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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, January 24, 2020, at 2 p.m.

## Senate

WEDNESDAY, JANUARY 22, 2020

The Senate met at 1 p.m. and was called to order by the Chief Justice of the United States.

### TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

The Chaplain will lead us in prayer.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign God, author of liberty, we gather in this historic Chamber for the solemn responsibility of these impeachment proceedings. Give wisdom to the distinguished Chief Justice, John Roberts, as he presides.

Lord, You are all-powerful and know our thoughts before we form them. As our lawmakers have become jurors, remind them of Your admonition in 1 Corinthians 10:31, that whatever they do should be done for Your glory. Help them remember that patriots reside on both sides of the aisle, that words have consequences, and that how something is said can be as important as what is said. Give them a civility built upon integrity that brings consistency in their beliefs and actions.

We pray in Your powerful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Chief Justice led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### THE JOURNAL

The CHIEF JUSTICE. Senators, will you please be seated.

If there is no objection, the Journal of the proceedings of the trial are approved to date.

Without objection, it is so ordered.

The Sergeant at Arms will make the proclamation.

The Sergeant at Arms, Michael C. Stenger, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

The CHIEF JUSTICE. The majority leader is recognized.

### ORDER OF PROCEDURE

Mr. McCONNELL. Mr. Chief Justice, for the information of all of our colleagues, no motions—no motions—were filed this morning, so we will proceed to the House managers' presentation. We will go for approximately 2 hours and take a short recess when there is an appropriate break time between presenters.

The CHIEF JUSTICE. Pursuant to the provisions of S. Res. 483, the managers for the House of Representatives have 24 hours to make the presentation of their case.

The Senate will now hear you.

### OPENING STATEMENT

Mr. Manager SCHIFF. Mr. Chief Justice, Senators, counsel for the President, and my fellow House managers: I want to begin by thanking you, Chief Justice, for a very long day, for the way you have presided over these proceedings. I want to thank the Senators also. We went well into the morning, as you know, until I believe around 2 in the morning. You paid attention to every word and argument you heard from both sides in this impeachment trial, and I know we are both deeply grateful for that.

It was an exhausting day for us, certainly, but we have adrenaline going through our veins. For those who are required to sit and listen, it is a much more difficult task. Of course, we know our positions. You have the added difficulty of having to weigh the facts and the law. So I want to begin today by thanking you for the conduct of the proceedings yesterday and inviting your patience as we go forward. We have some very long days yet to come.

So let us begin.

"When a man unprincipled in private life, desperate in his fortune, bold in his temper, possessed of considerable talents, having the advantage of military habits, despotic in his ordinary demeanor, known to have scoffed in private at the principles of liberty—when such a man is seen to mount the hobby horse of popularity, to join in the cry of danger to liberty, to take every opportunity of embarrassing the general government and bringing it under suspicion, to flatter and fall in with all the nonsense of the zealots of

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the day, it may justly be suspected that his object is to throw things into confusion that he may ride the storm and direct the whirlwind.”

Those words were written by Alexander Hamilton in a letter to President George Washington at the height of the panic of 1792, a financial credit crisis that shook our young Nation. Hamilton was responding to sentiments relayed to Washington as he traveled the country that America, in the face of that crisis, might descend from a republican form of government, plunging instead into that of monarchy.

The Framers of the Constitution worried then, as we worry today, that a leader might come to power not to carry out the will of the people he was elected to represent but to pursue his own interests. They feared that a President would subvert our democracy by abusing the awesome power of his office for his own personal or political gain. And so they devised a remedy as powerful as the evil it was meant to combat: impeachment.

As centuries have passed, our Founders achieved an almost mythical character. We are aware of their flaws, certainly some very painful and pronounced indeed. Yet, when it came to the drafting of the new system of government never seen before and with no guarantee it would succeed, we cannot help but be in awe of their genius, their prescience even, vindicated time and again.

Still, maybe because of their brilliance and the brilliance of their words, we find year after year it more difficult to imagine them as human beings. This is no less true of Alexander Hamilton, notwithstanding his recent return to celebrity. But they were human beings. They understood human frailties, even as they exhibited them. They could appreciate, just as we can, how power can corrupt. Even as we struggle to understand how the Framers might have responded to Presidential misconduct of the kind and character that we are here to try, we should not imagine for one moment that they lacked basic common sense or refuse to apply it ourselves.

They knew what it was like to live under a despot, and they risked their lives to be free of it. They knew they were creating an enormously powerful executive, and they knew they needed to constrain it. They did not intend for the power of impeachment to be used frequently or over mere matters of policy, but they put it in the Constitution for a reason: for a man who would subvert the interests of the Nation to pursue his own interests; for a man who would seek to perpetuate himself in office by inviting foreign interference and cheating in an election; for a man who would be disdainful of constitutional limit, ignoring or defeating the other branches of government and their coequal powers; for a man who believed that the Constitution gave him the right to do anything he wanted and practiced in the art of deception;

for a man who believed that he was above the law and beholden to no one; for a man, in short, who would be a King.

We are here today in this hallowed Chamber undertaking this solemn action for only the third time in history because Donald J. Trump, the 45th President of the United States, has acted precisely as Hamilton and his contemporaries feared. President Trump solicited foreign interference in our democratic elections, abusing the power of his office, to seek help from abroad to improve his reelection prospects at home. When he was caught, he used the powers of that office to obstruct the investigation into his own misconduct.

To implement this corrupt scheme, President Trump pressured the President of Ukraine to publicly announce investigations into two discredited allegations that would benefit President Trump's 2020 Presidential campaign. When the Ukrainian President did not immediately assent, President Trump withheld two official acts to induce the Ukrainian leader to comply: a head-of-state meeting in the Oval Office and military funding. Both were of bright consequence to Ukraine and to our national interests in security, but one looms largest. President Trump withheld hundreds of millions of dollars in military aid to a strategic partner at war with Russia to secure foreign help with his reelection—in other words, to cheat.

In this way, the President used official state powers available only to him and unavailable to any political opponent to advantage himself in a democratic election. His scheme was undertaken for a simple but corrupt reason—to help him win reelection in 2020. But the effect of the scheme was to undermine our free and fair elections and to put our national security at risk.

It was not even necessary that Ukraine undertake the political investigations the President was seeking. They merely had to announce them. This is significant, for President Trump had no interest in fighting corruption, as he would claim after he was caught. Rather, his interest was in furthering corruption by the announcement of investigations that were completely without merit.

The first sham investigation that President Trump desired was into former Vice President Joe Biden, who had sought the removal of a corrupt Ukrainian prosecutor during the previous U.S. administration.

The Vice President acted in accordance with U.S. official policy at the time and was supported unanimously by our European allies and key global financial institutions, such as the International Monetary Fund, which shared the concern over corruption.

Despite this fact, in the course of this scheme, President Trump and his agents pressed the Ukrainian President to announce an investigation into the false claim that Vice President Biden

wanted the corrupt prosecutor removed from power in order to stop an investigation into Burisma Holdings, a company on whose board Biden's son Hunter sat.

This allegation is simply untrue. It has been widely debunked by Ukrainian and American experts alike. That reality mattered not to President Trump. To him, the value in promoting a negative tale about former Vice President Biden—true or false—was its usefulness to his reelection campaign. It was a smear tactic against a political opponent that President Trump apparently feared.

Remarkably but predictably, Russia, too, has sought to support this effort to smear Mr. Biden, reportedly hacking into the Ukraine energy company at the center of the President's disinformation campaign only last week.

Russia almost certainly was looking for information related to the former Vice President's son so that the Kremlin could also weaponize it against Mr. Biden, just like it did against Hillary Clinton in 2016, when Russia hacked and released emails from her Presidential campaign.

President Trump has made it abundantly clear that he would like nothing more than to make use of such dirt against Mr. Biden, just as he made use of Secretary Clinton's hacked and released emails in his previous Presidential campaign.

That brings us to the other sham investigation that President Trump demanded the Ukrainian leader announce. This investigation was related to a debunked conspiracy theory, alleging that Ukraine, not Russia, interfered in the 2016 Presidential election. This narrative, propagated by the Russian intelligence services, contends that Ukraine sought to help Hillary Clinton and harm then-Candidate Trump and that a computer server providing this fiction is hidden somewhere in Ukraine.

That is the so-called CrowdStrike conspiracy theory. This tale is also patently false, and, remarkably, it is precisely the inverse of what the U.S. intelligence communities' unanimous assessment was that Russia interfered in the 2016 election in sweeping in systemic fashion in order to hurt Hillary Clinton and help Donald Trump.

Nevertheless, the President evidently believed that a public announcement lending credence to these allegations by the Ukrainian President could assist his reelection by putting to rest any doubts Americans may have had over the legitimacy of his first election, even as he invited foreign interference in the next.

To the degree that most Americans have followed the President's efforts to involve another foreign power in our election, they may be most familiar with his entreaty to the Ukrainian President on the now infamous July 25 call to “do us a favor, though” and investigate Biden and the 2016 conspiracy theory.

That call was not the beginning of the story of the President's corrupt scheme, nor was it the end. Rather, it was merely part—although, a significant part—of a months' long effort by President Trump and his allies and associates who applied significant and increasing pressure on Ukraine to announce these two politically motivated investigations.

Key figures in the Trump administration were aware or directly involved or participated in the scheme. As we saw yesterday, one witness—a million-dollar donor to the President's inaugural committee put it this way: Everyone was in the loop.

After twice inviting Ukraine's new President to the White House without providing a specific date for the proposed visit, President Trump conditioned this coveted Head-of-State meeting on the announcement of these sham investigations. For Ukraine's new and untested leader, an official meeting with the President of the United States in the Oval Office was critical. It would help bestow on him important, domestic, and international legitimacy, as he sought to implement an ambitious anti-corruption platform.

Actual and apparent support from the President of the United States would also strengthen his position as he sought to negotiate a peace agreement with Russia's President Vladimir Putin, seeking an end to Russia's illegal annexation and continued military occupation of parts of Ukraine.

But most pernicious, President Trump petitioned hundreds of millions of dollars in congressionally appropriated taxpayer-funded military assistance for the same purpose to apply more pressure on Ukraine's leader to announce the investigations. This military aid, which has long enjoyed bipartisan support, was designed to help Ukraine defend itself from the Kremlin's aggression.

More than 15,000 Ukrainians have died fighting Russian forces and their proxies—15,000. The military aid was for such essentials as sniper rifles, rocket-propelled grenade launchers, radar night-vision goggles, and other vital support for the war effort.

Most critically, the military aid we provide Ukraine helps to protect and advance American national security interests in the region and beyond. America has an abiding interest in stemming Russian expansionism and resisting any nations' efforts to remake the map of Europe by dint of military force, even as we have tens of thousands of troops stationed there.

Moreover, as one witness put it during our impeachment inquiry, the United States aids Ukraine and her people so that we can fight Russia over there and we don't have to fight Russia here.

When the President's scheme was exposed and the House of Representatives properly performed its constitutional responsibility to investigate the matter, President Trump used the same

unrivaled authority at his disposal as Commander in Chief to cover up his wrongdoing.

In unprecedented fashion, the President ordered the entire executive branch of the United States of America to categorically refuse and completely obstruct the House's impeachment investigation. Such a wholesale obstruction of congressional impeachment has never before occurred in our democracy. It represents one of the most blatant efforts of a coverup in history.

If not remedied by his conviction in the Senate and removal from office, President Trump's abuse of his office and obstruction of Congress will permanently alter the balance of power among the branches of government, inviting future Presidents to operate as if they are also beyond the reach of accountability, congressional oversight, and the law.

On the basis of this egregious misconduct, the House of Representatives returned two Articles of Impeachment against the President: first, charging that President Trump corruptly abused the powers of the Presidency to solicit foreign interference in the upcoming Presidential election for his personal political benefit; and, second, that President Trump obstructed an impeachment inquiry into that abuse of power in order to cover up his misconduct.

The House did not take this extraordinary step lightly. As we will discuss, impeachment exists for cases in which the conduct of the President rises beyond mere policy disputes to be decided otherwise and without urgency at the ballot box.

Instead, we are here today to consider a much more grave matter, and that is an attempt to use the powers of the Presidency to cheat in an election. For precisely this reason, the President's misconduct cannot be decided at the ballot box, for we cannot be assured that the vote will be fairly won.

In corruptly using his office to gain a political advantage, in abusing the powers of that office in such a way to jeopardize our national security and the integrity of our elections, in obstructing the investigation into his own wrongdoing, the President has shown that he believes that he is above the law and scornful of constraint.

As we saw yesterday on the screen, under article II he can do anything he wants. Moreover, given the seriousness of the conduct at issue and its persistence, this matter cannot and must not be decided by the courts, which apart from the presence of the Chief Justice here today, are given no role in impeachments in either the House or the Senate.

Being drawn into litigation, taking many months or years to complete, would provide the President with an opportunity to continue his misconduct. He would remain secure in the knowledge that he may tie up the Congress and the courts indefinitely, as he has with Don McGahn, rendering the

impeachment power effectively meaningless.

We also took the step with the knowledge that this was not the first time the President solicited foreign interference in our elections. In 2016, then-candidate Trump implored Russia to hack his opponent's email account, something that the Russian military agency did only hours later—only hours later.

When the President said, "hey, Russia, if you're listening," they were listening. Only hours later they hacked his opponent's campaign.

The President has made it clear this would also not be the last time, asking China only recently to join Ukraine in investigating his political opponent.

Over the coming days, we will present to you and to the American people the extensive evidence collected during the House's impeachment inquiry into the President's abuse of power—overwhelming evidence, notwithstanding his unprecedented and wholesale obstruction of the investigation into that misconduct.

You will hear and read testimony from courageous public servants who upheld their oath to the Constitution and their legal obligations to comply with congressional action, despite a categorical order by President Trump not to cooperate with the impeachment inquiry.

These are courageous Americans who were told by the President of the United States not to cooperate, not to appear, not to testify, but who had the sense of duty to do so. But more than that, you will hear from witnesses who have not yet testified, such as John Bolton and Mick Mulvaney, Mr. Blair and Mr. Duffey. And if you can believe the President's words last month, you will also hear from Secretary Pompeo. You will hear their testimony at the same time as the American people; that is, if you allow it, if we have a fair trial.

During our presentation, you will see documentary records, those the President was unable to suppress, that exposed the President's scheme in detail. You will learn of further evidence that has been revealed in the days since the House voted to impeach President Trump, even as the President and his agents have persisted in their efforts to cover up their wrongdoing from Congress and the public.

You will see dozens of new documents providing new and critical evidence of the President's guilt that remain at this time in the President's hands and in the hands of the Department of Defense and the Department of State and the Office of Management and Budget, even the White House. You will see them and so will the American people if you allow it—if, in the name of a fair trial, you will demand it.

These are politically charged times. Tempers can run high, particularly where this President is concerned, but these are not unique times. Deep divisions and disagreements were hardly

alien concepts to the Framers so they designed impeachment power in such a way as to insulate it as best they could from the crush of partisan politics. The Framers placed the question of removal before the Senate, a body able to rise above the fray, to soberly judge the President's conduct or misconduct for what it was, nothing more and nothing less.

In Federalist No. 65, Hamilton wrote:

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

It is up to you to be the tribunal that Hamilton envisioned. It is up to you to show the American people and yourselves that his confidence and that of the other Founders was rightly placed. The Constitution entrusts you to the responsibility of acting as impartial jurors, to hold a fair and thorough trial, and to weigh the evidence before you no matter what your party affiliation or your vote in the previous election or the next. Our duty is to the Constitution and to the rule of law.

I recognize there will be times during the trial that you may long to return to the business of the Senate. The American people look forward to the same but not before you decide what kind of democracy that you believe we ought to be and what the American people have a right to expect in the conduct of their President.

The House believes that an impartial juror, upon hearing the evidence that the managers will lay out in the coming days, will find that the Constitution demands the removal of Donald J. Trump from his office as President of the United States. But that will be for you to decide. With the weight of history upon you, and as President Kennedy once said: "With a good conscience our only sure reward. . . ."

In drafting our Constitution, the Framers designed a new and untested form of government. It would be based on free and fair elections to ensure that our political leaders would be chosen democratically and by citizens of our country alone. Having broken free from a King with unbridled authority who often placed his own interests above that of the people, the Framers established a structure that would guarantee that the Chief Executive's power flowed only from his obligation to the people rather than from a sovereign whose power was confirmed on him by divine right.

In this new architecture, no branch of government or individual would predominate over another. In this way, the Founders ensured that their elected leaders and their President would use the powers of office only to undertake that which the people desired and not for their personal aggrandizement or enrichment.

What did those who rebelled and fought a revolution desire? Nothing dif-

ferent than what we, the generations that have followed, desire: that no person, including and especially the President, would be above the law. Nothing could be more dangerous to a democracy than a Commander in Chief who believed that he could operate with impunity, free from accountability—nothing, that is, except a Congress that is willing to let it be so.

To ensure that no such threat can take root and subvert our fledgling democracy, the Framers divided power among three coequal branches of government—the executive, the legislative, and the judicial branches—so that ambition may be made to counter ambition. They provided for Presidential elections every 4 years, and the Framers required that the President swear an oath to faithfully execute the law and to preserve, protect, and defend the Constitution of the United States.

Even with these guardrails in place, the Framers understood an individual could come to power who defied that solemn oath, who pursued his own interests rather than those of the country he led. For that reason, the Framers adopted a tool used by the British Parliament to restrain its officials: the power of impeachment. Rather than a mechanism to overturn an election, impeachment would be a remedy of last resort, and, unlike in England, the Framers applied this ultimate check to the highest office in the land, to the President of the United States. Impeachment removal of a duly elected President was not intended for policy disputes or poor administration of the State. Instead, the Framers had in mind the most serious of offenses: those against the public itself.

Hamilton explained that impeachment was not designed to cover only statutory common law crimes but instead crimes against the body politic. Hamilton wrote:

The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may, with peculiar propriety, be denominated political, as they relate chiefly to injuries done immediately to the society itself.

In other words, impeachment would be confined to abuses of people's trust and to the society itself. This is precisely the abuse that has been undertaken by our current President when he withheld money in support for an ally at war to secure a political benefit. The punishment for those crimes would fit the political nature of the offense. As James Wilson—a delegate of the Constitutional Convention and a future Associate Justice of the Supreme Court—reasoned that impeachment "was confined to political characters, to political crimes and misdemeanors, and to political punishments." The Framers determined that punishment would be neither prison nor fines but, instead, limited to removal from office and disqualification from holding future office.

The Framers chose to undertake impeachment for treason, bribery, or other high crimes and misdemeanors to underscore the requirement of an offense against society. In this phrase, "high" modifies both the crimes and the misdemeanors in that both relate to a high injustice, a transgression committed against the people and to the public trust. The Framers had two broad categories in mind: those actions that are facially permissible under the President's authority but are based on corrupt motives, such as seeking to obtain a personal benefit through public office, and those that far exceed the President's constitutional authority or violate the legal limits on that authority.

In article I, we deal with the first evil which the Framers wished to guard against; that is, cases in which a President corruptly misused the power otherwise bestowed on him to secure a personal reward. Guarding against a President who undertakes official acts with a corrupt motive of helping himself is at the heart of the impeachment power. As one scholar explained, the President's duty to faithfully execute the law requires that he undertakes actions only when motivated in the public interest rather than in their private self-interest. Efforts to withhold official acts for personal gain countermand the President's sacred oath and, therefore, constitute impeachable behavior as it was conceived by the Framers.

