no interest or appetite for negotiations,” said a former White House official. “We generally did not welcome efforts like this one. It wasn’t consistent with our policy goals. We saw it as a nuisance and a distraction.”

Sessions’s spokesman dismissed such complaints as part of a “turf battle” among Washington bureaucrats.

“There might have been a disagreement between the State Department and the NSC about how best to bring peace to Venezuela,” Mackowiak said. “But Rep. Sessions was pleased to be part of an effort, coordinated closely with the State Department, to bring a democratically elected president to Venezuela.”

### **List of concessions**

Sessions’s district is home to ExxonMobil and other oil companies that were once active in Venezuela but were forced to scale back amid political turbulence. But Sessions told the Dallas Morning News in 2018 that the oil interests did not play a role in his decision to become involved. He said he had been working with various players, including representatives of the Venezuelan opposition, to negotiate a solution for more than a year.

Sessions told the newspaper he was working to foster “dialogue between parties that are trying to make progress.”

Mackowiak said Sessions used his own money to pay for the two-day trip.

Two people with knowledge of the visit said he was hosted by Raúl Gorrín Belisario, the owner of a major television network in Venezuela who was viewed with distrust by some U.S. officials and months later would be indicted in Florida on charges of money-laundering and bribery.

The people said that rather than staying in a U.S. facility, Sessions stayed at Gorrín’s lavish, modernist, walled compound in a fashionable part of the capital.

Mackowiak said that Sessions's trip, including where Sessions stayed, was coordinated with State Department officials.

Sessions left Caracas with a list of concessions that had been agreed to by Maduro — his departure from power and a commitment to allow free and fair elections in exchange for leniency from the United States — according to Mackowiak.

But some U.S. officials said they worried that the deal Sessions was floating was intended to legitimize the upcoming election by opening up the vote to at least some opposition candidates, which could help Maduro remain in power, rather than ease him from office, according to a person familiar with the conversations. And they were concerned that the back-channel overtures sent mixed messages to the Maduro government.

### **A cigar bar meeting**

About five weeks after returning from Caracas, Sessions met in his Capitol Hill office with Parnas, who Mackowiak said wanted to discuss a proposal to sell liquefied natural gas in Ukraine.

In an indictment this fall charging Parnas and his business partner Igor Fruman with illegally channeling foreign money into U.S. election campaign accounts, federal prosecutors said Parnas sought Sessions's assistance in ousting then-U.S. Ambassador to Ukraine Marie Yovanovitch at the behest of "one or more Ukrainian government officials."

On May 9, the same day that Parnas posted photos of his meeting with Sessions on Facebook, the congressman sent Secretary of State Mike Pompeo a letter urging Yovanovitch's removal.

Mackowiak said Sessions did not act at the request of Parnas but wrote the letter after hearing concerns about the ambassador from several members of Congress who had traveled to Ukraine.

Meanwhile, in Venezuela, Maduro won reelection in May with nearly 68 percent of the vote. The international community largely rejected the vote because of allegations of fraud and the banning of key opposition parties, and civil unrest ensued as Maduro prepared to begin another term.

In August, U.S. prosecutors charged Gorrín, Sessions's host for the congressman's Venezuela visit, with participating in a \$1 billion money-laundering and bribery scheme. Prosecutors have said Gorrín is a fugitive. Neither Gorrín nor his Miami-based lawyer responded to requests for comment.

Around that time, Giuliani, who had joined Trump's legal team months earlier, began talks with individuals who were part of the back channel to Maduro. In August, Giuliani met in New York with Parnas and two American business executives with investments in Venezuela to discuss the effort, according to people familiar with the gathering.

The meeting took place at a favorite Giuliani hangout, the Grand Havana Room cigar bar, blocks from Trump Tower in Manhattan. Over whiskey and cigars, Giuliani agreed to try to discern whether there was a way to negotiate with Maduro and perhaps reach a diplomatic solution to the political chaos and economic collapse overtaking the country, one of the participants said.

### **The phone call**

About a month later, Maduro was on the phone with Sessions. In the room with the Venezuelan president at the time was the country's first lady, who serves as a close adviser to her husband, as well as Venezuela's vice president and information minister, according to a person familiar with the conversation.

Giuliani was introduced at the beginning of the call but appeared mostly to listen as Maduro and Sessions spoke, Mackowiak said.

In the nearly hour-long conversation, they reviewed the concessions that Maduro had agreed to make during Sessions's visit months earlier, according to the person familiar with the call.

The Communications Ministry of Venezuela did not respond to a request for comment.

Later, word filtered to the White House that Giuliani and Sessions had participated in a call with Maduro, causing confusion, said a former senior administration official.

"We didn't know why Rudy was involved at the time," the person said.

Not long after the call, Giuliani told some of his associates that he had taken the idea of a soft landing for Maduro to Bolton, the president's national security adviser. But he said the meeting had not gone well, according to people familiar with his account.

Charles Cooper, a lawyer for Bolton, declined to comment.

Bolton's distaste for Giuliani's foreign policy freelancing emerged during the impeachment inquiry. Former national security official Fiona Hill testified that Bolton warned her not to interact with the president's lawyer, calling him "a hand grenade who's going to blow everybody up."

In January of this year, the situation in Venezuela disintegrated as Maduro prepared to be formally inaugurated for another term. The legislature, led by Maduro's opposition, declared that the election had been illegitimate and named legislative leader Guaidó the nation's new president. He was quickly recognized by the United States and dozens of other countries.

Some Venezuelan business leaders who had amassed vast wealth under Maduro but had been severely constrained by U.S. sanctions switched sides and began to assist Guaidó.

Among them was Gorrín, who played a key role in a failed effort to persuade the nation's Supreme Court to recognize Guaidó over Maduro, part of an effort to curry favor with the Americans, as The Post has reported.

This summer, another wealthy Venezuelan energy executive, Alejandro Betancourt López, hired Giuliani to serve as his lawyer and help argue that he should not be charged in a \$1.2 billion money-laundering case in Florida.

Eight men — including Betancourt's cousin — have already been charged in the case, which alleges that top officials of Venezuela's state-owned oil company, business leaders and bankers conspired to steal money from the company and then launder it through Miami real estate purchases and other investment schemes. Two people familiar with the matter said that Betancourt is referred to in the criminal complaint as a uncharged co-conspirator.

Jon Sale, a Miami-based lawyer representing Betancourt, has said his client denies any wrongdoing. He declined to comment on Betancourt's relationship with - Giuliani.

In early August, Giuliani was hosted at Betancourt's lavish estate outside Madrid when Giuliani met at Trump's direction with a top aide to the Ukrainian president, as The Post previously reported.

Giuliani later met with Justice Department officials and urged them not to charge Betancourt, The Post reported.

In response to questions about his work for Betancourt, Giuliani wrote in a text message last month: “This is attorney client privilege so I will withstand whatever malicious lies or spin you put on it.”

The news that Giuliani was representing the wealthy energy executive before the administration while also serving as the president’s personal attorney disturbed veteran U.S. officials who have experience in Venezuela.

“You have to ask, ‘Why is he doing this?’” said one former senior administration official.

*Alice Crites and Carol Morello contributed to this report.*

## The Washington Post

*Democracy Dies in Darkness*

# Trump's interest in stirring Ukraine investigations sows confusion in Kiev

By **Anton Troianovski**, **Josh Dawsey** and **Paul Sonne**

May 11, 2019 at 2:58 p.m. EDT

MOSCOW — As President Trump and his inner circle appear increasingly focused on Ukraine as a potential tripwire for Joe Biden and other Democrats, officials about to take power in Kiev are pushing their own message: Leave us out of it.

Supporters of Ukrainian President-elect Volodymyr Zelensky — who is expected to take office in the coming weeks — said in interviews Saturday that they feared they were being pulled into a domestic political conflict in the United States, potentially at Ukraine's expense.

Trump's personal attorney, Rudolph W. Giuliani, said Friday that he was canceling a trip to Ukraine during which he was planning to push for investigations that include Biden's son, Hunter, and his time on the board of a Ukraine gas company.

AD

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Giuliani said he was calling off the trip because there were “enemies” of Trump on the team of Zelensky, a comedian with no previous political experience who toppled President Petro Poroshenko in a runoff election last month.

Zelensky — who played Ukraine’s president on a popular TV show — has pledged to fight corruption and push to end the war against Russian-backed separatists in eastern Ukraine. But maintaining a close relationship with Washington is critical.

Many Ukrainian officials see U.S. support as a key deterrent preventing Russian President Vladimir Putin from encroaching further on their territory. Western diplomats in Kiev have voiced concerns that Zelensky, given his lack of political experience, could be outmatched in negotiations with Putin.

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Serhiy Leshchenko, a Ukrainian member of parliament and a prominent Zelensky backer, said Ukraine was being drawn into a “dangerous game.”

1/2/2020

Ukraine officials seek distance from Giuliani and Trump allies calling for probes - The Washington Post

A person close to Zelensky, who spoke on the condition of anonymity because of the sensitivity of the matter, said the president-elect's team viewed Trump's interest in the investigations as a domestic U.S. matter and was determined not to let it distract from his agenda.

"This is definitely not our war," the person close to Zelensky said. "We have to stay away from this as much as possible."

The person said Zelensky would rule out using political pressure to lean on Ukrainian law enforcement to achieve any White House aims.

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One investigation that has attracted Trump and Giuliani's interest involves a Ukrainian gas company on whose board Hunter Biden served while his father was vice president. Trump said Friday that it would be "appropriate" for him to talk to Attorney General William P. Barr about opening an investigation over the matter into Joe Biden, the current front-runner for the Democratic presidential nomination.

"Certainly it is a very big issue and we'll see what happens," Trump told Politico.

1/2/2020

Ukraine officials seek distance from Giuliani and Trump allies calling for probes - The Washington Post

There is no evidence that Biden's conduct as vice president was improper while his son served on the board of a Ukrainian gas company.

Giuliani also has pushed for Ukrainian officials to investigate unproven allegations that the Democratic National Committee worked with the Ukrainian government in 2016 to dig up incriminating information about Paul Manafort, Trump's former campaign chairman. The DNC has denied those allegations.

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In recent days, Giuliani had said he was planning to fly to Ukraine on Sunday and would encourage Ukrainian officials to push those investigations forward.

He told The Washington Post on Friday that he was planning to give a paid speech in Ukraine and had heard from a connection there that he could have a meeting with Zelensky.

"What I'm pushing for — don't let the crooks bury the case for the second time — it's all part of a corrupt arrangement between United States political officials of the Democratic Party and Ukrainian officials to dig up dirt on Republicans," Giuliani said. "I'm going to make sure that nothing scuttles the investigation that I want."

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However, Giuliani told Fox News later on Friday that he was canceling his trip to Ukraine because he had learned that Zelensky was surrounded by foes of Trump.

“I’m convinced from what I’ve heard from two very reliable people tonight that the president [Zelensky] is surrounded by people who were enemies of the president [Trump], and people who are — at least [in] one case — clearly corrupt and involved in this scheme,” Giuliani said.

He declined to say whether he was acting at Trump’s request or whether he had briefed the president. He said “most of it” was of his own volition, but that the president wanted to get to the “truth.”

Zelensky has not responded publicly to Giuliani’s statements about a possible visit, and it was not clear whether Giuliani actually had a meeting scheduled with the president-elect. The person close to Zelensky said there had been no meeting request from Giuliani via official channels.

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“Neither Volodymyr nor those around him are enemies of America or its president. Definitely, not a single one of them is,” the person close to Zelensky said. “We don’t want everything to be boiled down to such accusations.”

Zelensky has referred to Prosecutor General Yuri Lutsenko — who spoke to The Hill newspaper this year about alleged wrongdoing by the Bidens — as a member of the “old team” whom he plans to replace.

Some of Zelensky’s supporters say Ukrainian officials allied with Poroshenko are now trying to secure their jobs by currying favor with the Trump administration.

“He is pulling Ukraine into this dangerous game in order to save his post,” Leshchenko, the Ukrainian member of parliament and a Zelensky supporter, said of Lutsenko. “He is pulling Ukraine into a front of a domestic political war in America.”

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1/2/2020

Ukraine officials seek distance from Giuliani and Trump allies calling for probes - The Washington Post

A spokeswoman for Lutsenko said the prosecutor had nothing to do with Giuliani's potential visit to Ukraine and had no further comment. A spokesman for Biden's campaign declined to comment.