In article II, we also deal with the second evil contemplated by the Founders, who made it clear that the President ought not operate beyond the limits placed on him by legislative and judicial branches. Impeachment was warranted for a President who usurped the power of the Constitution that was not granted to him, such as to defy Congress the right to determine the propriety, the scope, and the nature of an impeachment inquiry into his own misconduct.

The Framers fashioned a powerful Chief Executive but not one beyond accountability of law. When a President wields power in ways that are inappropriate and seek to extinguish the rights of Congress, he exceeds the power of constitutional authority and violates the limits placed on his conduct. Obstruction of a separate and coequal branch of government for the purposes of covering up an abuse of power not only implies a corrupt intent but also demonstrates a remarkable antipathy toward the balance of power contemplated and enshrined in our Constitution. It is a betrayal of the President's sacred oath of office and of his duty to put the country before himself.

On September 24, 2019, Speaker of the House NANCY PELOSI announced that the House of Representatives would move forward with an official impeachment inquiry into President Donald J. Trump. The announcement followed public reporting in the United States

and Ukraine that the President and his agents sought Ukraine's help in his reelection effort and revelations that the White House was blocking from Congress an intelligence community whistleblower complaint possibly related to this grave offense.

The next day, on September 25, under extraordinary pressure, the White House released publicly the record of the July 25 call between President Trump and Ukrainian President Vladimir Zelensky. The call record revealed that President Trump explicitly requested that the new leader undertake investigations beneficial to President Trump's reelection campaign. Upon release of the record of the call, President Trump claimed that the call was "perfect." Far from perfect, the call record revealed a President who used his high office to personally and directly press the leader of a foreign country to do his political dirty work. Asking for a favor, President Trump insisted that President Zelensky investigate a formidable potential political opponent, former Vice President Joe Biden, as well as the baseless conspiracy theory that Ukraine, not Russia, interfered in the 2016 election to assist then-Candidate Trump's opponent.

Witnesses who listened to the call as it transpired testified that they immediately recognized these requests did not represent official U.S. policy and, instead, were politically charged appeals, not appropriate for a President to make. Key witnesses emphasized it was not necessary that Ukraine actually undertake the investigations, only that the Ukrainian President denounce them.

President Trump's objective was not to encourage a foreign government to investigate legitimate allegations of misconduct or wrongdoing abroad, made clear, as well, by the fact that the investigations he wanted announced have been discredited entirely. Rather, the President simply wanted to reap a political benefit by tarnishing a political rival and in attempting to erase from history his previous election misconduct. To compel the Ukrainian President to do his political dirty work, President Trump withheld from President Zelensky two official acts of great importance: that coveted White House meeting to which President Zelensky had already been invited and \$391 million in military assistance for the Ukrainians to fight the Russians.

For a strategic partner of the United States in a hot war with Russian-backed forces inside its own borders, this symbolic support conferred on it by an Oval Office visit with the President of the United States and the life-saving support of our military aid was essential. As the House's presentation will make clear, in directly soliciting foreign interference and withholding those official acts in exchange for the announcement of political investigations beneficial to his election, the

President put his own interest above the national interest.

President Trump undermined the integrity of our free and fair elections by pressing a foreign power to influence our most sacred right as citizens, our right to freely choose our leaders, and he threatened our national security by withholding critical aid from a partner on the frontlines of war with Russia, an aggressor that has threatened peace and stability on an entire continent. In so doing, the President sacrificed not only the security of our European allies but also our Nation's core national security interests. President Trump undertook this pressure campaign through handpicked agents inside and outside of government who circumvented traditional policy channels. President Trump intentionally bypassed many U.S. Government career officials with responsibility over Ukraine and advanced his scheme primarily through the effort of his personal attorney Rudy Giuliani. President Trump carried out this scheme with the knowledge of senior administration officials, including the President's Acting Chief of Staff Mick Mulvaney, Secretary of State Mike Pompeo, Vice President MIKE PENCE, National Security Council Legal Advisor John Eisenberg, and White House Counsel Pat Cipollone.

When the President became aware that the scheme would be uncovered, he undertook an unprecedented effort to obstruct the House of Representatives' impeachment inquiry to hide it from the public and from Congress, including all evidence related to his misconduct. That coverup continues today as the administration has not provided a single document pursuant to lawful subpoenas by the House.

The administration also continues to prevent witnesses from cooperating, further obstructing the House's efforts—efforts the President is, no doubt, proud of but which threaten the integrity of this institution and this Congress as a coequal branch of power—and our ability not only to do oversight but to hold a President who is unindictable accountable.

Despite these efforts to obstruct our inquiry, the House of Representatives uncovered overwhelming evidence related to the President's misconduct through interviews with 17 witnesses who appeared before the Intelligence, Oversight and Reform, and Foreign Affairs Committees. Many of these witnesses bravely defied White House orders not to comply with duly authorized congressional subpoenas. Were it not for them—were it not for Ambassador Marie Yovanovitch, who was the first through the breach—we may never have known of the President's scheme.

I want you to imagine, just for a minute, what kind of courage that took for Ambassador Yovanovitch—the subject of that vicious smear campaign—to risk her reputation and her career to stand up to the President of

the United States, who was instructing her through his agents: You will not cooperate. You will not testify. You will tell them nothing.

Then, there is Bill Taylor, a West Point graduate and a Vietnam veteran with a Bronze Star and something he was even more proud of—the Combat Infantryman Badge. He knows what courage is. He showed a different kind of courage in Vietnam, but he also showed courage, as did others, in coming forward and defying the President's order that he obstruct to tell the American people what he knew.

But for the courage of people like them and Lieutenant Colonel Vindman, a Purple Heart recipient, we would know nothing of the President's misconduct—nothing. When the President directs his ire toward these people, this is why—because they showed the courage to come forward.

Now, in the Intelligence Committee, we held 7 open hearings with 12 fact witnesses. Separately, the Judiciary Committee held public hearings with constitutional law experts and counsel from the House Intelligence Committee as it sought to determine whether to draft and consider Articles of Impeachment. The House also collected text messages related to the President's scheme from a witness who provided limited personal communications.

Since the conclusion of our inquiry, new evidence has continued to come to light, through court-ordered releases of administration documents and public reporting, underscoring that there is significantly more evidence of the President's guilt which he continues to block from Congress, including the Senate. Nevertheless, the documents and testimony that we were able to collect paint an overwhelming and damning picture of the President's efforts to use the powers of his office to corruptly solicit foreign help in his reelection campaign and withhold official acts and military aid to compel that support.

Over the coming days, you will hear remarkably consistent evidence of President Trump's corrupt scheme and coverup. When you focus on the evidence uncovered during the investigation, you will appreciate there is no serious dispute about the facts underlying the President's conduct, and this is why you will hear the President's lawyers make the astounding claim: You can't impeach a President for abusing the powers of his office. It is because they can't seriously contest that that is exactly—exactly—what he did, and so they must go find a lawyer somewhere.

Apparently, they could not go to their own Attorney General. It was just reported in a memo he wrote, as part of the audition for Attorney General, that the President can be impeached for abusing the public trust. He couldn't go to Bill Barr for that opinion. He couldn't even go to Jonathan Turley, their expert in the House, for an opinion. No, they had to go outside of these

experts, outside of constitutional law, to a criminal defense lawyer and professor. And why? Because they can't contest the facts. The President was the key player in the scheme. Everyone was in the loop. He directed the actions of his team. He personally asked a foreign government to investigate his opponent. These facts are not in dispute.

Ultimately, the question for you is whether the President's undisputed actions require the removal of the 45th President of the United States from office because he abused his office and the public trust by using his power for personal gain by seeking illicit foreign assistance in his reelection and covering it up.

Other than voting on whether to send our men and women to war, there is, I think, no greater responsibility than the one before you now. The oath that you have taken to impartially weigh the facts and evidence requires serious and objective consideration—decisions that are about country, not party; about the Constitution, not politics; about what is right and what is wrong.

After you consider the evidence and weigh your oath to render a fair and impartial verdict, I suggest to you today that the only conclusion consistent with the facts and law—not just the law but the Constitution—is clear as described by constitutional law experts' testimony before the House: If this conduct is not impeachable, then nothing is.

Let me take a moment to describe to you how we intend to present the case over the coming days.

You will hear today the details of the President's corrupt scheme in narrative form, illustrating the timeline of the effort through the testimony of the numerous witnesses who came before the House as well as through documents and materials we collected as evidence during the investigation. After you hear the factual chronology, we will then discuss the constitutional framework of impeachment as it was envisioned by the Founders.

Before we analyze how the facts of the President's misconduct and cover-up lead to the conclusion that the President undertook the sort of corrupt course of conduct that impeachment was intended to remedy, let me start with a preview of the President's scheme, the details of which you will hear during the course of this day.

President Trump's months-long scheme to extract help with his 2020 reelection campaign from the new Ukrainian President involved an effort to solicit and then compel the new leader to announce political investigations. The announcement would reference two specific investigations. One was intended to undermine the unanimous consensus of our intelligence agencies, Congress, and Special Counsel Robert Mueller that Russia interfered in the 2016 election to help then-Candidate Trump and another to hurt the Presidency of former Vice President Joe Biden.

The Kremlin itself has been responsible for first propagating one of the two false narratives that the President desired. In February 2017, less than a month after the U.S. intelligence community released its assessment that Russia alone was responsible for a covert influence campaign designed to help President Trump win the 2016 election, President Putin said:

As we all know, during the Presidential campaign in the United States, the Ukrainian government adopted a unilateral position in favor of one candidate. More than that, certain oligarchs—certainly with the approval of political leadership—funded this candidate—or a female candidate to be more precise.

Those were Putin's words on February 2, 2017.

Of course, this is false, and it is part of a Russian counternarrative that President Trump and some of his allies have adopted.

Fiona Hill, the Senior Director for Europe and Russia at the National Security Council, described Russia's effort to promote this baseless theory. (Text of videotape presentation:)

Dr. HILL. Based on questions and statements I have heard, some of you on this committee appear to believe that Russia and its Security Services did not conduct a campaign against our country and that, perhaps, somehow, for some reason, Ukraine did. This is a fictional narrative that has been perpetrated and propagated by the Russian Security Services themselves. The unfortunate truth is that Russia was that foreign power that systematically attacked our democratic institutions in 2016. This is the public conclusion of our intelligence agencies, confirmed by bipartisan congressional reports. It is beyond dispute even if some of the underlying details must remain classified.

Mr. Manager SCHIFF. This, of course, was not the first time that President Trump embraced Russian activity and disinformation.

On July 24 of last year, Special Counsel Robert Mueller testified before Congress that Russia interfered in the 2016 election in a "sweeping and systemic fashion" to benefit Donald Trump's political campaign. Mueller and his team found "the Russian Government perceived that it would benefit from a Trump Presidency and worked to secure that outcome." They also found that the Trump campaign expected it would benefit electorally from information stolen and released through Russian efforts.

Just as he solicited help from Ukraine in 2019, in 2016 then-Candidate Trump also solicited help from Russia in his election effort. As you will recall, at a rally in Florida, he said the following:

(Text of videotape presentation:)

Mr. TRUMP. Russia, if you are listening, I hope you're able to find the 30,000 emails that are missing. I think you will probably be rewarded mightily by our press. Let's see if that happens.

Mr. Manager SCHIFF. Following Special Counsel Mueller's testimony, during which he warned against future interference in our elections, did the President recognize the threat posed to

our democracy and renounce Russian interference in our democracy? Did he choose to stand with his own intelligence agencies, both Houses of Congress, and the special counsel's investigation in affirming that Russia interfered in our last election?

He did not.

Instead, only one day after Special Counsel Mueller testified before Congress, empowered in the belief that he had evaded accountability for making use of foreign support in our last election, President Trump was on the phone with the President of Ukraine, pressing him to intervene on President Trump's behalf in the next election.

Let's take a moment to let that sink in.

On July 24, Bob Mueller concludes a lengthy investigation. He comes before the Congress. He testifies that Russia systematically interfered in our election to help elect Donald Trump, that the campaign understood that, and that they willfully made use of that help. On July 24, that is what happens.

On the very next day—the very next day—President Trump is on the phone with a different foreign power, this time Ukraine, trying to get Ukraine to interfere in the next election—the next day.

That should tell us something. He did not feel chained by what the special counsel found. He did not feel deterred by what the special counsel found. He felt emboldened by escaping accountability, for the very, very next day, he is on the phone, soliciting foreign interference again.

Now, that July 25 phone call between President Trump and President Zelensky was a key part of President Trump's direct and corrupt solicitation of foreign help in the 2020 election.

The question likely sounded familiar to President Zelensky, who had been swept into office in a landslide victory on a campaign of rooting out just the type of corruption he was being asked to undertake on this call with our President.

Zelensky campaigned as a reformer, as someone outside of politics who would come up and clean up corruption, who would end the political prosecutions, end the political investigations. And what is his most important and powerful patron asking him to do? To do exactly what he campaigned against. No wonder he resisted this pressure campaign.

Now, President Trump had been provided talking points for discussion by the National Security Council staff beforehand, including recommendations to encourage President Zelensky to continue to promote anti-corruption reforms in Ukraine. So the National Security staff understood what was in the U.S. national security interests, and that was rooting out corruption, and they encouraged the President to talk about it.

But as you see from the record of the call—and I join the President in saying "read the call"—that topic was never



addressed. The word “corruption” never escapes his lips.

Instead, President Trump openly pressed President Zelensky to pursue the two investigations that would benefit him personally.

In response to President Zelensky’s gratitude for the significant military support the United States had provided to Ukraine, President Trump said:

I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike . . . I guess you have one of your wealthy people . . . The server, they say Ukraine has it.

That is that crazy conspiracy theory I talked about earlier that there is this server somewhere in Ukraine that shows that, in fact, it was Ukraine that hacked the DNC, not the Russians. That is a Russian propaganda conspiracy theory, and here it is being promulgated by the President of the United States. And more than promulgated, he is pressuring an ally to further this Russian propaganda because he was referring to this extensively discredited conspiracy theory that Ukraine was the one that really hacked the DNC—the Democratic National Committee—servers in 2016.

And that reference to CrowdStrike—well, that is an American cyber security firm. And the theory—this kooky conspiracy theory—is that CrowdStrike moved the DNC servers to Ukraine to prevent U.S. law enforcement from getting it.

If Ukraine announced an investigation into this fabrication, President Trump could remove what he perceived to be a cloud over his legitimacy—legitimacy of his last election, Russia’s assistance with his campaign—and suggest that it was the Democratic Party that was the real beneficiary of that.

On the call, President Trump told Zelensky: “Whatever you can do, it’s very important that you do it if that’s possible.”

President Zelensky agreed that he would do the investigation saying: “Yes it is very important for me and everything that you just mentioned earlier.”

President Trump then turned to his second request, asking President Zelensky to look into the sham allegation into former Vice President Biden. President Trump said to President Zelensky:

The other thing, There’s a lot of talk about Biden’s son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it . . . It sounds horrible to me.

There is no question what President Trump intended in pressing the Ukrainian leader to “look into” his political rival. Even after the impeachment inquiry began, he confirmed his desire on the south lawn of the White House, declaring not only that Ukraine

should investigate Biden but that China should do the same.

Let’s see what he said.

(Text of Videotape presentation:)

NEWS REPORTER. What exactly did you hope Zelensky would do about the Bidens after your phone call? Exactly.

PRESIDENT TRUMP. Well, I would think that, if they were honest about it, they’d start a major investigation into the Bidens. It’s a very simple answer.

They should investigate the Bidens, because how does a company that is newly formed—and all these companies, if you look at—

And, by the way, likewise, China should start an investigation into the Bidens, because what happened in China is just about as bad as what happened with—Ukraine.

Mr. Manager SCHIFF. The day after that July 25 phone call, President Trump sought confirmation that President Zelensky understood his request to announce the politically motivated investigations and that he would follow through.

After meeting with Ukrainian officials, including President Zelensky and his top aide, the President’s hand-picked Ambassador to the European Union, Gordon Sondland, called President Trump from an outdoor restaurant in Kyiv to report back. This was the second conversation between the two about Ukraine in as many days.

David Holmes, an American diplomat dining with Sondland, overheard the call, including the President’s voice through the cell phone. I described part of that call last night.

Holmes testified that President Trump asked Sondland: “So he’s going to do the investigation?” Sondland replied that he is going to do it, adding that President Zelensky will do “anything you ask him to do.”

After the phone call, Holmes “took the opportunity to ask Ambassador Sondland for his candid impression of the President’s views on Ukraine.” According to Holmes:

(Text of Videotape presentation:)

Mr. HOLMES. In particular, I asked Ambassador Sondland if it was true that the President did not give a [expletive] about Ukraine. Ambassador Sondland agreed the President did not give a [expletive] about Ukraine. I asked, why not, and Ambassador Sondland stated, the President only cares about . . . “big stuff.” I noted there was . . . “big stuff” going on in Ukraine, like a war with Russia. And Ambassador Sondland replied that he meant . . . “big stuff” that benefits the President, like the . . . “Biden investigation” that Mr. Giuliani was pushing. The conversation then moved on to other topics.

Mr. Manager SCHIFF. Those three days in July—the 24th, the 25th, and the 26th—reveal a lot about President Trump’s effort to solicit help from a foreign country in assisting his own reelection.

On the 24th, Special Counsel Mueller testifies that Russia interfered in our 2016 election to assist the Trump campaign, which knew about the interference, welcomed it, and utilized it. That is the 24th.

The 25th is the day of the call, when President Trump, believing he had escaped accountability for Russian meddling in the first election and is welcoming of it, asked the Ukrainian President to help him undermine the special counsel’s conclusion and help him smear a political opponent, former Vice President Biden.

And then, the third day in a row in July, President Trump sought to ensure that Ukraine had received his request and understood it and would take the necessary steps to announce the investigations that he wanted.

Three days in July. In many ways those 3 days in July tell so much of this story. This course of conduct alone should astound all of us who value the sanctity of our elections and who understand that the vast powers of the Presidency are reserved only for actions which benefit the country as a whole, rather than the political fortunes of any one individual.

President Trump’s effort to use an official head-of-state phone call to solicit the announcement of investigations helpful to his reelection is not only conduct unbecoming a President, but it is conduct of one who believes that the powers of his high office are political tools to be wielded against his opponents, including by asking a foreign government to investigate a United States citizen, and for a corrupt purpose. That alone is grounds for removal from office of the 45th President.

But these 3 days in July were neither the beginning nor the end of this scheme. President Trump, acting through agents inside and outside of the U.S. Government, including his personal attorney, Rudy Giuliani, sought to compel Ukraine to announce the investigations by withholding the head-of-state meeting in the Oval Office until the President of Ukraine complied.

Hosting an Oval Office meeting for a foreign leader is an official act available only to one person—the President of the United States. And it is an official act that President Trump had already offered to President Zelensky during their first phone call on April 21 and in a subsequent letter to the Ukrainian leader.

Multiple witnesses testified about the importance of a White House meeting for Ukraine. For example, Deputy Assistant Secretary George Kent explained that a White House meeting was “very important” for Ukrainians to demonstrate the strength of their relationship with “Ukraine’s strongest supporter.”

Dr. Fiona Hill of the National Security Council explained that a White House meeting would supply the new Ukrainian Government with “the legitimacy that it needed, especially vis-à-vis the Russians” and that the Ukrainians viewed a White House meeting as “a recognition of their legitimacy as a sovereign state.”