As vice president, Joe Biden became the face of U.S. policy toward Ukraine after its pro-Western uprising in 2014.

At the same time, Hunter Biden joined the board of a little-known Ukrainian gas company owned by a business tycoon and former government minister, Mykola Zlochevsky. The tycoon was facing the prospect of prosecution alongside other former officials from the toppled pro-Moscow government of Viktor Yanukovych.

Zlochevsky had twice served in Ukrainian government positions that influenced the issuing of natural gas production and exploration licenses. The company he would ultimately own won licenses and expanded to become one of the biggest gas producers in the nation. Zlochevsky, through spokespeople, has denied any wrongdoing.

AD

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Ukraine officials seek distance from Giuliani and Trump allies calling for probes - The Washington Post

The addition of Hunter Biden and other prominent Westerners to the gas company board offered it a public image of stability when Ukraine's new government was going after the assets of former officials.

Hunter Biden and other Western board members set about overhauling the reputation of the gas company in the eyes of Europeans and Americans.

For many Ukrainians, Hunter Biden's involvement with a gas company linked to a former Yanukovich-era official sent the wrong signals. It was seen as counter to the anti-corruption message the U.S. vice president was extolling in Ukraine at the time.

U.S. officials involved in Ukraine policy also felt uncomfortable with Hunter Biden's activities. Yet the vice president's son continued to serve on the board, even as the U.S. ambassador to Ukraine at the time, Geoffrey R. Pyatt, pointed to Zlochevsky's case as an example of the new Ukrainian government's shortcomings in going after corruption.

At the time, Biden's office defended Hunter's leeway to serve on the board as a private citizen and said the vice president had nothing to do with the company and did not endorse its activities.

*Dawsey and Sonne reported from Washington. David L. Stern in Prairie Village, Kan., and Matt Viser in Washington contributed to this report.*

# The Washington Post

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**Politics**

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## Trump's legal team remains in disarray as new lawyer will no longer represent him in Russia probe

By **Josh Dawsey**, **Carol D. Leonnig** and **Rosalind S. Helderman**

March 25, 2018 at 7:11 p.m. EDT

President Trump's legal team reversed course Sunday, announcing that a lawyer slated to join the attorneys handling the response to special counsel Robert S. Mueller III's Russia investigation will not come on board after all, the latest sign of disarray for Trump's legal strategy.

The development came three days after John Dowd, who had been Trump's top attorney handling the Russia inquiry, resigned amid strategy disputes with the president.

Trump is now left, at least temporarily, without a traditional criminal defense attorney as Mueller's team appears to be entering a critical phase in its investigation into Moscow's interference in the 2016 election and whether the president's campaign cooperated with Russia in this effort.

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Joseph diGenova, the lawyer Trump wanted to replace Dowd, has often stridently defended the president on Fox News Channel and cast the Mueller probe as a conspiracy against him. Trump enjoyed the TV appearances and wanted diGenova on his team even though he did not know him, officials say.

But in a statement on Sunday, a spokesman for Trump's legal team said both diGenova and his wife, Victoria Toensing, who is also a lawyer, would not be working on the Russia probe because clients they are representing in connection with the investigation posed conflicts of interest.

"The President is disappointed that conflicts prevent Joe diGenova and Victoria Toensing from joining his Special Counsel legal team," Jay Sekulow, counsel to Trump, said in the statement. "However, those conflicts do not prevent them from assisting the President in other legal matters. The President looks forward to working with them."

AD

The unraveling of the president's legal team has left his advisers concerned. People familiar with the situation said the president has been counseled by friends that he needs to find a new lawyer to quarterback his team, and efforts are underway by people close to Trump to hire a new lawyer.

Before his resignation Thursday, Dowd had been Trump's main point of contact with Mueller's office and had been helping to negotiate the terms for an interview between the president and the special counsel's team as it examines whether Trump obstructed justice by allegedly seeking to shut down the investigation, which was being conducted by the FBI until Trump fired FBI Director James B. Comey in May. Mueller was then appointed special counsel by Deputy Attorney General Rod J. Rosenstein.

Trump's legal effort is now led by Sekulow, a conservative attorney and radio host who has concentrated on constitutional issues, and assisted by Ty Cobb, a White House lawyer paid by taxpayers to represent the institution of the presidency rather than Trump personally. Cobb, too, has occasionally drawn the president's ire, people familiar with the team have said.

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1/2/2020

Trump's legal team remains in disarray as new lawyer will no longer represent him in Russia probe - The Washington Post

A number of white-collar attorneys in Washington said the president has been unable to attract top-flight talent as he looks to overhaul his legal team, with major firms fearful that an affiliation with Trump and the Russia case could impact their ability to attract other clients and hire new lawyers.

Trump has recently been relying on Marc E. Kasowitz, who led his legal team until this summer and has represented Trump in several cases over the years. Kasowitz and Trump clashed over a number of issues, including Kasowitz's belief that Jared Kushner, the president's son-in-law and a top White House aide, needed to leave the administration because of the potential legal problems he faced due to the probe and the potential problems they could cause Trump. After Dowd's hiring, Kasowitz took a diminished role in handling the case.

Ultimately, said one person close to Trump's legal team, "He's his own lawyer. Always has been and always will be."

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The person added: "You know what they say about a 'lawyer' who has himself as a client."

Trump's issues with diGenova and Toensing went beyond their conflicts, said a person who spoke to the president recently. After meeting with the husband-and-wife team on Thursday — after diGenova's hiring had been announced — the person said Trump was less impressed with diGenova than he had been while watching the former U.S. attorney on television.

Three days later, diGenova was no longer joining the legal team.

Trump did not closely research diGenova or even consult with top aides, including Chief of Staff John F. Kelly and White House counsel Donald McGahn, before agreeing to hire him.

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Trump had hoped diGenova could serve as a surrogate in television interviews and play the role of attack dog in criticizing the Mueller probe.

Sekulow approached diGenova two weeks ago about joining the team, but it turned out that he and his wife run a law firm that represents clients with interests that would conflict with those of the president.

One is Mark Corallo, a former spokesman for Trump's legal team and a witness in the Mueller investigation. He resigned in the wake of a dispute over the president's role in a misleading statement about his eldest son, Donald Trump Jr., and campaign aides' meeting with a Russian lawyer offering "dirt" on 2016 opponent Hillary Clinton.

AD

In a burst of tweets early Sunday morning, Trump insisted that he is "very happy" with his existing legal team.

Trump said that many "lawyers and top law firms want to represent me in the Russia case" and that people should not "believe the Fake News narrative that it is hard to find a lawyer who wants to take this on."

"Fame & fortune will NEVER be turned down by a lawyer, though some are conflicted," the president said, adding that "there was NO COLLUSION with Russia."

This month, Trump denied there were any problems regarding his legal team, and eight days later Dowd was out.

1/2/2020

Trump's legal team remains in disarray as new lawyer will no longer represent him in Russia probe - The Washington Post

Trump's struggles are reminiscent of his difficulties in spring 2017 when he was first seeking new lawyers to represent him in the Russia probe. He interviewed a half-dozen high-profile legal stars in the white-collar defense bar, including Emmet T. Flood, Brendan V. Sullivan Jr. and A.B. Culvahouse Jr. All of them declined.

*John Wagner and Jenna Johnson contributed to this report.*

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 The Washington Post

National Security

## U.S. discloses intelligence on downing of Malaysian jet

By Greg Miller

July 22, 2014

The Obama administration, detailing what it called evidence of Russian complicity in the downing of a Malaysian airliner, on Tuesday released satellite images and other sensitive intelligence that officials say show Moscow had trained and equipped rebels in Ukraine responsible for the attack.

Senior U.S. intelligence officials cited sensors that traced the path of the missile, shrapnel markings on the downed aircraft, voiceprint analysis of separatists claiming credit for the strike, and a flood of photos and other data from social-media sites.

The officials also for the first time identified a sprawling Russian military installation near the city of Rostov as the main conduit of Russian support to separatists in Ukraine, describing it as a hub of training and weapons that has expanded dramatically over the past month. The officials said that tanks, rocket launchers and other arms have continued to flow into Ukraine even after the downing of Malaysia Airlines Flight 17, which killed 298 civilians.

Analysts at the CIA and other U.S. intelligence agencies are continuing to examine information about the crash, but the officials said the intelligence assembled in the five days since the attack points overwhelmingly to Russian-backed separatists in territory they control in eastern Ukraine.

The senior intelligence officials said they have ruled out the possibility that Ukrainian forces were responsible for the attack.

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time it was struck.

The official was one of three senior U.S. intelligence officials who spoke on the condition of anonymity during a briefing arranged for reporters in Washington to provide more detailed information on the assertions made by administration officials in recent days, as well as to rebut Russian claims.

“We are seeing a full-court press by the Russian government to instruct affiliated or friendly elements to manipulate the media environment to spread Russia’s version of the story,” the official said. “What this looks like again is a classic case of blaming the victims.”

Russia has denied that it had any role in the shooting down of the Malaysian plane or that it has provided the Ukrainian rebels with SA-11 anti-aircraft missile batteries. Moscow has instead blamed the Ukrainian government for the crash. On Monday, Russian Defense Ministry officials claimed that a Ukrainian military jet was flying less than three miles from the Malaysian plane just before it was shot down.

The U.S. intelligence officials, who included experts on Russia’s military and its relationship with separatists in Ukraine, said they do not know the identities or even the nationalities — whether Russian or possibly defectors from Ukraine’s military — of those who launched the missile from an SA-11 surface-to-air battery.

Nor have U.S. spy agencies reached any conclusions on the motive for the attack, except to say that the reaction among separatists recorded on social media indicates they believed they were targeting a Ukrainian military transport plane.

In part, the officials said, that may have been because the rebels operating the missile battery were poorly trained and did not have access to other radar systems and equipment that ordinarily accompany an SA-11 system and are designed to help distinguish military targets from civilian planes.

U.S. officials said earlier that they had seen “indications” of advanced anti-aircraft systems being moved into eastern Ukraine from Russia and being removed after the jet was shot down.

The senior intelligence officials said spy agencies were not aware that an SA-11 system was in eastern Ukraine until the attack had happened. They declined to answer questions about whether warnings about the Russian military buildup over the past month had been shared with international aviation authorities.

The officials also declined to provide more details on the satellites and other sophisticated sensors that enabled them to trace the path of the missile, citing concerns about compromising secret U.S. capabilities.

#### **Intelligence effort**

Still, the administration released information that had been kept secret until Tuesday, providing the most explicit illustration to date of the extent to which it has mobilized intelligence resources to track the conflict in Ukraine.

In particular, the Office of the Director of National Intelligence released images taken of the Russian military facility near Rostov over the span of a month, before-and-after slides that the officials said showed a substantial buildup after Russia had pledged to pull back from Ukraine.

Russia has gone to significant lengths to disguise that flow of weaponry, the officials said, by delivering equipment that matches the inventory of Ukraine’s military. In some cases, the officials said, Russia appears

to have pulled aging and inactive tanks out of storage because shipping newer ones would make it obvious that Russian arms were flowing into Ukraine.

"We think they're continuing to do it" in the aftermath of the strike on the Malaysian aircraft, one of the intelligence officials said.

Russia appears to have "felt compelled to increase the level of support" for separatists, the official said, because Ukraine's military has become increasingly effective against the rebels, retaking the city of Sloviansk.

In recent days, the Ukrainian government has posted online what it has described as incriminating communications among rebel leaders and units, calls and radio transmissions apparently intercepted by Kiev.

The U.S. officials said they have confirmed the authenticity of some of those recordings, including one in which the self-proclaimed defense minister of the Donetsk People's Republic, Igor Strelkov, claimed responsibility for shooting down a military transport plane at the time the Malaysian aircraft was struck.

Analysis comparing that audio clip to other confirmed recordings of Strelkov's voice "confirmed these were authentic conversations," one of the officials said.

#### **Other aircraft shot down**

The officials noted that separatists had shot down aircraft on about a dozen other occasions over the past month — mostly helicopters and Ukraine military planes flying far below the 33,000-foot altitude at which the Malaysian flight was hit. Ukraine's military, by contrast, is focused on the ground threat posed by separatists and has yet to fire on an aircraft, the officials said.

U.S. intelligence analysts have examined photos from the crash site and identified damage consistent with that caused by an SA-11 missile, the officials said, but they stressed that such analysis is preliminary.

The briefing also revealed the extent to which U.S. spy agencies are relying on Twitter, Facebook and other social-media sites to monitor the conflict.

The officials cited verbal exchanges among rebels posted on YouTube indicating separatists arriving at the scene of the wreckage were surprised to discover civilians.

"If you listen to YouTube you get that: 'We're finding civilians,'" one of the intelligence officials said. Partly for that reason, the official said, "the most plausible explanation to me is [it was] a mistake."

#### **1658 Comments**

#### **Greg Miller**

Greg Miller is a national security correspondent for The Washington Post and a two-time winner of the Pulitzer Prize. He is the author of "The Apprentice," a book on Russia's interference in the 2016 U.S. presidential race and the fallout under the Trump administration. [Follow](#) 

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## The Washington Post

*Democracy Dies in Darkness*

# Ukraine desperately wants the U.S. on its side. They just don't know who has Trump's ear anymore.

By **Michael Birnbaum**

November 22, 2019 at 12:49 p.m. EST

KYIV, Ukraine — The top U.S. diplomat in Ukraine was testifying on the Hill — and President Trump was tweeting about him.

“NEVER TRUMPERS!” Trump wrote on Nov. 13.

Days later, the diplomat, acting ambassador William B. Taylor Jr., was back in Kyiv at an early Thanksgiving event. He joked that he'd far rather be in Ukraine than Washington these days, according to one person who was there.

But in Kyiv, the status of the U.S. Embassy is shaky at best with many top officials under attack from Trump and his allies. It has left Ukrainians questioning whether U.S. diplomats can really connect them to the White House and have Trump's ear.

The slimmed-down access leaves Ukraine without strong U.S. backing at a high-stakes moment for Kyiv. Many in Ukraine fear it plays to Russia's advantage. And ahead of December peace talks with the Kremlin, it means Trump is spouting angry rhetoric about Ukraine instead of coordinating strategy with its leaders.

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“Before, the United States spoke to us with one voice,” said Bohdan Yaremenko, the chairman of the foreign affairs committee of the Ukrainian parliament. “It seems like the United States is not united any more in terms of foreign policy.”

One after another, the top U.S. officials charged with Ukraine policy have been drawn into the House impeachment inquiry. And one by one, they have been forced to resign, left sidelined or have been seriously undermined by Trump himself.

### **'Weaker side'**

The result is jarring contrast for Ukraine. It's at the center of attention in Washington. But the country's leaders are also cut off from their normal channels of diplomatic communication to the U.S. Capitol as never before.

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1/3/2020

Ukraine desperately wants the U.S. on its side. They just don't know who has Trump's ear anymore. - The Washington Post

The challenge is even more acute because contacts with U.S. officials have themselves become part of the currency of Trump's demands.

In his July 25 phone call with Ukraine President Volodymyr Zelensky, Trump suggested that a White House meeting could be forthcoming in exchange for Ukrainian investigations into the 2016 elections and the Bidens, according to testimony before the House. The White House also directed Vice President Pence not to attend Zelensky's inauguration in May.

With Ukrainians continuing to die in eastern Ukraine — another Ukrainian soldier was killed Monday, and deaths total more than 13,000 since 2014 — Zelensky is searching for a route to peace with pro-Moscow separatists. He plans to meet Russian President Vladimir Putin in Paris on Dec. 9.

AD

But he will go into the meeting without the same degree of robust U.S. backing that accompanied previous encounters with the Kremlin, a challenge some of his allies say could weaken his position.

1/3/2020

Ukraine desperately wants the U.S. on its side. They just don't know who has Trump's ear anymore. - The Washington Post

“We are engaged in negotiations as the weaker side, and U.S. support is part of the leverage we have,” said Yaremenko, a Zelensky ally. The delay in U.S. military aid for Ukraine “is making us rethink how U.S. policy is operating.”

And Ukrainians aren't sure where they can turn.

Taylor — a Vietnam veteran and three-decade ambassador — doesn't speak for Trump, as the president has made clear. Kurt Volker, a U.S. special envoy charged with helping broker peace between Ukraine and Russia who was beloved by Ukrainians, resigned.

AD

Lt. Col. Alexander Vindman, the Purple Heart combat vet and director for European affairs on the National Security Council, had his patriotism questioned by House Republicans. Marie Yovanovitch, the former ambassador in Ukraine, was pulled back after a campaign against her by Trump's personal lawyer, Rudolph W. Giuliani, and Ukrainian officials she accused of corruption.

Nor does Ukraine currently have an ambassador in Washington. The previous one, Valeriy Chaly, was close to former president Petro Poroshenko and was recalled by Zelensky, who has yet to send a replacement.

### 'Ukraine hated me'

1/3/2020

Ukraine desperately wants the U.S. on its side. They just don't know who has Trump's ear anymore. - The Washington Post

Officially, Ukrainian leaders say that they are plunging onward with their plans despite the tumult in Washington. They have done their best not to get further caught in the partisan dispute, seeing little payoff in becoming ammunition for one side to fire at the other.

AD

“I hope that not all partners of Ukraine are included in the impeachment process,” Ukrainian Foreign Minister Vadym Prystaiko told The Washington Post at the end of a news conference this week. Among others, he said, “a minimum of 800,000 Ukrainians live in the U.S. and are our natural partners. And not all of them are included in the process.”

He said he wanted to preserve support from “both sides of Congress.”

The currently serving U.S. officials tried to do just that this week in their public testimony, saying that U.S. support was crucial for Ukraine’s efforts to stand up to Russia and make reforms at home.

1/3/2020

Ukraine desperately wants the U.S. on its side. They just don't know who has Trump's ear anymore. - The Washington Post

“They still need us now, going forward,” said David Holmes, a political counselor at the U.S. Embassy in Kyiv, in his testimony on Thursday. Zelensky “needs our support. He needs President Putin to understand that America supports President Zelensky at the highest levels.”

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And the State Department maintains that nothing has changed.

“We have a policy, we have a strategy, and it’s actually moving forward,” Ambassador Philip T. Reeker, the acting assistant secretary of State of European and Eurasian Affairs, said at a briefing in Brussels this week.

But Trump sends different signals. On Friday, he again appeared to fan a conspiracy theory — supported by no evidence — that Ukraine might have hacked the Democratic National Committee’s network in 2016 and framed Russia for the act.

“Ukraine hated me. They were after me in the election. They wanted Hillary Clinton to win,” Trump said on Fox News.

1/3/2020

Ukraine desperately wants the U.S. on its side. They just don't know who has Trump's ear anymore. - The Washington Post

Still, some work goes on. The nearly \$400 million in U.S. assistance was restored in mid-September — after a delay many of Trump's own officials testified at the impeachment hearings they believed to be connected to the effort to get Zelensky to investigate the Bidens.

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### **'Russia will be benefiting'**

U.S. Embassy officials are also involved in helping Ukrainians in their effort to vet thousands of prosecutors as part of a wide-ranging reform of the judicial system.

But many officials in Kyiv say that the consequences of the impeachment drama are obvious.

“It's not clear what the U.S. Embassy represents these days,” said one European diplomat in Kyiv, who spoke on the condition of anonymity to discuss a sensitive security topic. “There isn't the same sort of pressure. Who do they speak for?”

Some Ukrainian policymakers — particularly when speaking privately — complain bitterly at what they see as U.S. corruption now spilling over into Ukraine, rather than Washington serving as a clean-government example to which they could aspire.

AD

“Russia will be benefiting from this,” Oksana Syroid, the head of the Self Reliance political party and an advocate of strong ties to the United States. “For Ukraine and the Ukrainian people, American support is very symbolic. The partnership we have is that we are not alone here.”

The worry that Ukraine was increasingly standing alone was exacerbated by Trump’s directive to Zelensky in September, during a meeting on the sidelines of the U.N. General Assembly.

“I really hope that you and President Putin get together and can solve your problem,” Trump said. “That would be a tremendous achievement.”

Many Ukrainians heard that directive as a signal that Trump would not back up Zelensky in those meetings.

“That created an uncomfortable spot,” said Roman Bezsmertnyi, a former Ukrainian official who has been involved in negotiations to bring the conflict in eastern Ukraine to a close. “Everything depends on us. But it’s pleasant to know someone’s at your back.”

*Natalie Gryvnyak contributed to this report.*

## While bemoaning Mueller probe, Trump falsely says the Constitution gives him 'the right to do whatever I want'

 [washingtonpost.com/politics/2019/07/23/trump-falsely-tells-auditorium-full-teens-constitution-gives-him-right-do-](https://www.washingtonpost.com/politics/2019/07/23/trump-falsely-tells-auditorium-full-teens-constitution-gives-him-right-do-)

By Michael Brice-Saddler

President Trump believes the Constitution gives him a wide breadth of power. That's the message he delivered — not for the first time — on Tuesday while addressing a crowd of teenagers and young adults at the Turning Point USA Teen Student Action Summit in Washington.

There are numerous viral video clips from Trump's 80-minute speech at the conference, but one of the most controversial moments came as he discussed Article II of the Constitution, which describes the powers of the president.

Trump lamented the duration and cost of the investigation of Russian interference in the 2016 presidential election led by special counsel Robert S. Mueller III, which he has repeatedly said found "no collusion, no obstruction."

AD

"Then, I have an Article II, where I have to the right to do whatever I want as president," he said. "But I don't even talk about that."

Political pundits flooded social media with that clip, though most of the videos didn't include the Mueller-probe context. Trump in his Tuesday speech also attacked "the Squad" — four liberal congresswomen who are critical of the president — and falsely claimed Democrats saw wins in the 2018 elections because undocumented immigrants voted "many times — not just twice."

Article II grants the president "executive power." It does not indicate the president has total power. Article II is the same part of the Constitution that describes some of Congress's oversight responsibilities, including over the office of the presidency. It also details how the president may be removed from office via impeachment.

AD

Trump's remarks come as Democratic lawmakers are facing mounting pressure from the left to launch impeachment hearings on the president. Republicans and the majority of House Democrats voted down an impeachment resolution against the president last week.

William C. Banks, a professor of law at Syracuse University, told The Washington Post on Tuesday that Trump's comments are an affront to "basic points that every schoolchild learns in civics." Trump took an oath to support and defend the Constitution when he became president, Banks noted, meaning he can only do what the Constitution permits him to.

"It's certainly not a grant of unlimited power," Banks said. "He's not a monarch, he's the chief executive ... and he's bound to uphold the rule of law."

AD

The lawsuits Trump faces in federal courts serve as a reminder of that notion, Banks said. The professor cited various delays to Trump's border wall, as well as the challenges the president has faced while implementing immigration reform. Last week, The Post reported that plaintiffs led by the American Civil Liberties Union had sued the Trump administration to stymie a new policy that disqualifies most asylum seekers who cross through Mexico en route to the United States.

As The Post's Aaron Blake notes, this is not the first time Trump has made such an assertion about "Article II," with previous references typically in the context of Mueller's probe. Speaking to ABC News in June about allegations that Trump wanted to fire Mueller, the president said: "Article II allows me to do whatever I want. Article II would have allowed me to fire him."

Example 1: <https://t.co/SToq8fWn7g>

Example 2: <https://t.co/VGaOozLr08>

— Aaron Blake (@AaronBlake) July 23, 2019

Jonathan Turley, a law professor at George Washington University, said Trump may have been referring to the position of his legal team — that the president could fire the special counsel without committing obstruction.

AD

"I think he was inartfully repeating that position of his legal team," Turley said. "That position happens to be wrong, by the way."

In broader context, Turley called Trump's comments "chilling" and fundamentally at odds with the language of the Constitution — namely Articles I and III — which impose a series of conditions upon the president's power. Turley recalled that some of the Constitution's framers were against having a single president and sought to divide executive powers among multiple people.

Yet Trump is not the first president to be expansive in his reach. Barack Obama, Turley said, "routinely engaged in unilateral actions some think were unconstitutional." He also cited Abraham Lincoln, who famously suspended the writ of habeas corpus in 1863 — a move Turley said was "directly and flagrantly in violation of the Constitution."

AD

"There is a tendency of presidents to lose sight of the language of the Constitution," Turley said. When courts have ruled against Trump, he added, the president has complied with court orders.