This White House meeting would also prove to be important for three hand-picked agents whom President Trump

placed in charge of U.S.-Ukraine issues: Ambassador Sondland, Ambassador Volker, and Energy Secretary Rick Perry, the so-called three amigos. They hoped to convince President Trump to hold an Oval Office meeting with Zelensky.

During a meeting of the three amigos on May 23, President Trump told them that Ukraine had tried to “take [him] down” in 2016. He then directed them to “talk to Rudy” Giuliani about Ukraine.

It was immediately clear that Giuliani, who was pursuing the discredited investigations in Ukraine on the President’s behalf, was the key to unlocking an Oval Office meeting for President Zelensky.

Giuliani by then had said publicly that he was actively pursuing investigations President Trump corruptly desired and planning a trip to Ukraine. Giuliani admitted: “We’re not meddling in an election, we’re meddling in an investigation.”

On May 10, however, Giuliani canceled the trip to Ukraine to dig up dirt on former Vice President Biden and the 2016 conspiracy theory, just as President Zelensky won elections for the Presidency and Parliament.

Faced with a choice between working with Giuliani to pursue an Oval Office meeting—understanding it meant taking part in a corrupt effort to secure the political investigations—or abandoning efforts to support our Ukrainian ally, the President’s agents fell into line. They would pursue the White House meeting and explain to Ukraine that announcement of the investigations was the price of admission.

As Ambassador Sondland made clear: (Text of Videotape presentation:)

Mr. SONDLAND. I know that members of this committee frequently frame these complicated issues in the form of a simple question: Was there a quid pro quo? As I testified previously with regard to the requested White House call and the White House meeting, the answer is yes.

Mr. Manager SCHIFF. This quid pro quo was negotiated between the President’s agents, Rudy Giuliani, and Ukrainian officials throughout the summer of 2019 in numerous telephone calls, text messages, and meetings, including during a meeting hosted by then-National Security Advisor John Bolton on July 10.

Near the end of that July 10 meeting, after the Ukrainians again raised the issue of a White House visit, Ambassador Sondland blurted out that there would be agreement for a White House meeting once the investigations began. At that point Bolton “immediately stiffened” and abruptly ended the meeting.

During a subsequent discussion that day, Sondland was even more explicit. LTC Alex Vindman, a director for Europe and Ukraine on the National Security Council, testified that Sondland began to discuss the “deliverable” required to get the White House meeting. What Sondland specifically mentioned

was “investigation of the Bidens.” This is, again, in that meeting in the White House with a Ukrainian delegation and an American delegation. Sondland explained in that meeting that he had an agreement with Acting Chief of Staff Mick Mulvaney whereby President Zelensky would be granted the Oval Office meeting if he went forward with the investigations.

After the meeting, Vindman’s supervisor, Dr. Hill, reported back to Bolton, who told her to tell John Eisenberg, the National Security Council legal advisor, that he was not “part of whatever drug deal Sondland and Mulvaney are cooking up on this.” She reported their concerns, as did Vindman.

It remains unclear what action, if any, Bolton or Eisenberg took once they were made aware of Mulvaney and Sondland’s drug deal. Both refused to testify in our inquiry. However, Dr. Hill testified that she understood that Mr. Eisenberg informed Mr. Cipollone of her concerns about the drug deal.

If this body is serious about a fair trial—one that is fair to the President and to the American people—we again urge you to allow the House to call both Eisenberg and Bolton, as well as other key witnesses with firsthand knowledge who refused to testify before the House on the orders of the President.

Additional testimony and documents are particularly important because, according to Sondland, “Everyone was in the loop” when it came to the President’s self-serving effort. In part relying on email excerpts, Sondland explained that the President’s senior aides and Cabinet officials knew that the White House meeting was predicated on Ukraine’s announcement of the investigations beneficial to the President’s political campaign.

Hill characterized the quid pro quo succinctly:

(Text of Videotape presentation:)

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

Mr. Manager SCHIFF. In effect, President Zelensky was being drawn into this domestic political area. He grew wary of becoming involved in another country’s election and domestic affairs.

Bill Taylor, the Acting U.S. Ambassador for Ukraine at the time, described a conversation he had with a senior aide to the Ukrainian leader. He said:

(Text of Videotape presentation:)

[Also] on July 20, I had a phone conversation with Oleksandr Danylyuk, President Zelensky’s national security advisor, who emphasized that President Zelensky did not want to be used as an instrument in a U.S. reelection campaign.

Mr. Manager SCHIFF. Remember that conversation when you hear coun-

sel say that the Ukrainians felt no pressure to be involved in a U.S. reelection campaign. But that concern did not deter President Trump. In his conversation with Sondland shortly before the July 25 call, the President made clear that he not only wanted Ukraine to do the investigations or announce them, but also a White House meeting would be scheduled only if President Zelensky confirmed these investigations, as Volker communicated to President Zelensky’s top aide by text less than 30 minutes before the phone call between Trump and Zelensky.

Again, we are talking about July 25, in a text 30 minutes before the Trump-Zelensky phone call. Here is what it says—with Volker texting Andriy Yermak, a top aide to President Zelensky.

Good lunch—thanks. Heard from White House—assuming President Z convinces trump he will investigate/“get to the bottom of what happened” in 2016, we will nail down day for visit to Washington. Good luck! See you tomorrow—kurt.

Mr. Manager SCHIFF. Well, those words couldn’t be much clearer: “assuming President Z convinces trump he will investigate/“get to the bottom of what happened” in 2016, we will nail down [the] . . . visit to Washington.” That is a text 30 minutes before that call.

Counsel for the President would like you to think this is just about that call. You don’t get to look outside the four corners of that call. They don’t want you to look at the months that went into preparing for that call or the months of pressure that followed. But you can just look at, right now, what happened 30 minutes before that call in this text message: “Heard from White House—assuming President Z convinces trump he will investigate/“get to the bottom of what happened” in 2016.”

If you were wondering whether President Zelensky was aware of what he was going to be asked on that call, this is how you can tell. He was prepped. Of course he was prepped. In fact, the missing reference in the call record to Burisma was a signal Colonel Vindman recognized that clearly he had been prepped for that call. Why else would the name of this particular energy company come up in that conversation?

Well, President Zelensky clearly got the message. Toward the end of the call with President Trump, President Zelensky said:

I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. On the other hand, I also wanted to ensure you that we will be very serious about the case and will work on the investigation.”

Thank you for the invitation. On the other hand, I want to assure you that we will be very serious about the case, and we will work on the investigation.

President Zelensky clearly understood the quid pro quo for the White House meeting on July 25, but his reticence to be used as a political pawn



kept President Trump from moving forward with a promise to schedule the meeting, and so the President and his agents pressed on.

In August, Giuliani met with a top Ukrainian aide and made it clear that Ukraine must issue a public statement and announce investigations in order to get a White House meeting. Fearful of getting involved in U.S. domestic politics and having entered office with a promise to clean up government and corruption, President Zelensky and his aides preferred a generic statement about investigations, but Giuliani insisted. No, the statement must include two specific investigations that would benefit President Trump.

Let's look at a comparison between the statement the Ukrainians preferred and the one that Giuliani required.

On the left—and I will read it in case you can't see the screens—the Yermak draft, the Ukrainian draft, says: "We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, which in turn will prevent the recurrence of this problem in the future." That is pretty generic.

But here is the Giuliani-Volker-Sondland response. This is what had to be included: "We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes." Up to that point, it is exactly the same, until you get to "including those involving Burisma and the 2016 US elections," and then it goes back to the Ukrainian draft: "which in turn will prevent the recurrence of this problem in the future."

You can see in this such graphic evidence that the Ukrainians did not want to do this. They didn't even want to mention this. Giuliani had to insist: No, no, no; we are not going to be satisfied with some generic statement. After all, I think we can see this isn't about corruption—no, this is about announcing investigations to damage Biden and to promote this fiction about the last election.

So here in these texts, you see that Giuliani, Volker, and Sondland have added these references to Burisma—a thinly-veiled reference to former Vice President Biden—and the 2016 election. They wished to ensure that the Ukrainians mentioned the sham investigation President Trump required.

The Ukrainians recoiled at the new statement, recognizing that releasing it would run directly counter to the anti-corruption platform that Zelensky campaigned on and would embroil them in U.S. election politics. As a result, Zelensky didn't get his White House meeting. He still hasn't gotten his White House meeting.

Senators, witness testimony, text messages, emails, and the call record itself confirm a corrupt quid pro quo for the White House meeting—an official act available only to the President of the United States—in exchange for the announcement of political investigations. The President and his allies

have offered no explanation for this effort—except that the President can abuse his office all he likes, and there is nothing you can do about it. You can't indict him. You can't impeach him. That is because they cannot seriously dispute that President Trump corruptly used an official White House visit for a foreign leader to compel the Ukrainian President into helping him cheat in the next election.

The White House meeting, of course, was not the only official act that President Trump conditioned on the announcement of investigations into Biden and the conspiracy theory meant to exonerate President Trump on Russia's interference on his behalf in the last election. In a far more draconian step, as we discussed, the President withheld \$391 million of military aid.

Several weeks before this phone call with President Zelensky but after Giuliani was already pressing Ukrainian officials to conduct the investigations his client sought, President Trump ordered the hold on Ukraine's military aid. Significantly, this was after Congress had already been notified that most of it was prepared to be spent. Ukraine had met all of the critical conditions for anti-corruption and defense reforms in order to receive the funds. We conditioned the funds. They met the conditions. The funds were ready to go.

At the time and even today, witnesses uniformly testified that the order to hold the funding came without explanation to the foreign policy and national security officials responsible for Ukraine. The only message from the Office of Management and Budget was that the hold was implemented at the direction of the President.

Since Russia's illegal incursion into Ukraine in 2014, the United States has maintained a bipartisan policy of delivering hundreds of millions of dollars of military aid to Ukraine each year, which several Senators here have personally invested significant time and effort to ensure. It was President Trump himself who originally authorized additional financial support for military assistance to Ukraine in 2017 and 2018 without reservation, making his abrupt decision to withhold assistance in 2019 without explanation all the more surprising to those responsible for Ukraine policy.

That confusion, however, would soon disappear. The President used the hold on military aid as leverage to pressure Ukraine to announce these investigations that he hoped would help his reelection campaign. The only difference between the prior years when the President approved the aid without question and the inexplicable hold on aid in 2019 was the emergence of Joe Biden as a potentially formidable obstacle to the President's reelection.

These funds that the President withheld—these funds—they don't just benefit Ukraine; they benefit the security of the United States by ensuring that Ukraine is equipped to defend its own borders against Russian aggression.

As Ambassador Taylor noted in his deposition, the United States provides Ukraine with "radar and weapons and sniper rifles, communications that save lives. It makes Ukrainians more effective. It might even shorten the war. That is what our hope is, to show the Ukrainians can defend themselves—and the Russians, in the end, will say: OK, we are going to stop." That is in our interest. This isn't just about Ukraine or its national security; it is about our national security. This isn't charity; it is about our defense as much as Ukraine's.

Ambassador Taylor also said that the American aid was "a concrete demonstration of the United States' commitment to resist aggression and defend freedom." This is what this country is supposed to be about, right? Resisting aggression, defending freedom, not exporting corrupt ideas—that is what we are supposed to be about, right?

It was against this backdrop that American officials responsible for Ukraine policy sat in astonishment, according to Ambassador Taylor, when they learned about the hold. Officials immediately expressed concerns about the legality of President Trump's hold on the assistance to Ukraine. Their concerns were well warranted, as the Government Accountability Office, which was just last night pooh-poohed by the President's counsel—well, that is just some institution of Congress. Like they are just going to be inherently biased, right? Well, they are a nonpartisan organization that both parties have come to rely upon. But I am not surprised that they don't like the conclusion of the GAO, because the Defense Department warned them that this was going to be the conclusion, and that conclusion was that the hold on aid was not only wrong, it was not only immoral, it was also illegal. It violated the law—a law that we passed so that Presidents could not refuse to spend money that we allocated for the defense of others and for ourselves.

The Impoundment Control Act prevents the President and other government officials from unilaterally making funding decisions when Congress has made its intent clear. In fact, the act exists precisely because of previous Presidential abuses of Congress's power of the purse during the Nixon era. The nonpartisan GAO ruled that the hold on military aid was not only illegal but that holding underscores the President's efforts to go to any lengths to ensure his own personal benefit rather than take care that the laws be faithfully executed as he swore he would do when he took his oath of office.

Now, because of recent Freedom of Information Act responses in media reports, we now know additional details about how senior officials expressed serious reservations about the legality of the hold at the time. This is not like some big surprise. This is not like something that just came out of the blue—whoa, an independent watchdog

agency found this was illegal. No, they knew this was illegal at the time. These concerns were raised at the time.

Certain individuals who may have further information about the hold who refused to testify at the President's direction—including his Chief of Staff, Mick Mulvaney; Robert Blair; OMB official Michael Duffey, all of them—all of them defied congressional subpoenas but were included in important email communications that have been made public only recently.

As you know, these and many other categories of documents from the White House, the Defense Department, and OMB were subpoenaed by the House and none was produced—none—at the President's direction and through Mr. Cipollone's intervention. Although the investigation developed an overwhelming body of evidence that clearly proves that the President implemented this hold to pressure Ukraine to announce investigations, the full story behind the hold—the full and complete story—is within your power to request.

As you consider the evidence we present to you, ask yourselves whether the documents of witnesses that have been denied by the President's complete and unprecedented obstruction could shed more light on this critical topic. You may agree with the House managers that the evidence of the President's withholding of military aid to coerce Ukraine is already supported by overwhelming evidence and no further insight is necessary to convict the President, but if the President's lawyers attempt to contest these or other factual matters, you are left with no choice but to demand to hear from each witness with firsthand knowledge. A fair trial requires nothing less.

Let's look at some of the evidence that we gathered, notwithstanding this obstruction.

First, the President withheld the aid without explanation and against the advice of his own agencies, Cabinet officials, national security experts, including Secretary Pompeo, Secretary Esper, Ambassador Bolton, and others. Only Mick Mulvaney, a central figure in this effort, reportedly supported the hold, and he told us why. During a press briefing, Mulvaney personally acknowledged that the hold was ordered as part of a quid pro quo designed to get Ukraine to undertake the investigation President Trump signed.

Second, the reason for the security assistance hold was undoubtedly on the President's mind during the telephone call with President Zelensky on July 25. Near the beginning of their conversation, President Zelensky expressed his gratitude for U.S. military assistance, noting the United States' "great support in the area of defense." Immediately after President Zelensky's reference to defense and military support, President Trump responded by saying: "I would like you to do us a favor, though, because our country has been through a lot, and

Ukraine knows a lot about it." President Trump then proceeded to openly press Ukraine to conduct these investigations.

Third, numerous officials were aware that President Trump was withholding the White House meeting until the Ukrainian President announced the investigations. That the President would ratchet up pressure on Ukraine to compel its action stunned Ukraine experts like Ambassador Taylor but followed logically for those engaged in the President's corrupt scheme.

Fourth, by the end of August, there was still no explanation for the hold, despite ongoing efforts from numerous officials to persuade the President to release the money. The leverage of the White House meeting had not succeeded in coercing Ukraine to announce the investigations, providing the President and his agents every reason to use the most aggressive lever of influence, hundreds of millions of dollars in military support, to compel Ukraine to act. If they didn't feel pressure, they wouldn't have done it. They wouldn't have done it, but of course they did.

Imagine if this country were dependent on a more powerful country for our defense; imagine if we were at war; imagine if we were waiting for weapons to defend ourselves, something our Framers could have understood; imagine that we found ourselves in those circumstances, and much to our astonishment, we couldn't even get a meeting with our ally, much to our astonishment, they were withholding aid from us. Would you think we would feel pressure? Of course we would. The Framers had common sense, and so must we.

Are we to accept: Well, the President said there was no quid pro quo; I guess that closes the case? In every courtroom in America, jurors—and I know you are not just jurors. I led the Clinton trial. You are jurors and judges. Jurors all over America are told: You don't leave your common sense at the door. Well, we don't have to leave our common sense at the door here too. Two plus two equals four.

The aid was withheld. You are asking for it. We are asking for it. His own aides are asking for it, and no one can get an explanation. The Ukrainians can't get an explanation. All the Ukrainians get is: We want you to do these investigations. They are promised a White House meeting. They want a White House meeting. They need a White House meeting. They are going to be going into negotiations with Putin. They want to show strength, and they can't get in the door. They see the Russian Foreign Minister get in the door of the White House. We see the photos of the President and the Russian Foreign Minister, or the Ambassador, what a great time they are having, but, no, the President of Ukraine, our ally, can't get in the door. They are not stupid. They know what is going on here. They are not stupid.

Remember that conversation I referenced yesterday when the Ukrainians threw it right back in our face—when Ambassador Volker said to his Ukrainian counterpart: You shouldn't investigate the former President. You shouldn't engage in those political investigations. The Ukrainian response was: You mean like the one you want us to do on the Bidens and the Clintons? They are not stupid.

By the end of August, there was still no explanation for the hold, despite efforts by numerous people to seek the release of the funding. The leverage hadn't succeeded in getting the President to—in coercing Ukraine to announce the investigations, and so the aid was withheld. Two witnesses privy to this scheme testified that the only logical conclusion to reach about the President's continued hold on the aid was that it was intended to put more pressure on Ukraine to announce the investigations. As I said, they testified it was as simple as two plus two equals four.

We can do math, and, more importantly, so can the Ukrainians, and maybe even more importantly than that, so can the Russians. Multiple senior officials, including President Trump himself, have confirmed this logical conclusion. On September 7, Ambassador Sondland spoke directly to President Trump, who by that point was aware that a whistleblower complaint was circulating that alleged the contours of his scheme and that Congress and the public were beginning to ask probing questions about the hold on aid, including whether the withholding of the aid was in exchange for reelection help.

During that call of September 7—so in July you have got Mueller's testimony. You have got the call itself. You have got a followup call the next day, where the President is speaking to Sondland and wants to make sure they are going to do the investigations. You have got August, where they are trying to hammer out a statement, and the Ukrainians are still resisting.

Then you have September. On September 7, Ambassador Sondland is on the phone with President Trump. At that point, he is aware that a whistleblower has filed a complaint alleging the contours of this scheme and Congress and the public are beginning to ask questions about the hold on aid, including whether this was to get help in his reelection.

During this call between the President and Ambassador Sondland, without a prompt, President Trump told Sondland: There is no quid pro quo. Now, why would he do that? That is not something that comes up in normal conversation, right? Hello, Mr. President, how are you today? No quid pro quo.

That is the kind of thing that comes up in a conversation if you are trying to put your alibi out there. If you heard about a whistleblower complaint, if you had seen allegations, if you

know Congress is starting to sniff around, no quid pro quo. But—and I know this is astonishing—so much of the last 3 years has been a combination of shock and yet no surprise. Yet, even while the President is saying no quid pro quo, what does he say? Zelensky must publicly announce the two political investigations, and he should want to do it. No quid pro quo, except this quid pro quo.

Sondland immediately relayed the message to President Zelensky, informing him that without the announcement of the political investigations, they would be at a stalemate. Sondland made clear that this reference to a stalemate meant the release of the security assistance.

President Zelensky, after hesitating for weeks to join the President's corrupt scheme, finally relented. President Zelensky informed Sondland that he agreed to do a CNN interview, and Sondland understood that he would use that occasion to mention these items, meaning the two investigations at the heart of the scheme.

Candidate Zelensky, who was swept into office with a landslide victory on a promise of fighting corruption, would be forced to undertake just the same kind of corrupt act he had been elected to clean up. Upon learning this, Ambassador Taylor called Sondland to register his deep concern, telling him that it was crazy—crazy. Taylor later texted Sondland to reinforce the point: "As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign."

"As I said on the phone"—clearly, they had discussed it. "As I said on the phone."

Taylor testified about the message and the events leading up to it. Taylor said that security assistance was so important for Ukraine, as well as our own national interest. To withhold that assistance for no good reason other than help with the political campaign made no sense. It was counterproductive to all of what we had been trying to do. It was illogical. It could not be explained. It was crazy.

What is more, Ambassador Taylor also came to learn that President Trump wanted Zelensky in a public box.

He testified—Mr. Goldman was asking the question: "Now, you reference a television interview and a desire for President Trump to put Zelensky in a public box, which you also have in quotes."

Now, this is in reference, I think, to his written testimony.

"Was that reference to 'in a public box' in his notes?"

You remember he kept detailed notes.

Taylor's answer: "It was in my notes."

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

And Taylor responds: "I understood that to mean that President Trump,

through Ambassador Sondland, was asking for President Zelensky to publicly commit to these investigations, that it was not sufficient to do this in private, that this needed to be a very public statement."

So we saw earlier, the side-by-side comparison, right, of what the Ukrainians wanted to say. They wanted to make no mention of these specific investigations, and now Giuliani insisted: No, no, no. This isn't going to be credible unless you mention these specific investigations. This is what it is going to take. And now you see that Ambassador Sondland has acknowledged to Ambassador Taylor that it is not enough to use even the right language, apparently. It has to be done in public. We are not going to take any private commitment. It has got to be done in public.

As we would later come to understand, this is because President Trump didn't care about the investigations being done. He just wanted them announced. He wanted Zelensky in a public box. He wanted it announced publicly.

Ambassador Taylor also testified that he understood from Sondland that because Trump was a businessman, he would expect to get something in return before signing a check.

(Text of Videotape presentation.)

Mr. TAYLOR. During our meeting, during our call on September 8, Ambassador Sondland tried to explain to me that President Trump is a businessman. When a businessman is about to sign a check to someone who owes him something, the businessman asks that person to pay up before signing the check. Ambassador Volker used the same language several days later while we were together at the Yalta European strategy conference. I argued to both that the explanation made no sense. Ukrainians did not owe President Trump anything.

Mr. Manager SCHIFF. This is very telling. Ambassador Taylor, a Vietnam veteran, a West Point graduate, said that Ukrainians didn't owe us anything. Clearly, Donald Trump felt Ukrainians owed him, right?

This is not about Ukraine's national security. It is not about our national security. It is not about corruption. No, it is about what is in it for me. Those Ukrainians owe me before I sign a check.

And, by the way, that is not his money. That is your money. That is the American people's money for their defense.

But here we see Ambassador Sondland explain: No, President Trump is a businessman. Before he even signs a check, he wants to get something, and, of course, that something he was going to sign that check for or he was going to make that payment for, with our tax dollars—that thing that he was going to buy with those tax dollars—was a smear of his opponent and an effort to lift whatever cloud he felt was over his Presidency because of the Russian interference on his behalf in the last election.

The President has offered an assortment of shifting explanations after the

fact for the hold on aid, including that he withheld the money because of corruption in Ukraine or concerns about burden-sharing with other European countries. But those arguments are completely without merit.

First, the President's own administration had determined by the time of the hold that Ukraine had undertaken all necessary anti-corruption and defense reforms in order to receive the funds. The Defense Department and State Department officials repeatedly made this clear as the hold remained and threatened the ability of the agency to spend the money before the end of the fiscal year.

Second, the evidence revealed that the President only asked about the foreign contributions to Ukraine in September, nearly 2 months after the President implemented the hold and as it became clear that the public, Congress, and a whistleblower were becoming aware of the President's scheme.

The after-the-fact effort to come up with a justification also belies the truth. The European countries provide far more financial support to Ukraine than the United States. Their support is largely economic. Ours also includes a lot of military support, but Europe is a substantial financial backer of Ukraine.

There is something else remarkable about this that I was struck by yesterday as we were going through the importance of the witness testimony and looking at some of those redacted emails in which the administration sought to hide its misconduct.

In those redactions, when we got to see what was beneath them, there was an indication that this is very closehold. This is a need-to-know basis only. Do you remember that? We will show you that again, but it is one of those emails that only came to light, I believe, recently, and it is not because the administration wanted you to see this information. We see there is a desire not to let people know about this hold.

If the President were fighting corruption, if he wanted Europeans to pay more, why would he hide it from us? Why would he hide it from the Ukrainians? Why would he hide it from the rest of the world? If this were a desire for Europe to pay more, why wouldn't he charge Sondland to go ask Europe for more? Why wouldn't he be proud to tell the Congress of the United States: I am holding up this aid, and I am holding it up because I am holding up corruption?

Why wouldn't he? Because, of course, it wasn't true. There is no evidence of that.

And, once more, the White House admitted why the President held up the money. The President's own Chief of Staff explained precisely why during the October 17 press conference. Let's see, again, what he had to say.

(Text of Videotape presentation.)

Mr. MULVANEY. That was—those were the driving factors. Did he also mention to

me in the past that the corruption related to the DNC server? Absolutely. No question about that. But that's it. That's why we held up the money. Now, there was a report—

Mr. KARL. So the demand for an investigation into the Democrats was part of the reason that he went on to withhold funding to Ukraine?

Mr. MULVANEY. The look-back to what happened in 2016 certainly was part of the thing that he was worried about in corruption with that nation and absolutely appropriate.

Mr. Manager SCHIFF. But Mulvaney didn't just admit that the President withheld the crucial aid appropriated by Congress to apply pressure on Ukraine to do the President's political dirty work. He also said that we should just "get over it." Let's watch.

(Text of Videotape presentation.)

Mr. KARL. Let's be clear. What you just described is a quid pro quo. It is funding will not flow unless the investigation into the Democratic server happened as well.

Mr. MULVANEY. We do that all the time with foreign policy. If you read the news reports and you believe them—what did McKinney say yesterday? Well, McKinney said yesterday that he was really upset with the political influence in foreign policy. That was one of the reasons he was so upset about this. And I have news for everybody: Get over it. There's going to be political influence in foreign policy.

Mr. Manager SCHIFF. Should the Congress just get over it? Should the American people just come to expect that our Presidents will corruptly abuse their office to seek the help of a foreign power to cheat in our election? Should we just get over it? Is that what we have come to? I hope and pray that the answer is no.

We cannot allow a President to withhold military aid from an ally or to elicit help in a reelection campaign. I hope that we don't have to just get over that. I hope that we just don't have to get accustomed to that.

Is that what we want to tell our constituents, that, yes, the President withheld aid from an ally? Yes, it damaged our national security. And, yes, he wouldn't meet with the foreign leaders important to us unless he got help in the next election. And, yes, it is wrong to try to get a foreign power to help.

It is kind of cheating, really, if we are going to be honest about it and blatant about it. It is cheating. Americans are supposed to decide American elections, but, you know, I guess we just need to get over it. I guess that is just what we should now expect of a President of the United States.

I guess there is really no remedy for that anymore. The impeachment, maybe that was a good idea 200 years ago, but I guess we just need to get over it. I guess maybe the President really is above the law because they say you can't indict the President.

The President says you can't even investigate the President. The President is in court saying, you can not only not indict the President, you can't even investigate the President. The Attorney General's position is that you can't even investigate the President.

Are we really prepared to say that? The only answer to the President's misconduct is that we need to get over it? What are we to say to the next President? What are we to say to the President who is from a different party, who refuses the same kind of subpoena, and the President says to you or his Chief of Staff says to you or her Chief of Staff says to you: Just get over it. I am not doing anything different than Donald Trump did. Just get over it. He asked for help in the next election, I am asking for help in the next election. Just get over it. We do this kind of thing all the time.

People are cynical enough as it is about politics, about people's commitment to their good, cynical enough without having us confirm it for them.

I think it is more than crazy. Those were Ambassador Taylor's words. I think it is more than crazy. I think it is a gross abuse of power.

And I don't think that impeachment power is a relic. If it is a relic, I wonder how much longer our Republic can succeed.

For months, President Trump and his agents had pressured Ukraine to announce investigations, and President Zelensky finally yielded. As previously noted, he scheduled a CNN interview and planned to publicly announce the politically motivated investigations.

He informed Sondland of this plan during a September 7 phone call. In the same call, Sondland related to President Zelensky that Trump required that the Ukrainian leader make the public announcement in order to get the critical military aid.

President Trump's corruption had finally worn down President Zelensky, overcoming his effort to remain true to his anti-corruption platform—until events intervened.

Before Zelensky could do the interview, President Trump learned that his scheme had been exposed. Facing public and congressional pressure on September 11, the President finally released the hold on aid to Ukraine. Just like the implementation of the hold, he provided no reason for the release, but the reason is quite simple. The President got caught.

In late August, President Trump learned about a whistleblower complaint that was winding its way through the intelligence agencies on its way to Congress.

On September 9, three House committees announced an investigation into President Trump's Ukraine misconduct and that of his proxy, Rudy Giuliani. Later that day, again, September 9, the intelligence community inspector general notified the Senate and House Intelligence Committees of the existence of the complaint and the fact that it was being withheld from Congress, contrary to law and in an unprecedented fashion.

Facing significant public pressure on September 11, the President gave up and released the money to Ukraine. One week later, President Zelensky canceled the CNN interview.

And rather than demonstrate attrition or acknowledged wrongdoing, the President instead has continued his effort, even after the impeachment investigation began. He not only continued to call on Ukraine to investigate his political opponent, he called on China to do the same.

This should concern all of us. It is a confirmation not only of the scheme to pressure Ukraine to help his political campaign but a clear sign that the President believes that these corrupt acts are acceptable.

A President this unapologetic, this unbound to the Constitution and the oath of office, must be removed from that office lest he continue to use the vast prejudicial powers at his disposal to seek advantage in the next election.

President Trump's abuse of powers of his office undermined the integrity of our free and fair elections and compromised America's national security.

If we don't stand up to this peril today, we will write the history of our decline with our own hand. If President Trump is not held to account, we send a message to future Presidents, future Congresses, and generations of Americans that the personal interests of the President can fairly take precedent over those of the Nation. The domestic effects of this descent from democracy will be a weakened trust in the integrity of our elections and the rule of law and a steady decline of the spread of democratic values throughout the world.

For how can any country trust the United States as a model of governance if it is one that sanctions precisely the political corruption and invitation to foreign meddling that we have long sought to help eradicate in burgeoning democracies around the world? To protect against foreign interference in our elections, we have guardrails built into our democratic system. We have campaign finance laws to ensure that political assistance can come only from domestic actors, and we take seriously the need to shore up the integrity of our voting systems so that a foreign government or actor cannot change vote tallies. The promise of one person, one vote is only effective if each vote is cast free of foreign interference. Americans decide American elections—at least they should.

Now, what if electoral corruption is even more insidious? What happens when the invitation comes from within? Our Framers understood that threat too. George Mason noted at the Constitutional Convention that impeachment was a necessary tool because "the man who has practiced corruption and by that means procured his appointment in the first instance" could seek to repeat his guilt.

In June of last year, President Trump was clear that, if a foreign government offered dirt on his political opponent, he would take it, a statement deeply at odds with the guidance provided at the time by his own FBI Director, the former Federal Election

Commission Chair, and our Constitution, written some 233 years ago. In no uncertain terms, it admonishes against any person holding office of profit or trust accepting any present from any foreign state.

But President Trump did more than take the foreign help in 2019, as he had done in 2016. This time, he had not only asked for it in the July 25 call, but when he didn't get the help from the Ukrainian President in the form of announced investigations, he withheld hundreds of millions of dollars in taxpayer-funded military aid and a coveted White House meeting to increase the pressure on Ukraine to comply. Later, he demonstrated no remorse and continued to encourage Ukraine to conduct the political investigations he wanted, even asking other countries to do so.

The consequences of these actions alone have shaken our democratic system. What message will we send if we choose not to hold this President accountable for his abuse of power to solicit reelection interference in our upcoming election? The misconduct undertaken by this President may lead future Presidents to believe that they, too, can use the substantial power conferred on them by the Constitution in order to undermine it. Nothing could weaken the integrity of our elections more, and no campaign finance law or statement by a future FBI Director could stand up to the precedent of electoral misconduct set by the President of the United States if we do not say clearly that this behavior is unacceptable and, more than unacceptable, impeachable.

We also undermine our global standing. As a country long viewed as a model for democratic ideals worth emulating, we have, for generations, been the "shining city upon a hill" that President Reagan described. America is not just a country but also an idea. But of what worth is that idea if, when tried, we do not affirm the values that underpin it?

What will those nascent democracies around the world conclude; that democracy is not only difficult but maybe that it is too difficult? Maybe that it is impossible? And who will come to fill the void we leave when the light from that shining city upon a hill is extinguished? The autocrats with whom we compete, who value not freedom and fair elections but the unending rule of a repressive executive; autocrats who value not freedom of the press and open debate but disinformation, propaganda, and state-sanctioned lies.

Vladimir Putin would like nothing better. The Russians have little democracy left, thanks to Vladimir Putin. It is an autocracy; it is a thugocracy. The Russian story line, the Russian narrative, the Russian propaganda, the Russian view they would like people around the world to believe is that every country is just the same, just the same corrupt system: There is no dif-

ference. It is not a competition between autocracy and democracy. No, it is just between autocrats and hypocrites.

They make no bones about their loss of democracy. They just want the rest of the world to believe you can't fight it anywhere. Why take to the streets of Moscow to demand something better if there is nothing better anywhere else. That is the Russian story. That is the Russian story. That is who prospers by the defeat of democracy. That is who wins by the defeat of our democratic ideals. It is not other democracies; it is the autocrats who are on the rise all over the world.

I think all of us in this room have grown up in a generation where each successive generation lived with more freedom than the one that came before. We each had more freedom of speech and associations, the freedom to practice our faith. This was true at home. It was true all over the world. I think we came to believe this was some immutable law of nature, only to find it isn't, only to come to the terrible realization that this year fewer people have freedom than last, and there is no guarantee that next year people will live in more freedom than today. And the prospect for our children is even more in doubt.

It turns out, there is nothing immutable about this. Every generation has to fight for it. We are fighting for it right now. There is no guarantee that this democracy that has served us so well will continue to prosper. We will struggle to protect this idea, and even as we do, we will struggle to protect our security in more tangible ways. Support for an independent and democratic Ukraine, which is the literal bulwark against Russian expansionism in Europe, is essential to our security. Russia showed that when it invaded Ukraine in 2014 and sought to redraw the map of Europe.

Was our commitment to Ukraine's independence and sovereignty just an empty promise or are we prepared to support its efforts to keep Russia contained so they and we may all eventually enjoy a long peace?

Russia is not a threat—I don't need to tell you—to Eastern Europe alone. Ukraine has become the de facto proving ground for just the types of hybrid warfare that the 21st century will become defined by: cyber attacks, disinformation campaigns, efforts to undermine the legitimacy of state institutions, whether that is voting systems or financial markets. The Kremlin showed boldly in 2016 that, with the malign skills it honed in Ukraine, they would not stay in Ukraine. Instead, Russia employed them here to attack our institutions, and they will do so again. Indeed, they have never stopped. Will we allow the primary country now fighting Russia to be weakened, placing our troops in Europe at greater risk and opening the door to greater interference in our affairs at home?

If we allow the President of the United States to pursue his political

and personal interests rather than the national interests, we send a message to our European allies that our commitment to a Europe free and whole is for sale to the highest bidder. The strength of our global alliances relies on a shared understanding of what that alliance stands for: one built on the rule of law, on free and fair elections, and on a shared struggle against aggression from autocratic regimes.

We are countries built on a commitment to our people, not unyielding loyalty to a President who would be King.

A President has a right to hold a call with a foreign leader, yes. And he has a right to decide the time and location of a meeting with that leader, yes. And he has a right to withhold funding to that leader should the law be followed and the purpose be just.

But he does not, under our laws and under our Constitution, have a right to use the powers of his office to corruptly solicit foreign aid—prohibited foreign aid—in his reelection. He does not. He does not have the right to withhold official Presidential acts to secure that assistance, and he certainly does not have the right to undermine our elections and place our security at risk for his own personal benefit. No President, Republican or Democratic, can be permitted to do that.

Now let me turn to the second Article of Impeachment, which charges the President with misusing the powers of his office to obstruct and interfere with the impeachment inquiry.

The evidence you will hear during the House presentation is equally undeniable and damning. President Trump issued a blanket order directing the entire executive branch not to cooperate with the impeachment inquiry and to withhold all documents and testimony. His order was categorical. It was indiscriminate and historically unprecedented. No President before President Trump has ever ordered the complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of the House of Representatives to investigate high crimes and misdemeanors.

The President was able to block agencies across the executive branch from producing any records or documents to the House investigative committees, despite duly authorized subpoenas. The White House continues to refuse to produce a single document or record in response to a House subpoena that remains in full force and effect. The Department of State and Office of Management and Budget, Department of Energy, and the Department of Defense continue to refuse to provide a single document or record in response to House subpoenas that remain in full force and effect.

It is worth underscoring this point. The House has yet to receive a single document from the executive branch agencies pursuant to its subpoenas. Not a single piece of paper, email, or other record has been turned over—not one.

While I pause to get a drink of water, let me let you know for your timing that I have about 10 minutes left in my presentation. So the end is in sight.

President Trump has also successfully blocked witnesses—nine of them—under subpoena from testifying, witnesses with firsthand knowledge of the President's actions, including his closest aides, some of whom were directly involved in executing the President's improper orders. These witnesses include Mick Mulvaney and Robert Blair; Russell Vought, the acting head of the Office of Management and Budget; Michael Duffey, a senior official; and the President's chief legal advisor on the National Security Council, John Eisenberg, among others.

The managers will present in detail what these officials knew about their role in executing different parts of the President's scheme. There is no dispute, nor could there be, that President Trump's order substantially obstructed the House impeachment inquiry. That obstruction continues unabated today, even as we stand here at the start of the President's trial.

The President has been able to do so only because of the uniquely powerful position he holds as our Commander in Chief. No other American could seek to obstruct an investigation into his own wrongdoing this way. No other American could use the vast powers and levers of his government to conduct a corrupt scheme to benefit themselves and then use those same powers to suppress evidence and bar any cooperation with the authorities investigating them—not a police chief, not a mayor, not a Governor, not any elected official in the country, and certainly not any unelected official in the country.

For those folks watching us from around the country, you know what would happen to them if they defied a lawful subpoena.

They got a subpoena commanding them to appear. You know what would happen to them because they are not above the law: They would be arrested; they would be detained; they would be incarcerated; they would be forced to comply. They are not above the law, and neither are we, and neither is the President.

And, yet, despite the fact that he is not above the law, despite the President's extensive and persistent efforts, the House heard from courageous witnesses who obeyed lawful subpoenas, and we gathered overwhelming evidence. The House built a formidable case that forms the basis of these articles.