Earlier this month, Trump once again mentioned "a thing called Article II" as he spoke to reporters about Mueller's collusion and obstruction findings.

"Nobody ever mentions Article II," he said. "It gives me all of these rights at a level nobody has ever seen before. We don't even talk about Article II."

**Read more:**

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While bemoaning Mueller probe, Trump falsely says the Constitution gives him 'the right to do whatever I want'

A college student was found dead. A classmate was arrested in connection with the murder.

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AD

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# White House chief of staff Mulvaney drops bid to join Kupperman impeachment lawsuit

By **Spencer S. Hsu**

November 11, 2019 at 10:21 p.m. EST

Acting White House chief of staff Mick Mulvaney late Monday withdrew a last-minute effort to join a lawsuit filed by former national security adviser John Bolton's top deputy, Charles Kupperman.

Mulvaney said he will file his own lawsuit focused on the same question: Must senior Trump administration officials testify in Congress's impeachment inquiry?

Kupperman, in a filing earlier Monday, opposed Mulvaney's request to join the case, underscoring internal divisions among President Trump's advisers in the probe. Kupperman attorney Charles J. Cooper, who also represents Bolton, had suggested that the same judge weigh Mulvaney's claims "in tandem" as a separate, related case.

AD

The two former Trump national security aides are said by people close to them to consider Mulvaney a key participant in President Trump's alleged effort to pressure the Ukrainian government to pursue investigations into his political opponents.

Mulvaney's attempt to join the lawsuit flabbergasted Bolton and Kupperman, people close to them said, with Bolton aides having testified that he derisively referred to the Ukrainian proposal as "a drug deal," and White House officials saying Bolton and Mulvaney were barely on speaking terms when Bolton left his post in September.

Kupperman late last month asked U.S. District Judge Richard J. Leon of Washington to rule on whether Congress's constitutional impeachment power takes precedence over the White House's claim that current and former top executive branch aides are "absolutely immune" from being compelled to testify, as part of the president's powers.

AD

Bolton and Kupperman have said they are willing to testify if the judge rules in favor of the House, The Washington Post previously reported.

Cooper cited four reasons for keeping the cases separate. He argued that while Kupperman “is and will remain neutral” on whether Congress or the president is correct, “Mulvaney has made it clear that he supports the Executive” and Mulvaney is a current Trump adviser while Kupperman has left his post.

Kupperman’s duties also were exclusively related to advising on “highly sensitive matters of national security and foreign policy,” while Mulvaney’s were not, Cooper argued, writing, “If any close personal advisor to the President qualifies for testimonial immunity, it surely must be the President’s National Security Advisor and his deputy.”

AD

Kupperman’s filing also stated that while he “has never publicly disclosed information relating to any of his official duties,” Mulvaney has commented publicly, appearing to admit and then deny a “quid pro quo” relationship between Trump’s decision to withhold U.S. security aid to Ukraine and a request that officials there investigate former vice president Joe Biden and his son, Hunter Biden.

“Accordingly, there is a serious question as to whether Mulvaney waived the absolute testimonial immunity claimed by the President,” Cooper argued.

Attorneys for the Justice Department, however, which is defending the Trump White House in Kupperman’s lawsuit, did not oppose Mulvaney’s request to join the case.

AD

In a three-page filing, Mulvaney attorney William Pittard on Monday evening notified Leon that he was withdrawing his Friday request to join Kupperman’s case, and that Mulvaney’s intent was to pursue “a separate related case.”

Mulvaney’s move comes as the White House has publicly announced the administration as a whole will oppose the House impeachment inquiry as meritless. As acting chief of staff, Mulvaney oversaw the White House release on Oct. 8 of an eight-page letter stating the administration’s refusal to cooperate in the probe, either to provide witnesses or documents.

In a separate filing Monday, House General Counsel Douglas N. Letter also opposed Mulvaney’s motion to join the lawsuit, arguing that the case is moot because the House has withdrawn Kupperman’s October subpoena.

AD

Mulvaney lacks legal “standing to challenge a now-withdrawn subpoena issued to somebody else,” Letter argued. Mulvaney also seeks different relief from Kupperman, of voiding a House subpoena, and names additional defendants, Letter wrote.

Mulvaney has not said that he would comply with the House’s order if the court rules against him, and the House has not withdrawn his subpoena.

“The Court should reject such gamesmanship and deny Mulvaney’s motion,” Letter said, particularly because as White House chief of staff, Mulvaney “likely played a role in the decision” to assert absolute immunity for himself.

Leon previously set final arguments for Kupperman for Dec. 10. While the schedule and a quick ruling could potentially allow the case to be heard by a federal appeals court and even the Supreme Court next year, neither is likely to be able to act before the House’s goal of completing impeachment hearings by year’s end.

AD

During a telephone scheduling conference Monday afternoon that Leon held outside public view, the sides indicated that Mulvaney would refile his case, which names only the House as a defendant, according to a transcript released by the court.

Leon said he would rule “forthwith” after a Tuesday hearing if the House seeks to have Mulvaney’s case randomly assigned to another judge.

“If [Mulvaney’s suit] should survive any opposition to being filed as related, however,” his attorneys will have to meet the same deadlines, Leon warned, saying “I will not move the oral argument from December 10th.”

After the hearing, Cooper said “the outcome was in accord with the recommendations we made” to the judge about separating Mulvaney’s claim.

AD

Pittard declined to comment.

*Tom Hamburger contributed to this report.*

## Impeachment: What you need to read

Updated December 18, 2019

Here's what you need to know to understand the impeachment of President Trump.

**What's happening now:** Trump is now the third U.S. president to be impeached, after the House of Representatives adopted both articles of impeachment against him.

**What happens next:** Impeachment does not mean that the president has been removed from office. The Senate must hold a trial to make that determination. A trial is expected to take place in January. [Here's more on what happens next.](#)

**How we got here:** A whistleblower complaint led Pelosi to announce the beginning of an official impeachment inquiry on Sept. 24. Closed-door hearings and subpoenaed documents related to the president's July 25 phone call with Ukrainian President Volodymyr Zelensky followed. After two weeks of public hearings in November, the House Intelligence Committee wrote a report that was sent to the House Judiciary Committee, which held its own hearings. Pelosi and House Democrats announced the articles of impeachment against Trump on Dec. 10. The Judiciary Committee approved two articles of impeachment against Trump: abuse of power and obstruction of Congress.

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## 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

A confidential White House review of President Trump's decision to place a hold on military aid to Ukraine has turned up hundreds of documents that reveal extensive efforts to generate an after-the-fact justification for the decision and a debate over whether the delay was legal, according to three people familiar with the records.

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.

One person briefed on the records examination said White House lawyers are expressing concern that the review has turned up some unflattering exchanges and facts that could at a minimum embarrass the president. It's unclear whether the Mulvaney discussions or other records pose any legal problems for Trump in the impeachment inquiry, but some fear they could pose political problems if revealed publicly.

AD

People familiar with the Office of Management and Budget's handling of the holdup in aid acknowledged the internal discussions going on during August, but characterized the conversations as calm, routine and focused on the legal question of how to comply with the congressional Budget and Impoundment Act, which requires the executive branch to spend congressionally appropriated funds unless Congress agrees they can be rescinded.

"There was a legal consensus at every step of the way that the money could be withheld to conduct the policy review," said OMB spokeswoman Rachel K. Semmel. "OMB works closely with agencies on executing the budget. Routine practices and procedures were followed, not scrambling."

The hold on the military aid is at the heart of House Democrats' investigation into whether the president should be removed from office for allegedly trying to pressure Ukraine into investigating his political rivals in exchange for the U.S. support that President Volodymyr Zelensky desperately wanted in the face of Russian military aggression.

AD

In the early August email exchanges, Mulvaney asked acting OMB director Russell Vought for an update on the legal rationale for withholding the aid and how much longer it could be delayed. Trump had made the decision the prior month without an assessment of the reasoning or legal justification, according to two White House officials. Emails show Vought and OMB staffers arguing that withholding aid was legal, while officials at the National Security Council and State Department protested. OMB lawyers said that it was legal to withhold the aid, as long as they deemed it a "temporary" hold, according to people familiar with the review.

A senior budget lawyer crafted a memo on July 25 that defended the hold for at least a short period of time, an administration official said.

Mulvaney's request for information came days after the White House Counsel's Office was put on notice that an anonymous CIA official had made a complaint to the agency's general counsel about Trump's July 25 call to Zelensky during which he requested Ukraine investigate former vice president Joe Biden and his son Hunter Biden, as well as an unfounded theory that Ukraine interfered in the 2016 U.S. presidential election.

AD

This official would later file a whistleblower complaint with the intelligence community's inspector general, which ignited the impeachment push when its existence became public.

The White House released the funding to Ukraine on Sept. 11. The timing has drawn scrutiny because it came two days after the House was formally alerted to a complaint by a whistleblower, who raised concerns about the call and whether the president was using his public office for personal political gain.

Trump has acknowledged ordering the hold on military aid and also pressing Ukraine's president to investigate his potential Democratic presidential opponent, Joe Biden, but said the release of the funds was not conditioned on Ukraine launching any investigations.

The office of White House Counsel Pat Cipollone oversaw the records review. The White House press office and the White House Counsel's Office did not respond to requests for comment. Mulvaney's lawyer, Robert Driscoll, declined to comment.

The document research has only exacerbated growing tension between Cipollone and Mulvaney and their offices, with Cipollone tightly controlling access to his findings, and Mulvaney's aides complaining Cipollone isn't briefing other White House officials or sharing important material they need to respond to public inquiries, according to people familiar with their relationship.

Mulvaney is a critical player in the Ukraine saga, as he has acknowledged that he asked the OMB to block the release of congressionally approved aid to Ukraine — at the president's request — in early or mid-July 2019.

The emails revealed by White House lawyers include some in which Mulvaney urges Vought to immediately focus on Ukraine's aid package, making clear it was a top priority for the administration.

The legal office launched this fact-finding review of internal records in a protective mode, both to determine what the records might reveal about internal administration conversations and also to help the White House produce a timeline for defending Trump's decision and his public comments. Along with examining documents, the review has also involved interviewing some key White House officials involved in handling Ukraine aid and dealing with complaints and concerns in the aftermath of the call between Trump and Zelensky.

Cipollone's office has focused closely on correspondence that could be subject to public records requests, those which involve discussions between staff at the White House and at other agencies. Internal White House records are not subject to federal public records law, but messages that include officials at federal agencies are.

Also included in the review are email communications between OMB and State Department officials and others discussing why the White House was holding up nearly \$400 million in military aid and whether the hold might violate the law, one person said. In December 2018, months before the Ukraine issue surfaced as a top priority for the president, the Government Accountability Office had warned the OMB it was not following the law in how it chose to disburse and withhold congressionally approved funds.

Cipollone has told House impeachment investigators that the White House will not cooperate with the inquiry in any way, including by greenlighting witnesses or turning over documents.

While some officials from State and Defense have testified publicly about their concerns over whether the administration was seeking to leverage the aid and a White House visit for the political investigations, only one OMB official has appeared before the congressional committees.

Mark Sandy, a career OMB official, has testified that the decision to delay aid to Ukraine was highly unusual, and senior political appointees in his office wanted to be involved in reviewing the aid package. Sandy testified that he had never seen a senior political OMB official assume control of a portfolio in such a fashion, according to the people familiar with his testimony.

Sandy told impeachment investigators he had questions about whether it was legal to withhold aid Congress had expressly authorized to help Ukraine defend itself from Russia, but OMB lawyers told him it was fine as long as they called it a temporary hold, according to a person familiar with Sandy's account. Sandy, the deputy associate director for national security programs at the OMB, signed formal letters to freeze the funds, but top political appointees were unable to provide him with an explanation for the delay.

Trump has continued to describe that impeachment investigation as a "hoax" and maintain that he did nothing wrong.

"This is a continuation of the witch hunt which has gone on from before I got elected," he told Fox News on Friday.

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## Witness testimony and records raise questions about account of Trump's 'no quid pro quo' call

By **Aaron C. Davis**, **Elise Viebeck** and **Josh Dawsey**

November 27, 2019 at 8:00 p.m. EST

President Trump was cranky when they spoke on the phone in September, Ambassador Gordon Sondland told members of Congress, but his words were clear: Trump wanted no quid pro quo with Ukraine.