The second article for obstruction of Congress is not simply about President Trump's decision to obstruct a congressional investigation or even an impeachment inquiry. It should not be misunderstood as some routine dispute between two branches of government, nor should it be reduced to the notion that the President was simply protecting himself or fighting back against a partisan or overzealous Con-

gress. The charges in the second article are much more serious and urgent than that.

First, the President's attempt to obstruct the inquiry so categorically and comprehensively is part and parcel of the President's furious effort to conceal, suppress, and cover up his own misconduct. From the very first moment his actions were at the risk of coming to light, President Trump has sought to hide and cover up key evidence, even as his scheme to pressure Ukraine was still underway.

As the House's presentation will make clear, the President's coverup started even before the House began to investigate the President's Ukraine-related activity. The President learned early on of the existence of a lawful whistleblower complaint from within the intelligence community that would ring the first alarm. He deployed the White House and Justice Department to intervene in an unprecedented fashion to conceal and then withhold from Congress—for the first time ever—a credible and urgent whistleblower complaint, even though the law requires that it be provided to the congressional intelligence committees.

Once the impeachment inquiry was underway in late September, the President used the immense and unique power at his disposal to direct and maintain at every turn the categorical defiance of congressional scrutiny, even as he attacked the inquiry itself and its witnesses. The President offered multiple and shifting justifications for obstructing the House's inquiry, each of them deficient, while his actions and statements powerfully reflect his own consciousness of guilt.

Second, the ramifications of the President's obstruction go beyond the sinister motives of simply covering up his actions. His obstruction strikes at the heart of our Constitution. It threatens the last line of defense our Founders purposefully enshrined in our system to protect our democracy.

If Presidents can obstruct an impeachment inquiry undertaken by the House and evade accountability in the Senate for doing so, they usurp an essential power granted exclusively to the Congress—and for a reason. Presidents could seize for themselves the power to neutralize and nullify the impeachment clause in order to shield themselves from any accountability. And if Congress is unable to investigate and impeach a President for abuse of their office, our democracy's essential check on a rogue President would fail. It would no longer protect the American people from a corrupt President who presents an ongoing threat. This is the outcome every American should be concerned about and one that the Founders warned us about.

Through the impeachment clause, the Framers of the Constitution empowered Congress to thoroughly investigate Presidential malfeasance—and to respond, if necessary, by removing

the President from office. This entire framework depends on Congress's ability to discover, and then to thoroughly and effectively investigate, Presidential misconduct. Without the ability of Congress to do that, the impeachment power is a nullity. If you can't investigate it, you can't enforce it and can't apply it.

What we confront here, in the second Article of Impeachment, is therefore an impeachable offense aimed at destroying the impeachment power itself. When a President abuses the power of his office to so completely defy House investigators, and does so without lawful cause or excuse, he attacks the Constitution itself. He confirms that he sees himself as above the law. His actions destabilize the separation of powers, which defines our democracy and preserves our freedom, and establish an exceedingly dangerous precedent. And he proves that he is willing to destroy a vital safeguard against tyranny—a safeguard meant to protect the American people—just to advance his own personal interests in covering up evidence.

The House's presentation of the second article will therefore focus on three core areas that confirm the President's obstruction and require his removal from office: first, the singular importance and role of the impeachment clause for our democracy and why an effort by a President to obstruct an impeachment inquiry is, in and of itself, an impeachable offense; second, why the President's extensive effort to cover up evidence of his misconduct is unprecedented in American history and without lawful cause or justification; and, finally, why the President's obstruction poses a direct threat to our system of self-government, with consequences for all Americans—today and in the future—and for both Chambers of Congress.

Over the coming days, you will hear from the House managers details of this scheme and the effort to hide it from Congress. The Articles of Impeachment that the House presented go to the heart of those efforts, and let me share a few takeaways.

The House of Representatives has found that, using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 U.S. Presidential election. He did so through a scheme or course of conduct that included soliciting the government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 U.S. Presidential election improperly and to his advantage.

President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning official U.S. Government acts of significant value to Ukraine on Ukraine's public announcement of these investigations. He engaged in this scheme or course of conduct for corrupt purposes



in pursuit of his personal political benefit.

In doing so, 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 U.S. democratic process. He thus ignored and injured the interests of the Nation.

As part of the House's impeachment inquiry, the committees undertaking the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various executive branch agencies and offices and current and former officials.

In response, and without lawful cause or excuse, President Trump directed executive branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives and assumed to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.

As George Washington and his troops retreated across the Delaware River in early December 1776, they were read the words of Thomas Paine, published that month in his pamphlet, "The American Crisis":

These are the times that try men's souls. The summer soldier and the sunshine patriot will, in the crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman.

Seventeen days later, George Washington crossed the Delaware, leading to a decisive victory for those who would come to shape our promising young country.

As much as our Founders feared an unchecked Chief Executive able to pursue his own will over the will of the people, they also feared the poison of excessive factionalism that could divert us from a difficult service to our country. As George Washington warned in his farewell address, "the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it."

Our political parties and affiliations are central to our democracy, ensuring that good and bad political philosophies alike are considered in the marketplace of ideas. Here, the American people can choose between the policies of one party or another and make decisions about their political leaders up to and including the President of the United States based on the degree to which that person represents their interests and values. That is not factionalism; that is the foundation of our democracy.

But when a leader takes the reins of the highest office in our land and uses that awesome power to solicit the help of a foreign country to gain an unfair advantage in our free and fair elections, we all—Democrats and Repub-

licans alike—must ask ourselves whether our loyalty is to our party or whether it is to our Constitution. If we say that we will align ourselves with that leader, allowing our sense of duty to be usurped by an absolute Executive, that is not democracy; it is not even factionalism. It is a step on the road to tyranny.

The damage that this President has done to our relationship with a key strategic partner will be remedied over time, and Ukraine continues to enjoy strong bipartisan support in Congress. But if we fail to act, the damage to our democratic elections, to our national security, to our system of checks and balances will be long-lasting and potentially irreversible.

As you will hear in the coming days, President Trump has acted in a manner grossly incompatible with self-governance. His conduct has violated his oath of office and his constitutional duty to faithfully execute the law. He has shown no willingness to be constrained by the rule of law and has demonstrated that he will continue to abuse his power and obstruct investigations into himself, causing further damage to the pillars of our democracy if he is not held accountable.

He cannot be charged with a crime, so says the Department of Justice. There is no remedy for such a threat but removal from office of the President of the United States.

If impeachment and removal cannot hold him accountable, then he truly is above the law.

We are nearly 2½ centuries into this beautiful experiment of American democracy, but our future is not assured.

As Benjamin Franklin departed the Constitutional Convention, he was asked: "What have we got? A Republic or a Monarchy?" He responded simply: "A Republic, if you can keep it."

A fair trial, impartial consideration of all of the evidence against the President is how we keep our Republic.

That concludes our introduction.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Chief Justice, colleagues, I suggest we have a recess until 10 minutes to 4, at which moment we will reconvene, subject to the call of the Chair.

The CHIEF JUSTICE. Without objection, it is so ordered.

There being no objection, at 3:28 p.m., the Senate, sitting as a Court of Impeachment, recessed until 3:56 p.m.; whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The House managers may resume if they are ready.

Mr. Manager NADLER. Mr. Chief Justice, Members of the Senate, before I begin, I would like to thank the Chief Justice and the Senators for their tem-

perate listening and their patience last night as we went into the long hours.

I truly thank you.

The House managers will now undertake to tell you the story of the President's Ukraine scheme. As we tell the story, it is important to note that the facts before us are not in dispute. There are no close calls. The evidence shows that President Trump unlawfully withheld military assistance, appropriated by Congress to aid our ally, in order to extort that government into helping him win his reelection, then tried to cover it up when he got caught.

This is the story of a corrupt, governmentwide effort that drew in Ambassadors, Cabinet officials, executive branch agencies, and the Office of the President. This effort threatened the security of Ukraine in its military struggle with Russia and compromised our own national security interests because the President cared only about his personal political interests.

In the spring of 2019, the people of Ukraine elected a new leader, Volodymyr Zelensky, who campaigned on a platform of rooting out corruption in his country. This pledge was welcomed by the United States and its allies, but the new government also threatened the work of President Trump's chief agent in Ukraine, Rudy Giuliani.

As President Zelensky was taking power, Mr. Giuliani was already engaged in an effort to convince Ukrainian officials to announce two sham investigations. The first was an effort to smear former Vice President Joe Biden. The second was designed to undermine the intelligence community's unanimous assessment that Russia interfered in the 2016 election.

One obstacle to Mr. Giuliani's work was Ambassador Marie Yovanovitch. A 33-year veteran of the Foreign Service, Ambassador Yovanovitch had partnered with Ukraine to root out the kind of corruption that would have allowed Mr. Giuliani's lies to flourish.

In order to complete his mission, Mr. Giuliani first needed Ambassador Yovanovitch out of the way. So in early 2019, Mr. Giuliani launched a public smear campaign against the Ambassador, an effort that involved Mr. Giuliani's allies in Ukraine, the President's allies in the United States, and, eventually, President Trump himself.

Please remember that the object of the President's Ukraine scheme was to obtain a corrupt advantage for his reelection campaign. As we will show, the President went to extraordinary lengths to cheat in the next election. That scheme begins with the attempt to get Ambassador Yovanovitch "out of the way."

By all accounts, Ambassador Yovanovitch was a highly respected and effective Ambassador. Witnesses uniformly praised her 33-year career as a nonpartisan public servant and told us that she particularly excelled in fighting corruption abroad. President

George Bush named her as an Ambassador twice, and President Obama nominated her as Ambassador to Ukraine, where she represented the United States from 2016 to 2019.

Eradicating corruption in Ukraine has been a key policy priority of the U.S. Government for years. During the House inquiry, the Ambassador explained why implementing this anticorruption policy was so important.

(Text of Videotape presentation:)

Ms. YOYANOVITCH. As critical as the war against Russia is, Ukraine's struggling democracy has an equally important challenge: Battling the Soviet legacy of corruption which has pervaded Ukraine's government.

Corruption makes Ukraine's leaders ever vulnerable to Russia, and the Ukrainian people understand that. That's why they launched the Revolution of Dignity in 2014, demanding to be a part of Europe, demanding the transformation of the system, demanding to live under the rule of law.

Ukrainians wanted the law to apply equally to all people, whether the individual in question is the President or any other citizen. It was a question of fairness, of dignity.

Here again, there is a coincidence of interests. Corrupt leaders are inherently less trustworthy while an honest and accountable Ukrainian leadership makes a U.S.-Ukrainian partnership more reliable and more valuable to the United States.

Mr. Manager NADLER. On the evening of April 24, 2019, Ambassador Yovanovitch was hosting an event at the U.S. Embassy, honoring the memory of an anticorruption fighter who had been killed when acid was thrown in her face the previous year. At about 10 that night, the Embassy event was interrupted by a telephone call from Washington. Ambassador Yovanovitch described this conversation with the head of the State Department's human resources department.

(Text of Videotape presentation:)

Ms. YOYANOVITCH. She said that there was great concern on the seventh floor of the State Department. That's where the leadership at the State Department sits. There was great concern. They were worried. She just wanted to give me a heads up about this. And, you know, things seemed to be going on, and so she just wanted to give me a heads up.

Mr. Manager NADLER. Confused, the Ambassador asked for more information from Washington. Three hours later they spoke again. Ambassador Yovanovitch learned that there were concerns about her "up the street"; that is, at the White House. The Ambassador was told to get on the first plane home.

Why was this respected career diplomat abruptly removed from her post? Why was she, in fact, urged by the State Department to catch the first plane home, that she was in danger, she shouldn't wait?

At the time, the White House would not say, but today we know the truth. The truth is that Ambassador Yovanovitch was the victim of a smear campaign organized by Rudy Giuliani, amplified by President Trump's allies, and designed to give President Trump the pretext he needed to recall her

without warning. Mr. Giuliani has admitted as much to the press.

In order to understand Mr. Giuliani's smear campaign against Ambassador Yovanovitch, you need to know about a few additional characters who Mr. Giuliani drew into his scheme.

The first of these characters is Viktor Shokin, the disgraced former prosecutor general of Ukraine, who was fired by the Ukrainian Government for gross corruption. In 2016, at the urging of the European Union, the International Monetary Fund, and the U.S. Government, the Parliament of Ukraine voted to remove Mr. Shokin as prosecutor general because he was corrupt and refused to prosecute corruption cases. The United States, the European Union, and the International Monetary Fund all urged the Ukraine Government to dismiss Mr. Shokin.

The second character is Yuriy Lutsenko, who succeeded Mr. Shokin as prosecutor general. Mr. Lutsenko also proved reluctant to prosecute corruption cases, and several witnesses testified that he also had a reputation for dishonesty and corruption. Ambassador Yovanovitch and Deputy Assistant Secretary George Kent both testified that the U.S. Embassy in Kyiv eventually stopped working with Mr. Lutsenko altogether.

Shokin, Lutsenko, and Giuliani—the goals of all three characters were aligned. Shokin had it out for Vice President Biden because of the role that the Vice President played in his 2016 firing. The Vice President, carrying out U.S. policy, urged the Ukrainian Government to dismiss the corrupt Shokin.

I note that the Vice President—the former Vice President—has been criticized for urging that he be fired.

Lutsenko found his career trajectory fading and wanted President Trump's support to boost his political prospects in Ukraine. Giuliani needed partners in Ukraine willing to announce two sham investigations meant to boost President Trump's own campaign. All three wanted Ambassador Yovanovitch out of the way.

So in early 2019, the smear campaign began. Mr. Lutsenko became the primary vector for false allegations against Ambassador Yovanovitch. Deputy Assistant Secretary George Kent testified that Lutsenko's allegations against Ambassador Yovanovitch were motivated by revenge.

(Text of Videotape presentation:)

Mr. KENT. Over the course of 2018 and 2019, I became increasingly aware of an effort by Rudy Giuliani and others, including his associates Lev Parnas and Igor Fruman, to run a campaign to smear Ambassador Yovanovitch and other officials at the U.S. Embassy in Kyiv. The chief agitators on the Ukrainian side of this effort were some of those same corrupt former prosecutors I had encountered, particularly Yuriy Lutsenko and Viktor Shokin. They were now peddling false information in order to extract revenge against those who had exposed their misconduct, including U.S. diplomats, Ukrainian anticorruption officials, and reform-minded civil society groups in Ukraine.

Mr. Manager NADLER. As Mr. Kent indicated, the smear campaign against Ambassador Yovanovitch was orchestrated by a core group of corrupt Ukrainian officials working at Mr. Giuliani's direction. This group included two additional characters who have been in the news of late—Lev Parnas and Igor Fruman. Mr. Parnas and Mr. Fruman were of course indicted last year on several charges, including charges related to large donations they made to support President Trump.

Simply put, in doing her job well, Ambassador Yovanovitch drew Mr. Lutsenko's ire, and, as Mr. Kent observed, "You can't promote principled anti-corruption efforts without pissing off corrupt people."

As it turned out, this statement applied to Yuriy Lutsenko and to Rudy Giuliani, who feared that the Ambassador would stand in the way of his corrupt efforts to coerce Ukraine into conducting investigations that would benefit the political interests of his client, President Trump.

Giuliani's coordinated smear campaign against Ambassador Yovanovitch became public in the United States in late March 2019, with the publication of a series of opinion pieces in *The Hill*, based on interviews with Lutsenko. On March 20, 2019, in one piece in *The Hill*, Lutsenko falsely alleged that Ambassador Yovanovitch had given him a so-called "do-not-prosecute list." Not only was the allegation false, but after having helped originate the claim, Lutsenko himself would later go on to retract it.

The same piece also falsely stated that Ambassador Yovanovitch had "made disparaging statements about President Trump." A statement issued by the State Department declared the allegations to be a total fabrication.

President Trump promoted Solomon's article in a tweet, which intensified the public attacks against Ambassador Yovanovitch. Then, on March 24, Donald Trump, Jr., called Ambassador Yovanovitch a "joker" on Twitter and called for her removal.

You can see the slides of the two tweets.

These unfounded smears by the President and his son reverberated in Ukraine. Deputy Assistant Secretary George Kent testified that "starting in mid-March," Rudy Giuliani was "almost unmissable" in this "campaign of slander." And according to Mr. Kent, Mr. Lutsenko's press spokeswoman retweeted Donald Trump, Jr.'s tweet attacking the Ambassador, further undermining her standing in Ukraine—her standing, the U.S. Ambassador's standing. Mr. Giuliani was not content to stay behind the scenes, either. He promoted the same attacks on the Ambassador on Twitter, FOX News, and elsewhere.

At the end of March, the attacks intensified. Ambassador Yovanovitch sent Under Secretary of State for Political Affairs David Hale an email detailing her concerns and asking for a

strong statement of support from the State Department. In reply, the State Department told her that they were unwilling to help her—their own Ambassador—because if they issued a public statement supporting her, “it could be undermined,” by the President and their concern that “the rug would be pulled out from underneath the State Department.”

The State Department cannot express support for an American Ambassador threatened abroad because they are concerned that if they express support for that American Ambassador, the rug will be pulled out from under them by the President. What it must have taken to convince our State Department to refuse support for its Ambassador.

Phone records show that Giuliani also kept the White House apprised of these developments, as you can see from these slides.

Again, it is worth remembering that smearing Ambassador Yovanovitch was a means to an end. Removing her would allow the President’s allies the freedom to pressure Ukraine to announce their sham investigations.

So we should talk for a few minutes about the investigations that Rudy Giuliani and his henchmen were promoting on behalf of the President.

Let’s focus first on the allegation that Ukraine, not Russia, interfered in our last Presidential election. In February 2017, shortly after the intelligence community—the CIA, the FBI, all the intelligence agencies of the United States—unanimously assessed that Russia interfered in the election to help Donald Trump, this alternative theory gained some attention when Russian President Putin promoted it at a press conference.

“Second,” he said—I am quoting from him. It is in the Russian on these slides, I think.

Second, as we all know, during the presidential campaign in the United States, the Ukrainian government adopted a unilateral position in favor of one candidate.

More than that, certain oligarchs, certainly with the approval of the political leadership funded this candidate, or female candidate, to be more precise.

That is President Putin talking, shifting the blame to Ukraine.

Dr. Fiona Hill best explained how the Ukraine narrative is a fictional narrative being propagated by the Russian security services.

(Text of Videotape presentation:)

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

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

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

Mr. Manager NADLER. President Trump knew this too. His former Homeland Security Advisor, Tom Bossert, said that the idea that Ukraine hacked the DNC server was “not only a conspiracy theory, it is completely debunked,” and he and other U.S. officials spent hours with the President explaining why.

The second false allegation that the President wanted the Ukrainians to announce was that Vice President Biden used his power to protect a company on whose board his son sat by forcing the removal of Viktor Shokin, the corrupt former prosecutor general.

It is true that Vice President Biden helped remove Mr. Shokin, who was widely believed to be corrupt. As I said a few minutes ago, it was official policy of the United States, the European community, and others, in order to fight corruption in Ukraine, to ask that Shokin and Lutsenko be removed. So the Vice President, Vice President Biden, in fulfilling U.S. policy, pressured Ukraine to remove Shokin—not to secure some personal benefit but to advance the official policy of the United States and its allies. Even Lutsenko, who initially seeded the allegations against Mr. Biden in American media, later admitted that the allegations against the Vice President were false. And Rudy Giuliani told Kurt Volker, the Special Representative for Ukrainian Negotiations, who had a prominent role in the scheme, that he also knew the attacks on Joe Biden were a lie.