“This is Ambassador Sondland speaking to me,” Trump said outside the White House last week, looking down to read notes he’d taken of Sondland’s testimony. “Here’s my response that he just gave: ‘I want nothing. . . . I want nothing. I want no quid pro quo.’”

Sondland’s recollection of a phone conversation that he said took place on Sept. 9 has emerged as a centerpiece of Trump’s defense as House Democrats argue in an impeachment inquiry that he abused his office to pressure Ukraine to investigate Democrats.

AD

However, no other witness testimony or documents have emerged that corroborate Sondland's description of a call that day.

Trump himself, in describing the conversation, has referred only to the ambassador's account of the call, which — based on Sondland's activities — would have occurred before dawn in Washington. And the White House has not located a record in its switchboard logs of a call between Trump and Sondland on Sept. 9, according to an administration official who, like others in this report, spoke on the condition of anonymity because of the sensitivity of the matter.

But there is evidence of another call between Trump and Sondland that occurred a few days earlier — one with a very different thrust, in which the president made clear that he wanted his Ukrainian counterpart to personally announce investigations into Trump's political opponents.

AD

The conflicting information raises serious questions about the accuracy of Sondland's account, one that Trump has embraced to counter a growing body of evidence that he and his allies pressured Ukraine for his own political benefit.

The president's argument that the call proves he was not seeking favors from Ukraine is undercut by the timing: At the end of August, White House lawyers had briefed Trump on the existence of a whistleblower complaint describing the administration's pressure campaign on Ukraine and the possibility that Trump abused his power, according to a person familiar with the situation. By early September, the president had also begun to confront public questions about why U.S. aid to Ukraine was stalled.

So if Trump did tell Sondland flatly that he wanted "no quid pro quo," he did so knowing there was growing scrutiny of his posture toward Ukraine.

AD

The way witnesses describe a call between the two men in early September is not as favorable for Trump as Sondland's version of a Sept. 9 call with the president. According to their testimony, Trump said he was not seeking a "quid pro quo," but he also relayed a specific demand to the ambassador: that Ukrainian President Volodymyr Zelensky personally and publicly announce the investigations Trump was seeking.

After Sondland described that conversation to him on Sept. 7, then-National Security Council official Tim Morrison had a sinking feeling, he told acting U.S. Ambassador to Ukraine William B. Taylor Jr., as both men later testified.

Morrison told lawmakers he "did not think it was a good idea for the Ukrainian president to . . . involve himself in our politics," according to a transcript of his closed-door deposition. He was so concerned about Sondland's description of his conversation with the president that he said he reported it to White House lawyers, Morrison said.

AD

Sondland did not initially disclose that earlier conversation with Trump when he first gave a closed-door deposition to the House. After Morrison and Taylor described it in their testimony, he said later that he would not challenge their recollections.

Through his attorney, Robert Luskin, Sondland declined to comment on the discrepancies in the descriptions of the call.

“He is aware of your story and will not comment beyond his descriptions of these matters in his deposition and public testimony,” Luskin wrote in an email.

“To the extent that the recollections of various witnesses differ in some respects, we leave to the committee the task of reconciling those differences,” he added.

AD

A spokesman for the House Intelligence Committee declined to comment. A White House spokesman declined to comment.

The contradictory descriptions of a Sondland-Trump phone call in September inject uncertainty to the account that the ambassador to the European Union confidently presented in his five hours of often eye-popping testimony before lawmakers last week.

1/3/2020

Witness testimony and records raise questions about account of Trump's 'no quid pro quo' call - The Washington Post

“There is a big question mark there,” said Julian Epstein, the former chief counsel for Democrats on the House Judiciary Committee during the Clinton impeachment. “It’s possible Sondland is misremembering.”

The confusion muddies the testimony of a key witness who has been cited repeatedly by both sides as they press opposing arguments about the president’s actions.

AD

Sondland provided Democrats with potent ammunition by changing his initial testimony to declare unequivocally that there was a quid pro quo: the announcement of the investigations in exchange for a White House visit for Zelensky. But he also boosted Trump by repeatedly describing the Sept. 9 phone conversation in which he said the president denied such an arrangement.

### **'What do you want from Ukraine?'**

By the time Trump spoke to Sondland in early September, the president already knew that there were mounting questions about the administration’s posture toward Ukraine.

1/3/2020

Witness testimony and records raise questions about account of Trump's 'no quid pro quo' call - The Washington Post

In late August, the president learned from White House lawyers about the whistleblower complaint and an internal debate about whether it had to be turned over to Congress, as the New York Times first reported. On Sept. 5, The Washington Post editorial page reported that Trump “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.”

AD

Sondland testified that in the days and weeks leading up to the call, he had been trying to figure out why the White House had frozen nearly \$400 million in funding Congress had approved for Ukraine.

Sondland said he had begun to suspect that the White House had conditioned the release of the money to a statement he knew Trump wanted: Ukraine announcing it would investigate whether elements within the country had interfered in the 2016 U.S. presidential election, as well as looking into Burisma, a Ukrainian energy company, where Biden’s son Hunter had held a board position.

On Sept. 1, during a meeting in Warsaw, Sondland said that while he was still only presuming why the funding was held back, he warned a top Zelensky aide that the money would probably not come unless Ukraine announced the investigations.

AD

On Sept. 9, Sondland said, he was confronted with the funding question head-on in a WhatsApp message from Taylor, who wrote that it would be “crazy to withhold security assistance for help with a political campaign.”

Sondland said in his public testimony last week that the message led him to call the White House and finally seek a response straight from Trump.

“I just said: ‘What do you want from Ukraine?’ I may have even used a four-letter word. And he said, ‘I want nothing, I want no quid pro quo.’”

Sondland testified that after concluding the call with Trump, which he described as brief, he replied to Taylor. “I believe you are incorrect about President Trump’s intentions,” he wrote, according to the message released by the committee. “The President has been crystal clear no quid pro quo’s of any kind.”

The message — five hours after Taylor originally wrote to him — made no reference to a conversation with Trump, an omission Sondland later blamed on his “inartful” writing.

### **An evolving account**

But Sondland's account of the call — and its meaning — has changed over time as he has described it publicly.

When the ambassador first appeared before lawmakers on Oct. 17 for a closed-door deposition, he described the Sept. 9 conversation and Trump's unequivocal denial in his prepared remarks.

"The president repeated, 'no quid pro.' 'No quid pro quo' multiple times," Sondland said, according to a transcript.

He elaborated under questioning, saying Trump had concluded the call by saying he wanted Zelensky to "do the right thing" and "do what he ran on."

Rep. Tom Malinowski (D-N.J.) noted that the president's comments suggested that "he did actually want something."

"What did you understand he meant by, 'I want Zelensky to do what he ran on?'" Malinowski asked Sondland.

The ambassador said he didn't have a chance to follow up with the president.

"He was in a very bad mood and it was a very short call," he said. "I don't want to characterize him as hanging up on me, but it was close to that."

In the more than seven hours of questioning, Sondland did not make any reference to speaking to Trump a few days earlier.

After Morrison and Taylor did so in subsequent depositions, Sondland submitted a supplemental declaration earlier this month. In it, he acknowledged for the first time the Warsaw meeting, where he told the Ukrainians he believed U.S. security assistance was contingent on the investigations Trump was seeking.

Sondland also addressed the discrepancy over the September calls, writing that he could not “specifically recall if I had one or two phone calls with President Trump in the September 6-9 time frame.”

When he testified publicly last week, Sondland notably omitted his description of the Sept. 9 call from his opening statement.

Under questioning from Republicans, he said he left it out to save time — an explanation that did not satisfy the GOP members.

“This is an exculpatory fact shedding some light on the president’s state of mind about the situation. . . . So I’m just wondering why you didn’t mention it in your opener,” said Steve Castor, a lawyer for Republicans on the Intelligence Committee.

“There were so many things I wanted to include in my opening and my opening was already I think 45 minutes or something. It would have been an hour and a half,” Sondland said.

“Couldn’t fit it in a 23-page opener?” Rep. Jim Jordan (R-Ohio) asked Sondland later. “The most important statement . . . the president of the United States in a direct conversation with you about the issue at hand?”

Sondland also expressed less confidence in his memory that a call took place on Sept. 9.

“I believe it was on the 9th of September. I can’t find the records and they won’t provide them to me,” he told House Intelligence Committee Chairman Adam B. Schiff (D-Calif.).

“I still cannot find a record of that call because the State Department or the White House cannot locate it. But I’m pretty sure I had the call on that day,” he told Castor.

## **An early-morning time frame**

Lawmakers did not further probe the timeline of the Sept. 9 call in the hearing.

But an examination of the circumstances in which Sondland said it occurred raises questions about his narrative.

According to records released by the Intelligence Committee, Taylor's message was sent at 12:47 a.m. on Sept. 9, and Sondland replied at 5:19 a.m.

The time stamps are calibrated to the phone of Kurt Volker, Trump's former special envoy to Ukraine, who shared the messages with House investigators after stepping down from his post in September.

That day, Volker was in Tbilisi, Georgia, according to pictures and a news release from the McCain Institute, where he served as executive director. But impeachment investigators believe the messages were logged in Eastern time, according to people familiar with the inquiry.

If the call happened as Sondland has said, in between the two messages, then he phoned the president an hour before Trump sent his first tweet of the day — a 6:21 a.m. message in which the president commented on an early segment on a Fox News clip.

It also would have been more than two hours before a colleague in Brussels said Sondland was comfortable calling Trump, beginning around 7:30 a.m. Eastern.

The lack of any White House record of the unusually early-morning call does not conclusively rule out that the two may have talked on that day, a White House official said.

The White House has logs of calls received at the White House switchboard, those routed through the Situation Room, and some placed through other secure channels, officials said.

But when Trump speaks on his cellphone, this person said, calls are not always logged, particularly when they are received in the residence — where Trump usually stays until 10:30 a.m.

Trump has also rotated cellphones over time, and he has occasionally asked others to call people and put them on speaker phone for him.

But another White House official said it was understood that Sondland, who was confirmed as ambassador 16 months ago, did not have Trump's personal cell number. The official said call records show Sondland had a practice of calling the White House switchboard if he wanted to be patched through to the president, as he did in a phone call on July 26 from a Kyiv restaurant that has emerged in the impeachment inquiry.

White House logs of his phone calls were provided to Sondland and his attorney before his public appearance under oath last week, Sondland said during his testimony, adding that he had been given no record of a call on Sept. 9.

### **An ask for investigations**

If the call with the president that Sondland has described is in fact the one that occurred days earlier, the thrust of the conversation was very different, according to other witnesses who heard about it at the time.

While Sondland said the Sept. 9 call ended with Trump saying Zelensky should “do the right thing,” in the earlier call Trump explicitly said he wanted specific investigations, Morrison and Taylor testified.

On Sept. 7, Morrison, who was serving as the top Russia and Europe adviser on the National Security Council, said Sondland told him about a call he had just had with the president.

“Gordon related that both — the President said there was not a quid pro quo, but he further stated that President Zelensky should want to go to the microphone and announce personally . . . that he would open the investigations,” Morrison testified in an Oct. 31 closed-door deposition.

Morrison said he was dismayed and feared that they were running out of time to get Trump to change his mind about U.S. aid before the end of the fiscal year.

Later that day, he described the conversation to Taylor, the acting ambassador to Ukraine.

“According to Mr. Morrison, President Trump told Ambassador Sondland that he was not asking for a ‘quid pro quo,’” Taylor said in public testimony. “But President Trump did insist that President Zelensky go to a microphone and say he is opening investigations of Biden and 2016 election interference, and that President Zelensky should want to do this himself.”

Taylor said that he spoke himself to Sondland the following day, on Sept. 8, and that Sondland told him that Trump was “adamant” that Zelensky had to “clear things up and do it in public.”

Taylor testified that Sondland used the word “stalemate” to describe what would happen if Zelensky refused to announce the investigations himself — and indicated funding was part of the deal.

“The meaning of stalemate was the security systems would not come,” Taylor testified, referring to the military aid.

Last week, when Sondland testified publicly, Schiff pressed him on the descriptions of the Sept. 7 call:

“Mr. Morrison and Ambassador Taylor have also related a conversation you had with the president . . . in which the president relayed to you that there was no quid pro quo but, nevertheless, unless Zelensky went to the mic and announced these investigations, there would be a stalemate over the aid. Is that correct?”

“That’s correct,” Sondland answered.

Trump himself has not offered any firsthand recollection of a conversation with Sondland, referring back only to the ambassador’s description.

“The one thing I’ve seen that Sondland said was that he did speak to me for a brief moment, and I said, ‘No quid pro quo under any circumstances.’ And that’s true,” Trump told reporters earlier this month.

Last week, after Sondland’s public testimony, Trump spoke to reporters while holding a pad of paper with fragments of Sondland’s testimony scribbled down in black marker: “I WANT NOTHING” and “TELL ZELINKSY [sic] TO DO THE RIGHT THING.”

“I would say that means it’s all over,” Trump said, referring to Sondland’s account of the Sept. 9 call. He read from his notes: “What do you want from Ukraine?’ [Sondland] asks me . . . I want no quid pro quo. ‘Tell Zelensky’ — President Zelensky — ‘to do the right thing.’”

*Rosalind S. Helderman and Carol D. Leonnig contributed to this report.*

## **Impeachment: What you need to read**

Updated December 30, 2019

## The Washington Post

*Democracy Dies in Darkness*

# Zelensky planned to announce Trump's 'quo' on my show. Here's what happened.

By **Fareed Zakaria**

November 14, 2019 at 8:19 p.m. EST

The phrase “quid pro quo” is usually translated as “something for something.” In the case of President Trump’s communications with Ukrainian President Volodymyr Zelensky, it appears that the “quo” was supposed to have been a declaration of Zelensky’s commitment to undertake investigations into the 2016 election and Joe Biden. The New York Times has reported that a public announcement was set to be made on my CNN program. So I think I owe readers my best understanding of what actually happened.

Ever since Zelensky was elected president in April, my team and I have been interested in having him appear on the show. He is a fascinating political figure, a total outsider who swept into power. I had visited Ukraine several times and interviewed the previous president of the country three times, so I was familiar with the place and had good contacts.

We began the process of establishing connections with the new administration, which was cordial and efficient throughout. Heads of state often find it useful to give interviews around the time of the annual U.N. General Assembly in September, and that was our target.

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AD

About a week before the main U.N. gathering, another major conference was taking place in Kyiv, an annual event that brings together Ukrainian elites with Western politicians, diplomats, intellectuals and journalists. Since I was scheduled to participate, I queried as to whether I could meet with Zelensky to secure the televised interview and get him comfortable with me. His office readily agreed.

On Sept. 13, I met with Zelensky in Kyiv, on the sidelines of the conference. He came across as smart, energetic and with a much sharper feel for politics than you might expect from a neophyte. It was a brief conversation, but we did discuss most of the big issues he faced — Ukraine's relations with Russia and the United States, economic reform and corruption. We also talked about whether he wanted to do the interview in English — which he speaks well — or Ukrainian. I left with the sense that all was well. Zelensky had perhaps seemed a bit distracted, but I assumed that this was because of the many challenges he faced.

1/3/2020

Zelensky planned to announce Trump's 'quo' on my show. Here's what happened. - The Washington Post

It's a testament to Zelensky's skill that he did not let on in any way the immense pressure he was under. As we now know, for months the Trump White House had been mounting an intense campaign to force him to publicly announce the election-related investigations. He had tried to resist and put them off in various ways, but ultimately decided he would have to give in, according to the Times. His team apparently concluded that since he was planning an interview with me anyway, that would be the forum in which he would make the announcement, though neither he nor any of his team ever gave us any inkling that this was their plan. However, after my meeting with him in Kyiv, my team began to discuss potential logistics of the interview with his team — time and place.

AD

But I had not realized how much the ground had already begun to shift before our meeting. On Sept. 5, The Post published an editorial revealing that it had been “reliably told” that Trump was trying to force Zelensky to investigate Biden. On Sept. 9, four days before my visit to Kyiv, House Democrats initiated an investigation into the allegations. That same day, the intelligence community inspector general notified the House and Senate intelligence committees of the whistleblower complaint. The next day, Sept. 10, House Intelligence Committee Chairman Adam B. Schiff (D-Calif.) sent a letter to acting director of national intelligence Joseph Maguire demanding that he turn over the complaint. That is also the day Trump announced he had fired John Bolton as national security adviser. And then, on Sept. 11, aid to Ukraine was unfrozen with no conditions.

Imagine Zelensky's dilemma. By the time I met with him in Kyiv, he knew the aid had been released, but the backstory had not yet broken into public view. Ukrainian officials I spoke to about the release of the aid were delighted but a little surprised and unsure as to what had happened. Zelensky and his team were probably trying to figure out whether they should still do the interview.

A few days later, on Sept. 18 and 19, The Post broke the story wide open. The interview was called off. We are, of course, still trying to get it.

AD

1/3/2020

Zelensky planned to announce Trump's 'quid pro quo' on my show. Here's what happened. - The Washington Post

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Paul Waldman and Greg Sargent: Gordon Sondland just gave us this scandal's smoking quid pro quo

The Post's View: A new president wants to transform Ukraine's politics — and stay out of America's

AD

**The latest commentary on the Trump impeachment**

Updated December 31, 2019

This Washington Post-ABC News poll was conducted by telephone June 28-July 1 2019, among a random national sample of 1,008 adults, with 65 percent reached on cell phones and 35 percent on landlines. Results have an error margin of plus or minus 3.5 percentage points for the full sample, including design effects due to weighting. Sampling, field work and data processing by Abt Associates of Rockville, MD.

(Full methodological details appended at the end.)

\*= less than 0.5 percent

1. Do you approve or disapprove of the way Donald Trump is handling his job as president? Do you feel that way strongly or somewhat?

	----- Approve -----			----- Disapprove -----			No opinion
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	
7/1/19	44	32	12	53	8	45	3
4/25/19	39	28	12	54	9	45	6
1/24/19	37	28	9	58	9	49	5
11/1/18	40	28	12	53	9	43	8
10/11/18	41	29	12	54	7	46	6
8/29/18	36	24	12	60	7	53	4
4/11/18	40	25	15	56	10	46	4
1/18/18	36	24	13	58	9	49	5
11/1/17	37	25	12	59	8	50	4
9/21/17	39	26	13	57	9	48	4
8/20/17	37	22	15	58	13	45	5
7/13/17	36	25	11	58	10	48	6
4/20/17	42	27	15	53	10	43	5

2. Do you approve or disapprove of the way Trump is handling [ITEM]?

7/1/19 - Summary Table

	Approve	Disapprove	No opinion
a. the economy	51	42	6
b. immigration	40	57	2
c. taxes	42	49	9
d. health care	38	54	8
e. issues of special concern to women	32	56	12
f. abortion	32	54	14
g. gun violence	36	52	12
h. foreign policy	40	55	5
i. (climate change), also known as (global warming)	29	62	9

\*Full sample asked item a; half sample asked items b-e; other half asked f-i.

Trend, where available:

a. the economy

	----- Approve -----			----- Disapprove -----			No opinion
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	
7/1/19	51	NA	NA	42	NA	NA	6
10/11/18	49	35	14	46	11	35	5
8/29/18	45	30	15	47	12	36	8
4/11/18	46	30	16	48	12	36	6
9/21/17	43	27	16	49	13	36	8
7/13/17	43	26	17	41	12	29	16

b. immigration

	----- Approve -----			----- Disapprove -----			No
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	opinion
7/1/19	40	NA	NA	57	NA	NA	2
4/25/19	39	29	10	57	11	46	4
9/21/17	35	24	11	62	11	51	3

c-h. No trend

i. climate change, also known as global warming

	----- Approve -----			----- Disapprove -----			No
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	opinion
7/1/19	29	NA	NA	62	NA	NA	9

Compare to: Do you approve or disapprove of the way Donald Trump is handling global warming?

	-----Approve -----				----- Disapprove -----				No
	NET	Strngly	Smwht	No op.	NET	Smwht	Strngly	No op.	op.
6/11/18	34	19	15	*	57	12	44	0	9

3. How much credit do you think the Trump administration deserves for the country's economic situation - a great deal, a good amount, only some, or hardly any?

	- Grt deal/Gd amt-			- Some/Hardly any -				No
	NET	Great deal	Good amt	NET	Only some	Hardly any	None (vol.)	opinion
7/1/19	47	30	17	48	27	20	4	2

Compare to: How much credit do you think [ITEM] deserves for the country's economic situation, a great deal, a good amount, only some, or hardly any?

1/18/18 - Summary Table

	- Grt deal/Gd amt-			- Some/Hardly any -				No
	NET	Great deal	Good amt	NET	Only some	Hardly any	None (vol.)	opinion
a. the Trump administration	38	19	19	56	29	27	3	3
b. the Obama administration	50	24	26	45	24	21	3	2

4. (ASK IF LEANED DEMOCRAT) I'd like you to rate the chances that you will vote in the 2020 Democratic presidential primary or caucus in your state - are you absolutely certain to vote, will you probably vote, are the chances 50-50, or less than that?

	Certain to vote	Probably vote	Chances 50/50	Less than that	Don't think will vote (vol.)	No op.
7/1/19	72	12	9	4	3	*

5. (ASK IF LEANED DEMOCRAT) If the 2020 Democratic primary or caucus in your state were being held today, for whom would you vote?

	1/24/19	4/25/19	7/1/19
	Without leaners	Without leaners	With leaners
Joe Biden	9	13	28
Bernie Sanders	4	9	18

Kamala Harris	8	4	4	7	9	11
Elizabeth Warren	2	4	4	7	9	10
Pete Buttigieg	0	5	5	3	3	3
Tulsi Gabbard	0	0	0	1	1	2
Amy Klobuchar	1	1	1	1	1	1
Beto O'Rourke	3	3	4	1	1	1
Andrew Yang	0	*	*	1	1	1
Marianne Williamson	0	0	0	1	1	0
Julian Castro	*	*	*	*	1	1
Cory Booker	1	1	1	*	*	*
John Hickenlooper	*	*	*	*	*	*
Jay Inslee	0	0	0	*	*	*
Michael Bennet	0	*	*	*	*	0
Steve Bullock	1	0	0	0	*	*
Seth Moulton	0	0	0	0	0	0
Tim Ryan	0	0	0	0	0	0
Bill de Blasio	0	0	0	0	0	0
John Delaney	0	0	0	0	0	0
Kirsten Gillibrand	*	0	0	0	0	0
Eric Swalwell	0	0	0	0	0	0
Other	15	5	9	3	4	3
Someone new	1	1	1	*	0	0
No one/None of them	7	3	4	4	4	4
Anyone/Any of them	5	3	2	2	1	2
No opinion	43	46	35	35	19	17

6. (ASK IF LEANED DEMOCRAT) Now I'll read a list of candidates for the Democratic nomination for president in 2020. After I've read the full list, please tell me whom you'd vote for in the primary or caucus in your state. Which candidate would you lean toward?

-- 7/1/19 ---

	All	Reg voters
Joe Biden	29	30
Bernie Sanders	23	19
Kamala Harris	11	13
Elizabeth Warren	11	12
Pete Buttigieg	4	4
Julian Castro	4	3
Amy Klobuchar	2	2
Beto O'Rourke	2	2
Michael Bennet	1	1
Cory Booker	1	1
John Hickenlooper	1	1
Jay Inslee	1	1
Marianne Williamson	1	1
Tulsi Gabbard	1	1
Andrew Yang	1	*
Steve Bullock	*	*
Kirsten Gillibrand	*	*
Tim Ryan	*	*
Bill de Blasio	0	0
John Delaney	0	0
Seth Moulton	0	0
Eric Swalwell	0	0
Other	*	*
None of these	1	1
Would not vote	*	1
No opinion	6	6

7. (ASK IF LEANED DEMOCRAT AND PREFER/LEAN TOWARD CANDIDATE) How important is it to you personally that [NAMED CANDIDATE] wins the Democratic nomination for president - is the extremely important to you, very important, somewhat important, or less important than that?

	--- More important ---			--- Less important ---			No
	NET	Extremely	Very	NET	Somewhat	Less	opinion
7/1/19	60	26	34	40	32	7	1

8. (ASK IF LEANED DEMOCRAT AND PREFER/LEAN TOWARD CANDIDATE) After [NAMED CANDIDATE], who would your second choice be? Which candidate would you lean toward as your second choice?