With Ambassador Yovanovitch out of the way, the first chapter of the Ukraine scheme was complete. Mr. Giuliani and his agents could now apply direct pressure to the Ukrainian Government to spread these two falsehoods.

Who benefited from this scheme? Who sent Mr. Giuliani to Ukraine in the first place? Of course we could rephrase that question as the former Republican leader of the Senate, Howard Baker, asked it in 1973: What did the President know, and when he did he know it?

Ms. Manager GARCIA of Texas. Mr. Chief Justice, Senators, President’s counsel: President Trump and President Zelensky’s relationship started out well. President Trump wanted the two investigations from Zelensky, and he had no reason to believe he would not get what he wanted.

On April 21, 2019, Volodymyr Zelensky, who was new to politics, won a landslide victory in Ukraine’s Presidential election. That evening, President Trump called Zelensky to con-

gratulate him. On that first call—the first call—Zelensky invited President Trump to visit Ukraine for the upcoming inauguration. President Trump, in turn, promised that his administration would send someone at “a very, very high level.”

During that same April call, President Trump invited President Zelensky to the White House, saying:

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

Zelensky immediately accepted the President’s invitation, adding that the “whole team and I are looking forward to that visit.”

Numerous witnesses testified about the significance of a White House meeting for the political newcomer. A White House meeting would show Ukrainians that America supported Zelensky’s anti-corruption platform. The clear backing of the President of the United States—Ukraine’s most important patron—would also send a powerful message to Russia that we had Ukraine’s back.

During that April 21 call, President Trump never even uttered the word “corruption,” but the official White House call recap falsely stated that the two Presidents had discussed Ukraine’s anti-corruption efforts.

Shortly after the phone call, Jennifer Williams, adviser to Vice President PENCE, learned that President Trump asked Vice President PENCE to attend Zelensky’s inauguration.

Williams and her colleagues began planning Pence’s trip to Kyiv. At the same time, Giuliani was trying to get Ukraine to investigate the Bidens and alleged 2016 election interference. On April 24, Giuliani went on “FOX & Friends” and had this to say:

(Text of Videotape presentation:)

Keep your eye on Ukraine, because in Ukraine a lot of dirty work was done. I’m digging up the information. American officials were used. Ukrainian officials were used. That is like collusion with the Ukrainians and—or actually, in this case, conspiracy with the Ukrainians. I think you’d get some interesting information about Joe Biden from Ukraine. About his son, Hunter Biden. About a company he was on the board of for years, which may be one of the most crooked companies in Ukraine.

Ms. Manager GARCIA of Texas. For this campaign to be truly beneficial to his boss President Trump, Giuliani needed access to the new government in Ukraine. He dispatched his associates Lev Parnas and Igor Fruman to try to make inroads with Zelensky’s team.

On April 25, former Vice President Biden publicly announced his bid for Presidency, and immediately he was at the top of the polls.

That same day, David Holmes, an American diplomat at our Embassy in Ukraine, learned that Giuliani had reached out to the head of President Zelensky’s campaign. As Mr. Holmes explained, the new Ukrainian Government began to think that Giuliani

“was a significant person in terms of managing their relationship with the United States.”

As Giuliani and his associates worked behind the scenes to get access to the new leadership in Ukraine, President Trump was publicly signaling his interest in the investigations. On May 2, the President appeared on FOX News. When asked, “Should the former vice president explain himself on his feeling in Ukraine and whether there was a conflict . . . with his son’s business interests?” President Trump replied as follows:

(Text of Videotape presentation:)

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.

Ms. Manager GARCIA of Texas. The tape President Trump referenced is a video from January 2018 in which Vice President Biden explained that he placed an ultimatum to the Ukrainian President to remove the corrupt prosecutor general to ensure that taxpayer money would be used appropriately. The Vice President’s actions were consistent with official U.S. policy as well as the opinions of the international community.

On May 9, the New York Times published an article about Giuliani’s plan to visit Ukraine. In the article, Giuliani confirmed that he planned to meet with Zelensky. At that meeting, he wanted to press the Ukrainian Government to pursue the investigations that President Trump promoted only days earlier. Giuliani said: “We’re not meddling in an election, we are meddling in an investigation, which we have a right to do.”

Giuliani even went so far as to acknowledge that his actions could benefit President Trump personally. He said: “[T]his 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 am 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.”

That is it right there—Giuliani admitting he was asking Ukraine to work an investigation that would be “very, very helpful” to the President. He was not doing foreign policy. He was not doing this on behalf of the government. He was doing this for the personal interests of his client, Donald J. Trump.

The next morning, on May 10, amid coverage of his planned trip to Ukraine, Giuliani tweeted further about Biden and then had a flurry of calls with Parnas, who was helping in planning his trip to Ukraine.

That same day, Giuliani also spoke with Ambassador Volker on the phone for more than 30 minutes. Ambassador Volker had learned that Giuliani had

intended to travel to Ukraine and had called to warn Giuliani that Prosecutor General Lutsenko “is not credible. Don’t listen to what he is saying.”

Later that day, Giuliani had a 17-minute call with a masked White House number before speaking again with Parnas for 12 minutes.

That same day, on May 10, Politico asked President Trump about Giuliani’s upcoming trip, and he replied, “I have not spoken to him at any great length, but I will. . . . I will speak to him about it before he leaves.” But that evening, on FOX News, Giuliani announced: “I’m not going to go” to Ukraine “because I think I’m walking into a group of people that are enemies of the President.” Separately, in a text message to “Politico,” Giuliani alleged that the original offer for a meeting with Zelensky was a “set-up.” He said it was a set-up orchestrated by “several vocal critics” of President Trump who were advising Zelensky. Giuliani declared that “Zelensky is in [the] hands of avowed enemies of President Trump.”

But Giuliani had not stopped trying. He had Parnas send a letter to Zelensky’s senior aide on May 11 asking for a meeting. That letter made it clear that Giuliani was representing President Trump as “a private citizen” and that he was working with President Trump’s “knowledge and consent.”

The letter is on the slide. It reads:

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

But it did not appear that Giuliani and Parnas’s attempts to get the meeting were working. That same day, Giuliani sent a text message to Parnas asking, “This guy is canceling meeting, I think?” Approximately 3 hours later, Giuliani sent Parnas drafts of a public statement that “people advising the PRES ELECT are no friends of the President.”

Three days later, President Trump instructed Vice President PENCE not to attend the inauguration in Ukraine—just 3 days later. Vice Presidential staffer Jennifer Williams received a surprising call from PENCE’s Chief of Staff. She described it during her public testimony.

(Text of Videotape presentation:)

On May 13th, an assistant to the Vice President’s chief of staff called and informed me that President Trump had decided that the Vice President would not attend the inauguration in Ukraine. She did not provide any further explanation. I relayed that instruction to others involved in planning the potential trip. I also informed the NSC that the Vice President would not be attending, so that it could identify a head of delegation to represent the United States at President-elect Zelensky’s inauguration.

Ms. Manager GARCIA of Texas. Notably, Williams confirmed that the inau-

guration date had not yet been scheduled at the time of that phone call. So the reason for President Trump’s decision was certainly not due to a scheduling conflict.

Secretary of Energy Rick Perry ultimately led the delegation to the inaugural. Accompanying Secretary Perry were Ambassador to the European Union, Gordon Sondland; Ambassador Volker; NSC Director for Ukraine, LTC Alexander Vindman; and Senator RON JOHNSON also attended many of the inaugural events with the delegation. When asked if this delegation was a good group, Holmes replied that it “was not as senior a delegation as we might have expected.”

After the inauguration, Ambassadors Volker and Sondland left Kyiv with a very favorable impression of President Zelensky. Ambassador Volker said they believed it was important that President Trump personally engage with the President of Ukraine in order to demonstrate full U.S. support for him.

When the inauguration team returned to the United States, they had a meeting with President Trump on May 23. The May 23 meeting with President Trump proved to be important for two good reasons. First, with Ambassador Yovanovitch out of the way, President Trump authorized Ambassador Sondland, Secretary Perry, and Ambassador Volker to lead engagement with the new administration in Ukraine; and two, President Trump instructed them to satisfy Giuliani’s concerns in order to move forward on Ukraine matters.

These officials were all political appointees, and Ambassador Sondland had donated \$1 million to the President’s inauguration. The President saw these three political appointees as officials who would fulfill his requests.

Ambassador Volker testified that he, Ambassador Sondland, Secretary Perry, and Senator JOHNSON took turns making their case that this is a new crowd. It is a new President in Ukraine. He is committed to doing the right things, including fighting corruption. They recommended that President Trump follow through on his invitation for President Zelensky to meet with him in the Oval Office, but President Trump did not receive the recommendation well.

At his public hearing, Ambassador Volker described the May 23 Oval Office meeting with President Trump. Let’s listen.

(Text of Videotape presentation:)

Ambassador VOLKER. We stressed our finding that President Zelensky represented the best chance for getting Ukraine out of the mire of corruption it had been in for over 20 years. We urged him [President Trump] to invite President Zelensky to the White House. The President was very skeptical. Given Ukraine’s history of corruption, that’s understandable. He said that Ukraine was a corrupt country, full of terrible people. He said, “They tried to take me down.” In the course of that conversation, he referenced conversations with Mayor Giuliani. It was

clear to me that despite the positive news and recommendations being conveyed by this official delegation about the new President, President Trump had a deeply rooted negative view on Ukraine rooted in the past. He was receiving other information from other sources, including Mayor Giuliani, that was more negative, causing him to retain this negative view.

Ms. Manager GARCIA of Texas. Witnesses said the reference to “taking me down” was to unfounded allegations that Ukraine had interfered in the 2016 election. This was what President Trump considered to be corruption in Ukraine.

The President’s words echoed Giuliani’s public statements about Ukraine in early May. Rather than committing to an Oval Office meeting with the Ukrainian leader, President Trump directed the delegation to talk to Giuliani. Here is how Ambassador Sondland described that instruction from the President.

(Text of Videotape presentation:)

Ambassador SONDLAND. If we wanted to get anything done with Ukraine, it was apparent to us we needed to talk to Rudy.

GOLDMAN. Right. You understood that Giuliani spoke for the President, correct?

Ambassador SONDLAND. That’s correct.

Ms. Manager GARCIA of Texas. Ambassador Sondland saw the writing on the wall. Sondland concluded that if we did not talk to Rudy, nothing would move forward on Ukraine.

The three amigos, as they called themselves, did as the President ordered and began talking to Giuliani. Dr. Hill testified Volker, Sondland, and Perry “gave us every impression that they were meeting with Rudy Giuliani at this point, and Rudy Giuliani was also saying on the television, and indeed had said subsequently, that he was closely coordinating with the State Department.”

Like Dr. Hill, Ambassador Bolton closely tracked Giuliani’s Ukraine-related activities. Hill testified about a conversation she had with Bolton in May of 2019. That conversation was revealing, so let’s listen.

(Text of Videotape presentation:)

Dr. HILL. . . . And I had already brought to Ambassador Bolton’s attention the attacks, the smear campaign against Ambassador Yovanovitch and expressed great regret about how this was unfolding and, in fact, the shameful way in which Ambassador Yovanovitch was being smeared and attacked.

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

GOLDMAN. Did you understand what he meant by that?

Dr. HILL. I did, actually.

GOLDMAN. What did he mean?

Dr. HILL. Well, I think he meant that obviously what Mr. Giuliani was saying was pretty explosive, in any case. He was frequently on television making quite incendiary remarks about everyone involved in this and that he was clearly pushing forward issues and ideas that would, you know, prob-

ably come back to haunt us. And, in fact, I think that that’s where we are today.

Ms. Manager GARCIA of Texas. According to Dr. Hill’s description, Bolton said that Giuliani’s influence could be an obstacle to increased White House engagement with Ukraine. He instructed his staff not to meet with Giuliani.

In June, Volker and Sondland relayed to Ambassador Taylor that President Trump wanted to hear from Zelensky before scheduling the meeting in the Oval Office. Ambassador Taylor testified that he did not understand at the time what that meant.

Around this time, the President publicly expressed that he thought it would be OK to accept foreign interference to assist his campaign if it was in the form of opposition research on his opponent. Let’s listen to that shocking interview.

(Text of Videotape presentation:)

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.

Ms. Manager GARCIA of Texas. Shocking video. Meanwhile, Giuliani continued to press Ukraine to do the President’s political dirty work. On June 21, for instance, Giuliani tweeted the following:

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

The quid pro quo scheme was taking shape. Giuliani was publicly advocating for Ukraine to conduct politically motivated investigations while President Trump refused to schedule an Oval Office meeting for Ukraine’s new President. As Ambassador Sondland testified, the scheme to pressure Ukraine to conduct these investigations would only get more insidious with time.

Mr. Manager CROW. Mr. Chief Justice, the majority leader expressed a preference for a break about 2 hours in. So it is the House managers’ request that I present, and then we take the break, if that is acceptable for everybody.

The CHIEF JUSTICE. Any objection? Move forward.

Mr. Manager CROW. Mr. Chief Justice, Members of the Senate, counsel for the President, and the American people, where were you on July 25, 2019? It was a Thursday. Members of the U.S. Senate were here in this Chamber. On July 25, across the Atlan-

tic, our 68,000 troops stationed throughout Europe were doing what they do every day—training and preparing to support our allies and defend against Russia.

The professionalism and sacrifice of our men and women in uniform is a source of great strength, but America is also strong and America is also secure because we have friends. On July 25, 2019, one of those friends was a man named Oleksandr Markiv. In a story told by Sabra Ayers of the Los Angeles Times, Oleksandr was a soldier in the Ukrainian Army defending his country and Europe against Russian-backed forces on Ukraine’s eastern front. He was in a trench. He was 38 years old. Oleksandr would later die defending his country during a mortar attack on his fighting position, giving his life, just like over 13,000 of his fellow Ukrainians, on the frontlines of the fight for liberty in Europe.

That same Los Angeles Times article painted a picture of what the Ukrainians were going through during this time.

Tens of thousands of Ukrainians, like Markiv, volunteered to help fight the Russian-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.

And while our friends were at war with Russia wearing sneakers, some without helmets, something else was happening. On July 25, President Trump made a phone call. He spoke with Ukrainian President Zelensky and asked for a favor. On that same day, just hours after his call, his administration was quietly placing an illegal hold on critical military aid to support our friends.

So why should any American care about what is happening in Ukraine? Timothy Morrison, former senior director for Europe and Russia at the NSC put it bluntly:

(Text of Videotape presentation:)

Timothy MORRISON. I continue to believe Ukraine is on the front lines of a strategic competition between the West and Vladimir Putin’s revanchist Russia. Russia is a falling power, but it is still a dangerous one. The United States aids Ukraine and her people so that they can fight Russia over there, and we don’t have to fight Russia here. Support for Ukraine’s territorial integrity and sovereignty has been a bipartisan objective since Russia’s military invasion in 2014. It must continue to be.

Mr. Manager CROW. We help our partner fight Russia over there so we don’t have to fight Russia here—our friends on the frontlines, in trenches, and with sneakers.

Following Russia’s invasion of Ukraine in 2014, the United States has stood by Ukraine. Our diplomats and military commanders have long said

that supporting Ukraine makes us safer. But you don't need me to tell you that; you all know it very well. When the funding for the security assistance came up for a vote under this roof, 87 of you voted for the aid.

Many of you have been staunch advocates for Ukraine, working in a non-partisan way to support our friends. That support makes a lot of sense because politics should not play a part in ensuring that Ukraine can battle Russian aggression and ensure that freedom wins in Europe. This body has, in so many ways, set that example.

Protecting Europe from Russia is not a political game. Let me provide some background. In early 2014, in what became known as the Revolution of Dignity, Ukrainian citizens demanded democratic reforms and an end to corruption, ousting the pro-Russian President. Within days, Russian military forces and their proxies invaded Ukraine, annexing Crimea and occupying portions of eastern Ukraine.

Since 2014, more than 13,000 Ukrainians have been killed because of the conflict and over 1.4 million have been forced from their homes.

Russia's invasion of Ukraine is the first attempt to redraw Europe's border since World War II.

In 2017, then-Secretary of Defense James Mattis summed it up well. He said: "Despite Russia's denials, we know they are seeking to redraw international borders by force, undermining the sovereign and free nations of Europe."

And as Ambassador Taylor put it, Russian aggression in Ukraine "dismissed all the principles that have kept the peace and contributed to prosperity in Europe since World War II."

It is clear that Russia is not just a threat in Europe but for democracy and freedom around the world. Our friends and allies have also responded, imposing sanctions on Russia and providing billions of dollars in economic, humanitarian, and security assistance to Ukraine. This has been an international effort.

Today, the European Union is the single largest contributor of foreign assistance to Ukraine, having provided roughly \$12 billion in grants and loans since 2014. The United States has provided over \$3 billion in assistance in that time, because we all know that we can't separate our own security from the security of our friends and allies. That is why the United States has provided economic security and humanitarian assistance in the form of equipment and training.

Ambassador Taylor testified that American aid is a concrete demonstration of our "commitment to resist aggression and defend freedom." He also detailed the many benefits of our assistance for Ukraine's forces.

(Text of Videotape presentation:)

Ambassador TAYLOR. Mr. Chairman, the security assistance that we provide takes many forms. One of the components of that assistance is counter-battery radar. Another component are sniper weapons.

These weapons and this assistance allows the Ukrainian military to deter further incursions by the Russians against their own—against Ukrainian territory. If that further incursion, further aggression, were to take place, more Ukrainians would die. So it is a deterrent effect that these weapons provide.

It's also the ability—it gives the Ukrainians the ability to negotiate from a position of a little more strength when they negotiate an end to the war in Donbas, negotiating with the Russians. This also is a way that would reduce the number of Ukrainians who would die.

Mr. Manager CROW. I would like to make a finer point of how this type of aid helps because I know something about counter-battery radar.

In 2005, I was an Army Ranger serving in a special operations task force in Afghanistan. We were at a remote operating base along the Afghan-Pakistan border. Frequently, the insurgency that we were fighting would launch rockets and missiles onto our small base. But, luckily, we were provided with counter-battery radar. So 20, 30, 40 seconds before those rockets and mortars rained down on us, an alarm would sound. We would run out from our tents and jump into our concrete bunkers and wait for the attack to end. This is not a theoretical exercise, and the Ukrainians know it, for Ukraine aid from the United States actually constitutes about 10 percent of their military budget. It is safe to say that they can't fight effectively without it.

So there is no doubt. U.S. military assistance in Ukraine makes a real difference in the fight against Russia.

In 2019, Congress provided \$391 million in security assistance. This included \$250 million through the Department of Defense's Ukraine Security Assistance Initiative, USAI, and \$141 million through the State Department's Foreign Military Financing Program, FMF.

President Trump signed the bill to authorize this aid in August 2018 and signed another bill to fund it the following month. The aid was underway. The train was leaving the station and following the same track it had followed every single year. But all of this was about to change.

In July of 2019, President Trump ordered the Office of Management and Budget, OMB, to put a hold on all of the aid. The President personally made this decision even after his own appointed advisers warned him that it wasn't in our country's interest to withhold the aid—after overwhelming support in this Senate—and against longstanding policy, even in his own administration.

But what is most interesting to me about this is that he was only interested in the Ukraine aid, nobody else. The United States provides aid to dozens of countries around the world, lots of partners and allies. He didn't ask about any of them—just Ukraine.