	-- 7/1/19 ---	
	All	Reg
	voters	
Joe Biden	23	20
Bernie Sanders	18	18
Elizabeth Warren	15	18
Kamala Harris	14	17
Pete Buttigieg	5	6
Beto O'Rourke	4	3
Cory Booker	3	3
Julian Castro	2	2
Andrew Yang	2	2
Amy Klobuchar	1	2
Bill de Blasio	1	*
Michael Bennet	1	*
John Delaney	*	*
Tulsi Gabbard	*	*
John Hickenlooper	*	*
Tim Ryan	*	*
Eric Swalwell	*	*
Kirsten Gillibrand	*	0
Marianne Williamson	*	0
Steve Bullock	0	0
Jay Inslee	0	0
Seth Moulton	0	0
Other	1	1
None of these	3	3
Would not vote	0	0
No opinion	6	5

9. (ASK IF LEANED DEMOCRAT) Regardless of who you may support, which of the Democratic candidates do you think has the best chance to defeat Donald Trump in the general election?

	7/1/19
Joe Biden	45
Bernie Sanders	18
Kamala Harris	9
Elizabeth Warren	7
Julian Castro	2
Pete Buttigieg	1
Beto O'Rourke	1
Cory Booker	*
Steve Bullock	*
Bill de Blasio	*
John Delaney	*
Tulsi Gabbard	*
John Hickenlooper	*

Amy Klobuchar	*
Tim Ryan	*
Michael Bennet	0
Kirsten Gillibrand	0
Jay Inslee	0
Seth Moulton	0
Eric Swalwell	0
Marianne Williamson	0
Andrew Yang	0
Other	*
All of them	1
Any 2 or more	1
None	1
No opinion	12

10. (ASK IF LEANED DEMOCRAT) Which of the Democratic candidates do you trust most to handle [ITEM]?

7/1/19 - Summary Table

	Health care	Immigration
Bernie Sanders	27	17
Joe Biden	25	21
Elizabeth Warren	13	8
Kamala Harris	7	12
Pete Buttigieg	2	3
Julian Castro	1	8
Beto O'Rourke	1	4
Amy Klobuchar	1	2
Andrew Yang	1	1
Marianne Williamson	*	1
Michael Bennet	*	*
Cory Booker	*	*
Tulsi Gabbard	*	*
Jay Inslee	*	*
Tim Ryan	*	0
Kirsten Gillibrand	0	*
John Hickenlooper	0	*
Eric Swalwell	0	*
Steve Bullock	0	0
Bill de Blasio	0	0
John Delaney	0	0
Seth Moulton	0	0
Other	1	*
All of them	2	2
Any 2 or more	1	0
None	2	3
No opinion	15	16

11. (ASK IF LEANED DEMOCRAT) Did you happen to watch either of the debates among Democratic presidential candidates that were held Wednesday and Thursday night? [IF YES] Did you watch only the Wednesday night debate, only the Thursday night debate, or did you watch on both nights?

	----- Watched either -----					Did not	No
	NET	Wed.	Thu.	Both	Other (vol.)	watch	opinion
7/1/19	49	8	12	26	2	50	1

12. (ASK IF LEANED DEMOCRAT) Given what you saw, or what you've heard or read since then, which candidates, if any, stand out to you as having done an especially good job in the debate? You can name up to four.

	7/1/19
Kamala Harris	41
Elizabeth Warren	26
Joe Biden	21
Bernie Sanders	19
Pete Buttigieg	13
Julian Castro	12
Cory Booker	10
Beto O'Rourke	7
Andrew Yang	3
Amy Klobuchar	2
Michael Bennet	1
Bill de Blasio	1
Tulsi Gabbard	1
Kirsten Gillibrand	1
Jay Inslee	1
Tim Ryan	1
Eric Swalwell	1
Marianne Williamson	1
John Delaney	*
John Hickenlooper	*
None of them	4
No opinion	31

13. (ASK IF LEANED DEMOCRAT) Which candidates do you think have the most new ideas? You can name up to four.

	7/1/19
Bernie Sanders	27
Elizabeth Warren	27
Kamala Harris	26
Joe Biden	18
Pete Buttigieg	15
Julian Castro	13
Beto O'Rourke	8
Cory Booker	6
Andrew Yang	6
Amy Klobuchar	3
Kirsten Gillibrand	2
Michael Bennet	1
Bill de Blasio	1
Tulsi Gabbard	1
Jay Inslee	1
Tim Ryan	1
Marianne Williamson	1
Steve Bullock	*
John Delaney	*
John Hickenlooper	*
Seth Moulton	*
Eric Swalwell	*
None	5
No opinion	25

14. If the 2020 presidential election were being held today, and the candidates were (Donald Trump, the Republican) and ([ITEM], the Democrat), for whom would you vote? Would you lean toward (Trump) or ([ITEM])?

7/1/19 - Summary Table

	Trump	The Democrat	Other (vol.)	Neither (vol.)	Would not vote (vol.)	No opinion
a. Joe Biden	41	55	*	2	1	1
b. Bernie Sanders	45	51	*	2	1	1
c. Elizabeth Warren	44	51	*	2	1	1
d. Kamala Harris	43	51	1	2	1	2
e. Pete Buttigieg	44	48	1	2	1	3

7/1/19 - Summary Table among registered voters

	Trump	The Democrat	Other (vol.)	Neither (vol.)	Would not vote (vol.)	No opinion
a. Joe Biden	43	53	*	1	*	1
b. Bernie Sanders	48	49	1	2	1	1
c. Elizabeth Warren	48	48	1	1	1	1
d. Kamala Harris	46	48	1	2	*	2
e. Pete Buttigieg	47	47	1	2	1	3

15. (ASK IF NOT TRUMP IN ANY ITEM) Is there a chance you'd consider voting for Trump against any possible Democratic candidate, or is there no chance of that?

	Would consider Trump	No chance	No opinion
7/1/19	4	95	2

Q16/17/18 NET:

----- Not Trump in any item -----						
	NET	Would consider Trump	No chance	No opinion	Support Trump at least once	
7/1/19	51	2	48	1	49	

16. (ASK IF TRUMP IN ALL ITEMS) How important is it to you personally that Trump wins a second term as president - is this extremely important, very important, somewhat important, or less important than that?

	NET	--- More important ---	NET	--- Less important ---	NET	No opinion
		Extremely	Very	Somewhat	Less	
7/1/19	77	52	25	23	16	7
						0

Q14/Q15/Q16 NET:

----- Trump in all items -----							Not Trump in at least one item
	NET	Extremely	Very	Somewhat	Less	No opinion	
7/1/19	43	22	11	7	3	0	58

17. (ASK IF NOT TRUMP IN ANY ITEM) How important is it to you personally that Trump does not win a second term as president - is this extremely important to you, very important, somewhat important, or less important than that?

	NET	--- More important ---	NET	--- Less important ---	NET	No opinion
		Extremely	Very	Somewhat	Less	
7/1/19	89	73	15	11	6	5
						1

Q14/Q15/Q17 NET:

	----- Not Trump in any item -----						Support Trump
	NET	Extremely	Very	Somewhat	Less	No opinion	at least once
7/1/19	51	37	8	3	2	*	49

18. Since taking office, do you think Trump has acted in a way that's (fitting and proper for a president of the United States), or has he acted in a way that's (unpresidential)?

	Fitting and proper	Unpresidential	No opinion
7/1/19	28	65	7
1/18/18	25	70	5
7/13/17	24	70	6

19. Based on what you know, do you think Congress should or should not begin impeachment proceedings that could lead to Trump being removed from office? Do you feel that way strongly or somewhat?

	----- Should begin -----			--- Should not begin ---			No
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	opinion
7/1/19	37	29	8	59	13	46	4
4/25/19	37	29	9	56	13	43	6
3/29/19*	41	NA	NA	54	NA	NA	5
1/24/19	40	33	7	55	13	42	6
8/29/18	49	40	9	46	13	33	5

\*3/29 Post-Schar School

Compare to:

Based on what you know, do you think Congress should or should not impeach Clinton and remove him from office?

	--- Should be impeached ---			-- Should not be impeached --			No
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	opin.
12/6/98	33	NA	NA	64	NA	NA	3
11/22/98	30	NA	NA	66	NA	NA	4
11/1/98	27	NA	NA	71	NA	NA	2
10/25/98	29	NA	NA	66	NA	NA	5
10/18/98	29	NA	NA	68	NA	NA	3
10/10/98	31	25	6	64	11	53	4
9/28/98	31	24	7	66	14	52	3
9/21/98	41	NA	NA	57	NA	NA	2
9/14/98	38			59			3
9/13/98*	30			64			6
8/23/98**	24			70			6
8/19/98**	30			65			5
8/17/98**	25			69			6

\*Washington Post: "As you may know, the independent counsel Kenneth Starr has delivered a report to Congress summarizing his investigation of the Lewinsky matter. Based on what you know or have heard..."

\*\* "If he does not resign, do you think..."

20. Thinking again about the general election in 2020, for each item I name please tell me how important it will be in your vote for president - one of the single most important issues, very important, somewhat important, or less important than that?

7/1/19 - Summary Table

	----- Important -----		-- Not as important --			No	
	NET	1 of most	Very	NET	Somewhat	Less	op.

a. the economy	82	21	61	17	15	2	1
b. immigration	80	25	56	18	15	3	2
c. taxes	68	13	55	31	26	5	1
d. health care	80	19	61	19	16	3	1
e. issues of special concern to women	69	13	56	30	23	6	1
f. abortion	61	14	47	37	28	10	2
g. gun violence	71	17	54	29	20	9	*
h. foreign policy	72	12	59	27	25	2	1
i. (climate change), also known as (global warming)	54	15	40	44	27	17	1

\*Full sample asked item a; half sample asked items b-e; other half asked f-i.

## 7/1/19 - Summary Table among leaned Democrats

	----- Important -----			-- Not as important --			No op.
	NET	1 of most	Very	NET	Somewhat	Less	
a. the economy	79	18	61	21	19	2	*
b. immigration	82	24	57	18	16	2	*
c. taxes	60	10	50	39	33	6	*
d. health care	89	29	61	10	9	1	*
e. issues of special concern to women	83	20	63	17	15	2	*
f. abortion	69	18	51	29	26	3	1
g. gun violence	85	23	62	15	11	4	*
h. foreign policy	72	12	60	27	24	3	1
i. (climate change), also known as (global warming)	80	25	54	20	18	2	*

\*Full sample asked item a; half sample asked items b-e; other half asked f-i.

Trend, where available:

## a. the economy

	-----Important-----			-Not as important-			No op.
	NET	1 of most	Very	NET	Somewhat	Less	
7/1/19	82	21	61	17	15	2	1
4/18/04	79	14	65	20	18	2	*
3/7/04	79	14	65	21	18	3	*
10/29/03	89	16	73	10	10	*	*
9/13/03	85	15	70	15	14	1	*

## b. No trend.

## c. taxes

	-----Important-----			-Not as important-			No op.
	NET	1 of most	Very	NET	Somewhat	Less	
7/1/19	68	13	55	31	26	5	1
4/18/04	55	8	47	45	38	7	1
3/7/04	62	10	52	38	32	6	*
10/29/03	63	8	55	37	32	5	*
9/13/03	67	7	60	33	29	4	*

## d-e. No trend.

## f. abortion

	-----Important-----			-Not as important-			No op.
	NET	1 of most	Very	NET	Somewhat	Less	
7/1/19	61	14	47	37	28	10	2

9/13/03\* 42 6 36 57 36 21 2\  
 \* "the abortion issue"

## g. gun violence

	-----Important-----			-Not as important-		No
	NET	1 of most	Very	NET	Somewhat	Less
7/1/19	71	17	54	29	20	9
						op.
						*

Compare to:

## Gun control

	-----Important-----			-Not as important-		No
	NET	1 of most	Very	NET	Somewhat	Less
9/13/03	41	6	35	59	40	19
						op.
						*

## h. foreign policy

	-----Important-----			-Not as important-		No
	NET	1 of most	Very	NET	Somewhat	Less
7/1/19	72	12	59	27	25	2
						op.
						1

Compare to:

## Foreign affairs

	-----Important-----			-Not as important-		No
	NET	1 of most	Very	NET	Somewhat	Less
10/29/03	62	5	56	38	33	4
						op.
						1

## International affairs

	----- Important ----			-Not as important-		No
	NET	1 of most	Very	NET	Somewhat	Less
10/29/03	53	7	47	45	37	8
9/13/03	60	8	52	40	35	5
						op.
						1
						*

## i. No trend.

21. What do you think about being able to afford the cost of your health care, including the cost of insurance and your out-of-pocket costs, over the next few years - is that something you're very worried about, somewhat worried, not so worried or not worried about at all?