The most important question here is why would he do that? What was his motivation? Well, we now know why.

This hold shocked people across our own government. The Department of

Defense, along with the State Department, had already certified to Congress that Ukraine had implemented sufficient anti-corruption reforms to get the funds, and the Defense Department had already notified Congress of its intent to deliver the assistance.

So let's recap all of this. Congress had already funded it. Our own government had already certified that it met all of the standards that it met every other year, and Congress had already been notified, just like every other year.

In a series of meetings of the National Security Agency, everyone except the OMB supported the provision of the assistance. OMB, as we know, is headed by Mick Mulvaney, the President's Chief of Staff.

Ukraine experts at DOD, the State Department, and the White House emphasized that it was in the national security interest of the United States to continue to support Ukraine in its fight. But it wasn't just the national security concern, because many people thought that the hold was just outright illegal. And they were right. It was.

The President's hold did violate the law, because just last week, Congress's independent, nonpartisan watchdog, the Government Accountability Office, released an opinion finding that the hold was illegal.

President Trump held the military aid money for so long that the administration ran out of time to spend the money. Ultimately, even after the President lifted the hold on September 11—again, with no clear explanation why—we, the Congress, had to pass another law to extend the deadline, delaying the delivery of the aid.

In the same L.A. Times article that told the story about our friend Mr. Markiv, a Ukrainian defense spokesperson said that even though the hold had been lifted—this was in September—it "has not reached us yet." That spokesperson went on to say: "It is not just money from the bank. It is arms, equipment and hardware."

And to this day, millions of dollars still haven't been spent.

Although our government neither informed Ukraine of the hold nor publicly announced it, Ukraine quickly learned about it.

On July 25, the same day as President Trump's call with President Zelensky, officials at Ukraine's Embassy here in Washington emailed DOD to ask about the status of the funding. By mid-August, officials at DOD, the State Department, and the NSC received numerous questions from Ukrainian officials about the hold. Everyone was worried. It is not just because of the urgent need for the equipment on the frontlines but also because of the message that it sent. You see, President Zelensky had just been sworn in. They were very vulnerable. And, as we all know, Vladimir Putin looks for vulnerability. He looks for hesitation. He looks for delay. And any public sign of a hold on that aid could be a sign of



weakness that could show him it was time to pounce.

President Trump's hold on Ukraine assistance was eventually publicly reported on August 28. As we will explain, Ukraine fully understood that the hold was connected to the investigations that President Trump wanted.

On February 28, DOD notified Congress that it intended to deliver \$125 million of assistance appropriated in September, including "more than \$50 million of assistance to deliver counter-artillery radars and defense lethal assistance." Congress cleared the notification, which enabled DOD to begin spending the funds.

For Ukraine to receive the remaining \$125 million, Congress required that the Secretary of Defense, in coordination with the Secretary of State, certify that the Government of Ukraine had taken substantial anti-corruption reforms.

Deputy Assistant Secretary of Defense Laura Cooper and senior officials across our government conducted a review to evaluate whether Ukraine had met the required benchmarks.

Ms. Cooper explained that the review involved "pulling in all the views of the key experts on Ukraine defense, and coming up with a consensus view," which was then run "up the chain in the Defense Department, to ensure we have approval."

By May 23, the anti-corruption review was complete, and DOD certified to Congress that Ukraine had complied with all of the conditions and that the remaining half of the aid should be released. But, again, you don't have to take my word for it. On May 23, in a letter to Congress, one of President Trump's senior political appointees, the Under Secretary of Defense for Policy, wrote: "On behalf of the Secretary of Defense, and in coordination with the Secretary of State, I have certified that the Government of Ukraine has taken substantial actions to make defense institutional reforms for the purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability enabled by U.S. assistance."

Congress then cleared the funding, which should have allowed Ukraine to receive the aid. But we know that is not what happened.

On June 18, as DOD was preparing to send the aid, they issued a press release—as they normally do—announcing that it would provide \$250 million in security assistance to Ukraine "for additional training, equipment, and advisory efforts to build the capacity of Ukraine's armed forces." This included sniper rifles, rocket-propelled grenades, counter-artillery radars, command and control, electronic warfare, secure communications, vehicles, night vision, and medical equipment. However, according to the New York Times, 1 day after the Defense Department issued this press release—1 day—Assistant to the President Robert

Blair, who works for Mick Mulvaney, called OMB Acting Director Russell Vought to tell him: "We need to hold it up." The "it" was the assistance.

That same day, June 19, President Trump gave an interview on FOX News where he raised the so-called CrowdStrike conspiracy theory that Ukraine, not Russia, had interfered in the 2016 election, a line he would echo during his July 25 call with President Zelensky. This theory, by the way, has been advanced by Russian propaganda to try to take attention away from Russian interference and shift it onto Ukraine. It is a theory that has been universally debunked by U.S. intelligence and law enforcement.

Nonetheless, the President, spurred by the June 18 press release and with the false theory about the Ukraine interference, supposedly, in the 2016 election, started asking about the Ukraine assistance. On June 19, OMB Associate Director for National Security Michael Duffey emailed Elaine McCusker, the DOD comptroller. He said the President had questions about the press report and that he was seeking additional information. This was a reference to an article in the Washington Examiner, shown here on the slide in front of you.

The White House withheld this email from the House, of course. We first learned of it from Duffey's deputy, Mark Sandy, who testified that he was copied on it. Subsequently, as a result of a lawsuit under the Freedom of Information Act, the public and, therefore, Congress received a copy of that email, but the White House still refuses to comply with the subpoenas for this and other documents.

On June 20, McCusker responded to President Trump's inquiry by providing Sandy information on the security assistance program. Sandy shared the information with Duffey, but he did not know whether Duffey shared the information with the White House. Laura Cooper also recalled receiving an email inquiry about Ukraine's security assistance "a few days" after DOD's June 18 press release. She noted that it was "relatively unusual" to receive questions from the President. In response, DOD provided materials explaining that the \$250 million funding package was for additional training, equipment, and advisory efforts to build the capacity of Ukraine's Armed Forces. DOD emphasized that "almost all of the dozens of vendors are U.S. companies," meaning that this funding also benefited U.S. businesses and workers.

Nonetheless, President Trump put the wheels in motion to freeze the funds shortly after learning about DOD's plan to release the funds. According to a New York Times article on June 27, Chief of Staff Mulvaney emailed Blair:

I am just trying to tie up some loose ends. Did we ever find out about the money from Ukraine and whether we can hold it back?

Blair reportedly responded that it would be possible but not pretty. He

added: "Expect Congress to become unhinged." I suppose he said that for all the reasons we have talked about earlier, because this Chamber and our Chamber on the other side of the Capitol resoundingly supports it.

And that was just the Defense Department assistance to Ukraine. For 2019, Congress also appropriated \$141 million to Ukraine through the State Department. Unlike the Defense Department funding, which was approved by Congress and ready to be spent, OMB blocked the State Department from even seeking Congress's approval to release the funds.

I am going to pause here to, once again, stress that we have learned a lot about the circumstances around the initial hold only from the public release of and reporting about these emails in the past few weeks. The White House has refused to provide these emails in response to a subpoena.

Mick Mulvaney and Rob Blair refused to comply with the subpoena to testify. These emails are just a few of the many thousands that likely exist on this topic but which have been concealed from Congress and the American people because of ongoing obstruction. In fact, last night, as we were here late into the night, sometime around midnight, a new tranche of documents were released under a Freedom of Information Act request by an independent watchdog that had been asking for them—they were released last night—between Mr. Duffey and Elaine McCusker, and others, on the things that I am talking about right now. Unfortunately, as you can see, there isn't a lot to read here because it is all blacked out. So, if the President's lawyers contest any of the facts that I am talking about, you should demand to see the full record. The American people deserve to see the full truth when it comes to Presidential actions.

Back to the timeline, from July to September of 2019, the President and his advisers at the White House and OMB implemented the hold on Ukraine assistance through an unusual and unlawful process. First, on July 3, the State Department notified DOD and NSC staff that OMB was blocking its notification to Congress. According to Jennifer Williams, Vice President PENCE's aide, the hold on this assistance "came out of the blue" because it had not been previously discussed by OMB or NSC.

Around July 12, President Trump directed that a hold be placed on the DOD security assistance as well. That day, Mr. Blair sent an email to Duffey at OMB informing him "that the President is directing a hold on military support funding for Ukraine."

Around July 15, Tim Morrison learned from Deputy National Security Advisor Charles Kupperman "that it was the President's direction to hold the assistance." Several days later, Duffey and Blair again exchanged emails about Ukraine's security assistance, and Sandy testified that, in these

emails, Duffey asked Blair about the reason for the hold. Blair provided no explanation. Instead, he said: “We need to let the hold take place” and then “revisit” the issue with the President.

Between July 18 and July 31, the NSC staff convened several interagency meetings at which the hold on security assistance was discussed. Remember those dates: July 18 to July 31. According to Mark Sandy and other witnesses, several facts emerged. First, the agencies learned that the President himself had directed the hold through OMB. Second, no justification or explanation was provided for the hold, despite repeated questions. Third, except for OMB, all agencies were supporting military aid because it was in the national security interests of the United States. And fourth, many were concerned that the hold was outright illegal.

Ambassador Taylor learned of the hold on July 18. He said the “directive had come from the President to the Chief of Staff to OMB” and that he “sat in astonishment” because “one of the key pillars of our strong support for Ukraine was threatened.”

David Holmes, a diplomat at the U.S. Embassy in Kyiv, testified that he was shocked by the hold. Although there was initially some question as to whether the hold applied to DOD funds, which was already cleared by Congress, it soon became clear that the hold applied to all \$391 million.

Tim Morrison testified that DOD officials raised concerns at a meeting on July 23 about whether it was “actually legally permissible for the President to not allow for the disbursement of the funding.” These concerns related to possible violations of the Impoundment Control Act, the law that gives a President the authority to delay or withhold funds only if Congress is notified of those intentions and approves the proposed action. Of course, neither of those things had been done. The issue was escalated quickly, and at a senior-level meeting on July 26, OMB remained the lone voice for holding the aid. According to Tim Morrison, OMB said that President Trump was concerned about corruption in Ukraine. Cooper, from DOD, also attended the July meeting. She received no further understanding of what was meant by “corruption.” There was never a principals meeting convened on this issue, but there was a fourth and final interagency meeting on July 31. Remember that date? A fourth and final one.

There is a process for making sure that U.S. aid money makes it to the right place, to the right people.

Mr. Chief Justice, I do see a lot of Members moving and taking a break. Would you like to take a break at this time? I have another, probably, 15 minutes.

The CHIEF JUSTICE. I think we can continue.

Mr. McCONNELL. Mr. Chief Justice, if I may, what I was going to suggest was that at 6:30 we take a 30-minute break for dinner, if that would work.

The CHIEF JUSTICE. So break at 6:30?

Mr. McCONNELL. Yes. What I was going to suggest is a break for dinner at 6:30 for about 30 minutes, if that works.

The CHIEF JUSTICE. That is a good idea.

Mr. Manager CROW. So we know there was a hold, but there was no lawful way to implement that hold. So the OMB had to use creative methods. There is a process for making sure that U.S. aid money makes it to the right place, to the right people—a process that had been followed every year since the Congress approved security assistance to Ukraine. The administration needed to find a creative way of getting around that process. Later in the evening of July 25, the OMB found that way, even though DOD had already notified Congress that the funds would be released.

Here is how it worked. First, OMB issued guidance asserting that there was an ongoing review of assistance, even though none of the witnesses who testified were aware of any review of assistance. Second, OMB also attempted to hide the hold in a series of technical footnotes in funding documents. And third, OMB’s leadership also transferred responsibility for approving funding obligations from career civil servant Mark Sandy to a political appointee, Mark Duffey, someone with no relevant experience in this funding.

Based on recent public reporting and documents DOD released under the Freedom of Information Act, we learned that on July 25, approximately 90 minutes after President Trump’s phone call with President Zelensky, Mr. Duffey put this three-pronged plan into motion when he sent an email to senior DOD officials, copying Sandy. The email is in front of you. In this email, Duffey stated: Based on guidance I have received and in light of the administration’s plan to review assistance to Ukraine, please hold off on any additional DOD obligations of these funds, pending direction from that process. Duffey also underscored: “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.” In other words, don’t tell anybody about it.

Later that day, Sandy approved and signed the first July 25 funding document, which delayed funding until August 5. Sandy testified that the purpose of this and subsequent footnotes “was to preclude obligation for a limited period of time but enable planning and casework to continue.” Sandy also testified that his use of footnotes was unusual and that, in his 12 years of OMB experience he could “not recall another event like it.”

On July 29, Duffey told Sandy he would no longer be responsible for approving the release of DOD Ukraine funding. This was only weeks after

Sandy had raised questions about the legality of the President’s hold. Duffey also revoked the authority for approving the release of the State Department funding from Sandy’s colleague at OMB. In short, Duffey assumed approval authority for all \$391 million of the assistance.

Over the next several weeks, with Duffey in charge, OMB continued to issue funding documents that kept kicking the can down the road, supposedly to allow for an interagency process—and, remember, an interagency process that had already wrapped up back in July—while inserting the whole time footnotes throughout the apportionment documents stating that the delay wouldn’t affect the program. Yet concerns continued to be relayed within DOD that it had.

In total, OMB issued nine of these documents between July 25 and September 10. Even as OMB was implementing the President’s hold, officials inside OMB advocated for the release of the funds. On August 7, OMB staff sent a memo to Director Vought recommending removing the hold because the assistance was consistent with the national security strategy in terms of, one, supporting a stable, peaceful Europe; two, the fact that the aid countered Russian aggression; and, three, that there was bipartisan support for the program. This meant that experts at every single relevant agency involved opposed the hold.

By mid-August, DOD raised concerns that it might not be able to fully spend the DOD funds before the end of the fiscal year. Laura Cooper testified that DOD estimated that \$100 million of aid was at risk of not getting to Ukraine. DOD concluded that it could no longer support OMB’s claim, in the footnotes, that “this brief pause in obligations will not preclude DOD’s timely execution of the final policy direction.” Sandy testified that this sentence in the footnotes was “at the heart of that issue about ensuring that we don’t run afoul of the Impoundment Control Act.”

Records produced in response to a FOIA lawsuit show that Mr. Duffey and Ms. McCusker exchanged emails on August 20, and on that date, OMB modified the footnote. These emails are almost entirely redacted; however, all the subsequent footnotes issued by OMB during the pendency of the hold removed this sentence regarding DOD’s ability to fully obligate the funds by the end of the fiscal year. Nevertheless, OMB continued to implement the hold at the President’s direction. We know from emails released last night that as of September 5, OMB was continuing to instruct DOD to hold the aid. OMB gave these emails to a private organization just because of a FOIA lawsuit. On September 5, Duffey emailed McCusker the following:

No movement on Ukraine. Footnote forthcoming to continue hold through Friday.

We know that McCusker responded to OMB with a lengthy email detailing

DOD's serious concerns, but OMB rejected almost the whole thing.

As I explained last night, OMB has key documents that President Trump has refused to turn over to Congress—key documents that go to the heart of one of the ways in which the President abused his power.

Concerns about whether the administration was bending, if not breaking, the law contributed to at least two OMB officials resigning, including an attorney in OMB. According to Sandy, one colleague specifically disagreed with OMB General Counsel about the application of the Impoundment Control Act. As I mentioned earlier, the independent and nonpartisan Government Accountability Office has already said that the hold was illegal. But you remember the OMB correspondence referencing the "Interagency Process." As we now know, there was no interagency process. It had ended months before. They made it up. They had to make it up because they couldn't say the real reason for the hold.

Sometime prior to August 6, Ambassador Bolton had a one-on-one meeting with President Trump. According to Tim Morrison, at that meeting, the President "was not yet ready to approve the release of the assistance." Ambassador Bolton instructed Morrison to look for other opportunities to get the President's Cabinet together "to have the direct, in-person conversation with the President about this topic." Everyone was worried, including the President's National Security Advisor.

In mid-August, Lieutenant Colonel Windman drafted a Presidential decision memorandum for Ambassador Bolton to present to President Trump for a decision on Ukraine security assistance. The memorandum recommended that the hold be lifted. Morrison testified that the memorandum was never provided to the President because of other competing issues. Morrison testified that a meeting with the President was never arranged in August, reportedly because of scheduling problems.

According to recent press reports, on August 30, Secretary of Defense Esper and Secretary of State Pompeo met with President Trump and implored him to release the security assistance because doing so was in the interest of the United States. However, President Trump continued to ignore everybody. Later that day, Duffey emailed Under Secretary of Defense Elaine McCusker and wrote: "Clear direction from POTUS to hold."

The Ukrainian Government knew of President Trump's hold on security assistance well before it was publicly reported on August 28. This was not surprising. U.S. diplomat Catherine Croft testified it was "inevitable that it was eventually going to come out."

She said that two individuals from the Ukrainian Embassy here in Washington approached her approximately a week apart "quietly and in confidence

to ask me about an OMB hold on Ukraine security assistance." She could not precisely recall the dates of these conversations but testified that she was "very surprised at the effectiveness of my Ukrainian counterparts." Everyone was worried. Why would these diplomats quietly make this inquiry? It is because if it had gone public, it would show that weakness against Russia which was so concerning to everybody involved. She said: "I think that if this were public in Ukraine, it would be seen as a reversal of our policy . . . it would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine."

Meanwhile, Laura Cooper testified that DOD heard from the Ukrainian Embassy on July 25—the same day as President Trump's call to President Zelensky.

(Text of Videotape presentation:)

LAURA COOPER. On July 25th, a member of my staff got a question from a Ukraine Embassy contact asking what was going on with Ukraine security assistance, because at that time, we did not know what the guidance was on USAI. The OMB notice of apportionment arrived that day, but this staff member did not find out about it until later. I was informed that the staff member told the Ukrainian official that we were moving forward on USAI, but recommended that the Ukraine Embassy check in with State regarding the FMF."

Mr. Manager CROW. "USAI" referred to the \$250 million that OMB blocked DOD from sending to Ukraine. "FMF" referred to the \$141 million they blocked from the State Department.

On July 25, Cooper's staff also received two emails from the State Department revealing that the Ukrainian Embassy was "asking about security assistance" and that "the Hill knows about the FMF . . . situation to an extent, and so does the Ukrainian embassy." One of Cooper's staff members reported additional contacts with Ukrainian officials about the hold in August.

Finally, we know the Ukrainians knew about the hold because the New York Times published an interview with the former Deputy Foreign Minister of Ukraine, Olena Zerkal. She stated that she and President Zelensky's office received a cable in late July informing them of the hold.

In short, by the time of POLITICO's report on August 28, the Ukrainians were well aware that the aid was not the only important official act the White House was withholding from them. The long-sought White House visit for President Zelensky was also in limbo.

As all of this transpired, Ukrainian troops were still on the frontlines in eastern Ukraine, facing off against Russian-backed forces, dying in defense of their country.

Ambassador Bill Taylor visited those Ukrainian troops on July 26. He recalled seeing "the armed and hostile Russian-led force on the other side of the damaged bridge across the line of

the contact." When asked to reflect on that visit, here is what Ambassador Taylor had to say:

(Text of Videotape presentation:)

Mr. MALONEY. Let's talk about July 26, a lot of years later. You go to the front, you go to Donbas with Ambassador Volker, I believe. And you're on the bridge, and you're looking over on the front line at the Russian soldiers. Is that what you recalled?