	----- Worried ----			----- Not worried ----		No
	NET	Very	Smwt.	NET	Not so	At all
7/1/19	71	45	27	28	12	17
						opinion
						*

22. Which would you prefer, (the current health insurance system in the United States, in which most people get their health insurance from private employers, but some people have no insurance); or (a universal health insurance program, in which everyone is covered under a program like Medicare that's run by the government and financed by taxpayers?)

	Current	Universal	No opinion
7/1/19	41	52	7
9/12/06*	40	56	4
10/13/03	33	62	6

\*ABC/Kaiser/USA Today

23. (ASK IF UNIVERSAL HEALTH INSURANCE) Would you support or oppose Medicare for all if it meant there was no private insurance option available?

	Support	Oppose	No opinion
7/1/19	83	14	3

Q22/23 NET:

	Current	NET	Support w/o private	Oppose w/o private	No op.	No opinion
7/1/19	41	52	43	7	2	7

NET Q22/23 among leaned Democrats

	Current	NET	Support w/o private	Oppose w/o private	No op.	No opinion
7/1/19	17	77	66	10	2	5

24. On another subject, do you think abortion should be legal in all cases, legal in most cases, illegal in most cases or illegal in all cases?

	NET	Legal		Illegal			No opinion
		All cases	Most cases	NET	Most cases	All cases	
7/1/19	60	27	33	36	22	14	4
7/21/13	55	20	35	41	26	15	3
3/10/12	54	21	33	43	25	17	3
7/17/11	54	19	35	44	30	15	2
3/26/10	53	17	35	45	27	18	2
11/23/09	54	19	35	43	28	16	2
6/21/09	55	20	35	43	26	17	2
9/7/08	RV 57	19	38	39	24	15	4
8/22/08	54	22	32	44	26	18	3
6/15/08	53	18	35	44	28	16	3
1/12/08	57	21	36	40	25	15	3
12/9/07	53	18	35	44	27	17	3
11/1/07	55	19	36	43	27	16	2
7/21/07	56	23	34	41	28	14	2
2/25/07	56	16	39	42	31	12	2
12/18/05	56	17	40	41	27	13	3
4/24/05	56	20	36	42	27	14	3
12/19/04	55	21	34	42	25	17	3
5/23/04	54	23	31	44	23	20	2
1/20/03	57	23	34	42	25	17	2
8/12/01	49	22	27	48	28	20	3
6/24/01	52	22	31	43	23	20	4
1/15/01	59	21	38	39	25	14	1
9/6/00	RV 55	20	35	42	25	16	3
7/23/00	53	20	33	43	26	17	4
9/2/99	56	20	37	42	26	15	2
3/14/99	55	21	34	42	27	15	3
7/12/98	54	19	35	42	29	13	4
8/5/96	56	22	34	41	27	14	3
6/30/96	58	24	34	40	25	14	2
10/1/95	60	26	35	37	25	12	3
9/21/95	60	24	36	36	25	11	4
7/17/95	59	27	32	40	26	14	1

25. Should your state make it (easier) for women to have access to abortion, make it (harder) for women to have access to abortion, or leave the law on women's access to abortion as it is now?

	Easier	Harder	Leave as it is now	No opinion
7/1/19	32	24	41	4

Compare to:

Would you like to see the Supreme Court (make it harder to get an abortion than it is now), (make it easier to get an abortion than it is now), or (leave the ability to get an abortion the same as it is now)?

	Harder	Easier	Same	No opinion
8/29/18	30	21	45	4
12/18/05	42	11	45	2
8/28/05	42	9	47	2

Generally speaking, do you think it should be made easier or harder for a woman to obtain a legal abortion?

	Easier	Harder	Same (vol.)	No opinion
3/31/92*	39	47	8	7

\* Washington Post

26. All else equal, if the election were between (Trump) and (a Democratic candidate who you regard as a socialist), who would you support - (Trump) or (the Democrat who you regard as a socialist)?

	Trump	Socialist	No opinion
7/1/19	46	46	8
7/1/19 RV	49	43	8

Party ID. Generally speaking, do you usually think of yourself as (a Democrat), (a Republican), an independent or what?

	Democrat	Republican	Independent	Other (vol.)	No opinion
7/1/19	29	23	37	5	5
4/25/19	29	26	36	5	5
1/24/19	32	24	37	4	3
11/1/18	32	25	35	4	4
10/11/18	33	26	35	4	2
8/29/18	33	25	37	3	3
4/11/18	32	25	35	5	3

\*\*\* END \*\*\*

#### METHODOLOGICAL DETAILS

This poll was jointly sponsored and funded by The Washington Post and ABC News. The poll is a random sample of adults in the United States, with interviews in English and Spanish.

This questionnaire was administered with the exact questions in the exact order as they appear in this document. Demographic questions are not shown. If a question was asked of a reduced base of the sample, a parenthetical preceding the question identifies the group asked. Phrases surrounded by parentheticals within questions indicate clauses that were randomly rotated for respondents.

A dual frame landline and cell phone telephone sample was generated using Random Digit Dialing procedures by Survey Sampling International (SSI). Interviewers called landlines and cellular phone numbers, first requesting to speak with the youngest adult male or female at home. The final sample included 357 interviews completed on landlines and 651 interviews completed via cellular phones, including 459 interviews with adults in cell phone-only households.

This survey uses statistical weighting procedures to account for deviations in the survey sample from known population characteristics, which helps correct for differential survey participation and random variation in samples. The overall adult sample is weighted to correct for differential probabilities of selection among individuals who are landline-only, cell phone-only or dual users. Results are also weighted match the demographic makeup of the population by sex, region, age, education and race/ethnicity according to the latest Current Population Survey Social and Economic Supplement.

All error margins have been adjusted to account for the survey's design effect, which is 1.4 for this survey. The design effect is a factor representing the survey's deviation from a simple random sample and takes into account decreases in precision due to sample design and weighting procedures. Surveys that do not incorporate a design effect overstate their precision.

Group	Unweighted sample size	Error margin
All adults	1,008	+/- 3.5 points
Registered voters	875	4
Leaned Democrats	460	5.5
Leaned Democratic voters	397	6

The Washington Post is a charter member of AAPOR's Transparency Initiative, which recognizes organizations that disclose key methodological details on the research they produce.

Contact [polls@washpost.com](mailto:polls@washpost.com) for further information about how The Washington Post conducts polls.



## WhatsApp Security

### Privacy and Security is in our DNA

From day one, we built WhatsApp to help you stay in touch with friends, share vital information during natural disasters, reconnect with separated families, or seek a better life. Some of your most personal moments are shared with WhatsApp, which is why we built end-to-end encryption into our app. When end-to-end encrypted, your messages, photos, videos, voice messages, documents, and calls are secured from falling into the wrong hands.

## WhatsApp Security

Many messaging apps only encrypt messages between you and them, but WhatsApp's end-to-end encryption ensures only you and the person you're communicating with can read what is sent, and nobody in between, not even WhatsApp. This is because your messages are secured with a lock, and only the recipient and you have the special key needed to unlock and read them. For added protection, every message you send has its own unique lock and key. All of this happens automatically: no need to turn on settings or set up special secret chats to secure your messages.

## Speak Freely

WhatsApp Calling lets you talk to your friends and family, even if they're in another country. Just like your messages, WhatsApp calls are end-to-end encrypted so WhatsApp and third parties can't listen to them.

## Messages that Stay with You

Your messages should be in your hands. That's why WhatsApp doesn't store your messages on our servers once we deliver them, and end-to-end encryption means that WhatsApp and third parties can't read them anyway.

## WhatsApp Security

### See for Yourself

WhatsApp lets you check whether the calls you make and messages you send are end-to-end encrypted. Simply look for the indicator in contact info or group info.

### Get the Details

Read an in-depth technical explanation of WhatsApp's end-to-end encryption, developed in collaboration with Open Whisper Systems.

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## FBI seeks interview with CIA whistleblower

 [news.yahoo.com/fbi-seeks-interview-with-cia-whistleblower-121637359.html](https://news.yahoo.com/fbi-seeks-interview-with-cia-whistleblower-121637359.html)

Michael Isikoff and Zach Dorfman



WASHINGTON — The FBI recently sought to question the CIA whistleblower who filed a complaint over President Trump's July 25 Ukraine call — a move that came after a vigorous internal debate within the bureau over how to respond to some of the issues raised by the complaint's allegations and whether they needed to be more thoroughly investigated, according to sources familiar with the matter.

An FBI agent in the Washington field office in October reached out to one of the lawyers representing the whistleblower and asked to question the CIA analyst who triggered the congressional inquiry into the president's conduct, one of the sources said.

But no interview has yet to be scheduled. It is unclear what the intended scope of the interview would be or whether the whistleblower's lawyers will agree to it. Mark Zaid, one of the lawyers for the whistleblower, said he and his co-counsel would have no comment. An FBI spokesperson also declined comment.



Photo illustration: Yahoo News; photos: Getty Images (2), AP

The request from the FBI comes at a sensitive moment when Republicans on the House Intelligence Committee are making repeated efforts to “out” the whistleblower in order to suggest he may have had political motivations hostile to the president when he filed his Aug. 12 complaint with the intelligence community’s inspector general.

It also comes after multiple threats have been made against the whistleblower and his lawyers — some of which have been separately passed along by the lawyers to other officials at the FBI. But the agent who sought to question the whistleblower made no reference to the threats as the purpose of the interview, according to sources familiar with the discussions.

Any investigation by the FBI into the issues raised in the whistleblower complaint has the potential to introduce a new wild card into the debate over whether to impeach the president over his Ukraine dealings.

In late September, the Justice Department confirmed that Brian Benczkowski, the assistant attorney general in charge of the Justice Department’s criminal division, and an appointee of Trump, had reviewed the whistleblower’s detailed complaint the previous month and determined there was no violation of campaign finance laws by the president when he asked Ukrainian President Volodymyr Zelensky to open up an investigation into the gas company that once paid Hunter Biden, the son of former Vice President Joe Biden, to serve on its board.

As a result, Kerri Kupec, chief of public affairs, said the Justice Department determined that “no further action was warranted.”

But that decision, a Justice Department official said, was limited only to the question of potential campaign finance law violations and not to any other issues raised in the whistleblower complaint. “It was a very narrow issue,” the official said.

Some officials within the FBI, which received its own copy of the whistleblower’s complaint in early September, chafed at a Justice Department move they believed was aimed at shutting down any inquiry at all, especially into potential counterintelligence issues raised by the allegations, according

to a former senior U.S intelligence official who has discussed the matter with current FBI counterintelligence agents.

There were “guys who wanted to run with it,” said the former senior official. “People were pissed off.”

Others in the FBI were wary and “didn’t want to touch [the whistleblower complaint] with a 10-foot pole because of the Russia investigation,” said this former senior official.

FBI counterintelligence officials were particularly concerned about the claims — detailed in the whistleblower’s complaint — that the president’s lawyer Rudy Giuliani and two of his associates may have been manipulated by Russian interests, said the former senior official.

The two associates in question are Igor Fruman and Lev Parnas, both of whom were recently indicted by federal prosecutors for allegedly conspiring to funnel foreign money into U.S. elections.

“There were guys within the [intelligence community] who believe this is another Russian attempt,” the former official said. “People think Giuliani is being led down the primrose path.”

One question likely to be raised by the FBI’s inquiry is why the bureau is still interested in talking to the whistleblower given that the House has since taken testimony from others who have far more direct knowledge of the White House’s interactions on Ukraine issues.

Yet, largely overlooked in the impeachment debate so far is that the CIA analyst, whose complaint was forwarded to the FBI, specifically raised his concerns in the context of an intelligence threat to the country. “I am also concerned that these actions pose risks to U.S. national security and undermine the U.S. Government’s efforts to deter and counter foreign interference in U.S. elections,” the analyst wrote.

Attached to the seven-page complaint was a classified appendix that has since been partially released. But one of the sections and a footnote to the appendix have been blacked out by the intelligence community and remain classified.

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