Ambassador TAYLOR. Yes, sir.

Mr. MALONEY. And you said the commander there, the Ukrainian commander, thanked you for the American military assistance that you knew was being withheld at that moment.

Ambassador TAYLOR. That's correct.

Mr. MALONEY. How'd that make you feel, sir?

Ambassador TAYLOR. Badly.

Mr. MALONEY. Why?

Ambassador TAYLOR. Because it was clear that that commander counted on us. It was clear that that commander had confidence in us. It was clear that that commander had what—was appreciative of the capabilities that he was given by that assistance but also the reassurance that we were supporting him.

Mr. Manager CROW. Like me, Ambassador Taylor is a combat veteran. In fact, he was awarded a Bronze Star. Ambassador Taylor knew how vital our military aid was to those Ukrainian troops because he knows what it feels like to have people counting on you.

Members of the U.S. Senate, I know you believe that aid is important, too, because 87 Members of this body voted to support it. President Trump did not think the aid was important last year. He ignored you and the direction of Congress. He betrayed the confidence of our Ukrainian partners and U.S. national security when he corruptly withheld that aid. He did so because he simply wanted to help his own political campaign. Our men and women in uniform deserve better. Our friends and allies deserve better. The American people deserve better.

Mrs. Manager DEMINGS. Chief Justice Roberts, Senators, and counsel for the President, I want to talk to you about the White House meeting that President Trump offered to President Zelensky during their first phone call in April. But, as you know, that meeting has not been scheduled. It was never scheduled.

Ambassador Sondland testified that after the May 23 meeting with President Trump, it became clear that President Zelensky would not be invited to the Oval Office until he announced the opening of investigations that would benefit President Trump's reelection. During his testimony, Ambassador Sondland stressed that it was a clear quid pro quo. Let's listen.

(Text of Videotape presentation:)

Ambassador SONDLAND. I know that members of this committee frequently frame these complicated issues in the form of a simple question: Was there a quid pro quo? As I testified previously with regard to the requested White House call and the White House meeting, the answer is yes. Mr. Giuliani conveyed to Secretary Perry, Ambassador Volker, and others that President Trump wanted a public statement from

President Zelensky committing to investigations of Burisma and the 2016 election. Mr. Giuliani expressed those requests directly to the Ukrainians, and Mr. Giuliani also expressed those requests directly to us. We all understood that these prerequisites for the White House call and the White House meeting reflected President Trump's desires and requirements.

Mrs. Manager DEMINGS. Ambassador Sondland also testified that the scheme to pressure Ukraine into fulfilling the President's requirements for an Oval Office meeting became progressively more specific and problematic—what he described as a “continuum of insidiousness.” He explained the evolution from generic requests to investigate corruption to calls to pursue specific allegations against President Trump's political opponents.

Here is Ambassador Sondland again.  
(Text of Videotape presentation:)

Ambassador SONDLAND. Well, Mr. Chairman, when we left the Oval Office, I believe on May 23, the request was very generic for an investigation of corruption in a very vanilla sense and dealing with some of the oligarch problems in Ukraine, which were long-standing problems. And then as time went on, more specific items got added to the menu, including the Burisma and 2016 election meddling, specifically the DNC server specifically. And over this continuum it became more and more difficult to secure the White House meeting because more conditions were being placed on the White House meeting.

Mrs. Manager DEMINGS. In short, Ambassadors Volker and Sondland understood that to get the meeting scheduled, they needed to get Mr. Giuliani's agreement first.

On June 27, Ambassador Sondland explained to Ambassador Taylor that President Trump needed to hear from the Ukrainian leader before he would consent to a White House meeting. Here is how Ambassador Taylor explained it.

(Text of Videotape presentation:)

Ambassador TAYLOR. On June 27th, Ambassador Sondland told me during a phone conversation that President Zelensky needed to make clear to President Trump that he, President Zelensky, was not standing in the way of investigations.

Diplomat David Holmes testified that he understood, early on, the investigations to mean the Burisma-Biden investigations that Mr. Giuliani and his associates had been speaking about publicly. Mr. Holmes noted that while President Trump was withholding an Oval Office meeting with Ukraine's newly elected leader, he agreed to meet with Ukraine's chief foe, Vladimir Putin.

Mr. Holmes had this to say:

(Text of Videotape presentation:)

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

Mrs. Manager DEMINGS. Ambassador Volker did not dispute other witnesses' testimony that President Trump conditioned an Oval Office

meeting on President Zelensky's willingness to announce investigations. Indeed, Ambassador Volker helped matters along. Ambassador Volker testified that at a conference in early July, he suggested that President Zelensky speak to President Trump on the phone to discuss the investigations.

During his testimony, Ambassador Volker described that encounter.

Mr. GOLDMAN. Uh-huh. And in the July 2nd or 3rd meeting in Toronto that you had with President Zelensky, you also mentioned investigations to him, right?

Ambassador VOLKER. Yes.

Mr. GOLDMAN. And, again, you were referring to the Burisma and the 2016 election.

Ambassador VOLKER. I was thinking of Burisma and 2016.

Mr. GOLDMAN. Okay. And you understood that is what the Ukrainians interpreted references to investigations to be, related to Burisma and the 2016 election?

Ambassador VOLKER. I don't know specifically at that time if we had talked that, specifically, Burisma/2016. That was my assumption, though, that they would've been thinking about doing that, too.

Mrs. Manager DEMINGS. Mr. Giuliani became an inescapable presence to both Ukrainian officials and American diplomats. To the Ukrainians, Rudy Giuliani was seen as both a potential channel to President Trump and an obstacle to a productive U.S.-Ukraine relationship.

A top aide to President Zelensky texted to Volker that “I feel that the key for many things is Rudi and I [am] ready to talk with him at any time.”

But everyone understood that Mr. Giuliani was no rogue agent. He was acting at the direction of the President. Ambassador Sondland clearly described Mr. Giuliani's role in regard to the President. Let's listen.

(Text of Videotape presentation:)

Ambassador SONDLAND. Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. Mr. Giuliani demanded that Ukraine make a public statement announcing the investigations of the 2016 election, DNC server, and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President.

Mrs. Manager DEMINGS. Concern about Mr. Giuliani's influence began to grow. On July 10, at a meeting between Ambassador Taylor and two Ukrainian officials in Kyiv, Ukrainian officials said they were “very concerned” because Mr. Giuliani had told the corrupt prosecutor general, Lutsenko, that President Trump would not meet with the Ukrainian leader.

Back in Washington, two important encounters at the White House further revealed the existence of a corrupt quid pro quo. Ambassador Sondland first broached the investigation in a meeting in Ambassador Bolton's office with Bolton's Ukrainian counterpart and President Zelensky's top aide. Also present were Secretary Perry, Ambassador Volker, and NSC officials Dr. Hill and Lieutenant Colonel Vindman. Toward the end of the meeting, the Ukrainians raised the topic of an Oval

Office meeting between President Trump and President Zelensky. Ambassador Bolton started to respond when Ambassador Sondland interjected and raised the demands of the investigation.

Here is how Lieutenant Colonel Vindman recalled the conversation:

(Text of Videotape presentation:)

Mr. VINDMAN. To the best of my recollection, Ambassador Sondland said that in order to get a White House meeting, the Ukrainians would have to provide a deliverable, which is investigations, specific investigations.

Mrs. Manager DEMINGS. Ambassador Volker separately confirmed this recollection during his testimony.

(Text of Videotape presentation:)

Ambassador VOLKER. I participated in the July 10 meeting between National Security Advisor Bolton and then-Ukrainian Chairman of the National Security and Defense Council, Alex Danyliuk. As I remember, the meeting was essentially over when Ambassador Sondland made a general comment about investigations. I think all of us thought it was inappropriate.

Mrs. Manager DEMINGS. Ambassador Bolton also found Ambassador Sondland's reference to be inappropriate, and he abruptly ended the meeting. However, Ambassador Sondland was not deterred. He convened a second meeting where he discussed what needed to happen before an Oval Office meeting. Apparently, Ambassador Sondland had received his marching orders from the President, and he was determined to carry them out.

Bolton sent Dr. Hill to join that meeting and report back. This is what Dr. Hill had to say:

(Text of Videotape presentation:)

Dr. HILL. And so when I came in, Gordon Sondland was basically saying, well, look, we have a deal here that there will be a meeting—I have a deal here with Chief of Staff Mulvaney. There will be a meeting if the Ukrainians open up or announce these investigations into 2016 and Burisma. And I cut it off immediately there. Because by this point, having heard Mr. Giuliani over and over again on the television and all of the issues that he was asserting, by this point it was clear that Burisma was code for the Bidens because Giuliani was laying it out there.

Mrs. Manager DEMINGS. After the meeting, Dr. Hill followed up with Ambassador Bolton and relayed what transpired. Bolton was alarmed. In other words, Ambassador Bolton didn't want any part of it. He directed Dr. Hill to brief the NSC's top attorney, John Eisenberg, as she explained during her hearing.

(Text of Videotape presentation:)

GOLDMAN. What was that specific instruction?

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

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

Dr. HILL. I took it to mean investigations for a meeting.

GOLDMAN. Did you go speak to the lawyers?

Dr. HILL. I certainly did.

Mrs. Manager DEMINGS. As a former chief of police, I think it is quite interesting that Ambassador Bolton categorized the corrupt scheme—the pressure campaign—as a “drug deal.” I think Ambassador Bolton was trying to send us a very powerful message that not only would the lawyers, the top lawyer understand, but that every person would understand—every Member of the House, every Member of the Senate, every member of our great country, every citizen.

And Ambassador Bolton also wanted to make clear, especially to the top attorney, that he did not want to have anything to do with the drug deal in progress. But we do know now, of course, that Ambassador Bolton can testify directly about this. He can testify directly for himself about this meeting if he appears before this body, as he has indicated that he is prepared to do if this body is willing to issue a subpoena. We need to hear from Ambassador Bolton, and I know the American people want to hear from Ambassador Bolton as well.

Dr. Hill testified that she spoke to Mr. Eisenberg twice. Dr. Hill also indicated that Mr. Eisenberg took notes of their meeting, which we, to no surprise now, do not have. We have not received them because of the President’s obstruction.

It is clear that Ambassador Sondland was not operating a rogue operation. He testified that everyone was in the loop. Let’s listen once again.

(Text of Videotape presentation:)

Ambassador SONDLAND. Everyone was in the loop. It was no secret. Everyone was informed via email on July 19th, days before the Presidential call. As I communicated to the team, I told President Zelensky in advance that assurances to run a fully transparent investigation and turn over every stone were necessary in his call with President Trump.

Mrs. Manager DEMINGS. In the email reference, Ambassador Sondland wrote the following to Secretary Pompeo, Secretary Perry, and Mr. Mulvaney regarding President Zelensky.

(Text of Videotape presentation:)

He is prepared to receive POTUS’ call. Will assure him that he intends to run a fully transparent investigation and will “turn over every stone.”

Both Mulvaney and Perry responded to the email noting that the head-of-state call would be scheduled right away. Now, you may be asking: What did Mulvaney know about these investigations, and did he have any conversations with President Trump about them?

Senators, this body is entitled to see all of the evidence, and do you know what? The American people are entitled to hear all of the evidence. And while the nature of the “drug deal” we have talked about was uncontested, it is important for the country to know that everyone was involved because we

have heard that everyone was in the loop.

Now, later this day, July 19, Ambassador Sondland texted Ambassadors Volker and Taylor about the upcoming head-of-state telephone call, and the text said:

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

Ambassador Volker replied to Sondland’s text: “Most [important] is for Zelensky to say that he will help investigations.”

The evidence shows that the Ukrainians understood what they needed to do to earn a White House meeting with the President.

On July 20, the day after Ambassador Sondland’s phone call with President Zelensky, Ambassador Taylor spoke with the Ukrainian national security advisor. Ukraine’s national security advisor conveyed that the Ukrainian President did not want to become an instrument in U.S. politics.

Here is how Ambassador Taylor explained that concern:

(Text of Videotape presentation:)

GOLDMAN. What did you understand it to mean when—that Zelensky had concerns about being an instrument in Washington domestic reelection politics?

Ambassador TAYLOR. Mr. Danyliuk understood that these investigations were pursuant to Mr. Giuliani’s request to develop information, to find information about Burisma and the Bidens. This was very well known in public. Mr. Giuliani made his point clear in several instances in the beginning—in the springtime.

And Mr. Danyliuk was aware that that was a problem.

GOLDMAN. And would you agree that, because President Zelensky is worried about this, they understood, at least, that there was some pressure for them to pursue these investigations? Is that fair?

Ambassador TAYLOR. Mr. Danyliuk indicated that President Zelensky certainly understood it, that he did not want to get involved in these types of activities.

Mrs. Manager DEMINGS. The next day, Ambassador Taylor relayed the Ukrainian leader’s concerns to Volker and Sondland, but Ambassador Sondland did not back down.

Specifically, Ambassador Sondland texted in response to Ambassador Taylor’s worry: “Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext.”

Again, Ambassador Sondland had his marching orders, and he was determined to carry them out.

A call between President Trump and President Zelensky was scheduled for July 25.

Before the call, President Trump spoke to Sondland and reiterated his expectation that the Ukrainian leader would commit to the investigations.

Ambassador Sondland subsequently contacted Ambassador Volker and relayed the message to him.

Volker then texted Zelensky’s top aide with President Trump’s instruction: “[A]ssuming President Z convinces trump he will investigate / ‘get

to the bottom of what happened’ in 2016, we will nail down the date for a visit to Washington.”

Senators, in other words, even before the July 25 phone call with President Zelensky, before it ever took place, Ukraine understood that it needed to initiate the investigation into the debunked conspiracy theory about the 2016 election as a condition for President Zelensky, the newly elected Ukrainian President, to visit the White House.

Ambassador Sondland testified that acting on President Trump’s direct orders, he and Ambassador Volker prepped President Zelensky for the telephone call.

(Text of Videotape presentation:)

GOLDMAN. And you would agree that the message in this—that is expressed here is that President Zelensky needs to convince Trump that he will do the investigations in order to nail down the date for a visit to Washington, D.C. Is that correct?

Ambassador SONDLAND. That’s correct.

Mrs. Manager DEMINGS. By this time, nonpartisan career officials involved with Ukraine policy had become aware of this quid pro quo.

Here is what three of them said during their testimony:

Ambassador Taylor: “. . . the meeting President Zelensky wanted was conditioned on investigations of Burisma and alleged Ukrainian influence in the 2016 elections . . .”

Ambassador David Holmes: “. . . it was made clear that some action on a Burisma/Biden investigation was a precondition for an Oval Office visit.”

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

A White House visit—a visit to the Oval Office—was dangled out to the Ukrainian Government.

Senators, I ask you to think about those words as we decide—as you decide—what action you will take. Think about those words. There was no doubt the direction came from the President of the United States. The President was at the center of this scheme.

Ambassador Sondland testified: “Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President.”

Ambassador Sondland added that Mr. Giuliani “followed the direction of the President” and “we followed the President’s orders.”

However, as Ambassador Taylor testified, “Ambassador Bolton was not interested in having—did not want to have the call because he thought it was going to be a disaster.” He thought that there could be some talk of investigations or even worse than that, he thought.

I ask you today, Senators: What was Ambassador Bolton so afraid that President Trump would say to the newly elected Ukrainian President?

What was the National Security Advisor so afraid that President Trump would say to President Zelensky?

This is another topic we would like to ask Ambassador Bolton about if and when he appears before this body.

Mr. Manager JEFFRIES. Mr. Chief Justice, distinguished Members of the Senate, I thank you, once again, for your indulgence and for your courtesy as we all undertake our solemn constitutional responsibilities during this Senate trial.

George Washington once observed in his Farewell Address to the Nation that the Constitution was sacredly obligatory upon all. That means everyone. In fact, that is what makes our great country so distinct from authoritarian regimes and enemies of democracy. Vladimir Putin is above the law in Russia; Erdogan is above the law in Turkey; Kim Jong Un is above the law in North Korea, but in the United States of America, no one is above the law, not even the President of the United States. That is what this moment is all about.

As we all know, Congress is a separate and coequal branch of government. We don't work for this President or any President. We, of course, work for the American people. We have a constitutional responsibility to serve as a check and balance on an out-of-control executive branch. That is not from the Democratic Party's playbook, and that is not from the Republican Party's playbook. That is from the playbook of a democratic republic.

James Madison once observed in Federalist No. 51 that the Congress should serve as a rival to the executive branch.

In my humble opinion, why would Madison use the word "rival"?

It is that the Framers of the Constitution, I think, did not want a King; they did not want a dictator; they did not want a Monarch. They wanted a democracy. The Constitution is sacredly obligatory upon all. It is through that lens that we proceed today.

For the next few moments, I would like to discuss President Trump's July 25 phone call with Ukraine's newly elected leader.

The President claims that his call was perfect. Nothing can be further from the truth. The call is direct evidence of President Trump's solicitation of foreign interference in the 2020 election as part of a corrupt scheme. It is important, of course, to remember the context of this call.

New Ukrainian President Volodymyr Zelensky was in a vulnerable position and viewed American and diplomatic military support as critical to his standing and to Ukraine's fragile future as a democracy. Equally significant, as outlined by my colleagues, America has a strong national security interest in supporting Ukraine against Russia's continued aggression.

William Taylor, a West Point graduate, a Vietnam war hero, and Ambassador to Ukraine, appointed by Donald

Trump, testified: "Ukraine is a strategic partner of the United States—important for the security of our country as well as Europe."

LTC Alexander Vindman, a National Security Council officer, a Trump appointee, a Purple Heart recipient, an Iraq war veteran, testified: "A strong and independent Ukraine is critical to our national security interests."

Ukraine remains under attack by Russian-backed separatists in Crimea. It is an ongoing hot war. Ukraine is a friend. Russia is a foe. Ukraine is a democracy. Russia is a dictatorship. The United States may very well be one of the other things standing between Russia and Ukraine's being completely overrun. As part of that, Vladimir Putin continues aggression against the free world. That is why this Congress allocated \$391 million in military and security aid to a vulnerable Ukraine on a bipartisan basis. It is that it is in America's national security interests.

On the July 25 call, Mr. Trump could have endeavored to strengthen the relationship with this new Ukrainian leader. Instead, President Trump focused on securing a personal favor. He wanted Ukraine to conduct phony investigations, designed to enhance his political standing and solicit foreign interference in the 2020 election.

On the July 25 call, President Trump maligned a highly respected American Ambassador, known as an anti-corruption crusader. At the same time, he praised a corrupt former Ukrainian prosecutor, and on multiple occasions, President Trump directed Ukraine's new leader to speak with his personal lawyer, Rudolph Giuliani, on an official call.

Mr. Giuliani is not a member of the Trump administration. For these and other reasons, the July 25 call warrants our close scrutiny. It presents significant and shocking evidence of President Trump's corrupt intent. The call lays bare the President's willingness to do whatever it takes to get what he wants even if his behavior undermines the national security interests of the United States of America.

At the beginning of the call, President Zelensky mentioned U.S. military aid, and he states: "I would also like to thank you for your great support in the area of defense." The great support in the area of defense includes the security assistance passed by this Congress, on a bipartisan basis, that Donald Trump held up in violation of the law.

Immediately after President Zelensky raised the issue of defense support, President Trump responded: "I would like you to do us a favor, though."

These words will live in infamy.

First, President Trump said to President Zelensky, as part of the two demands that he requested:

I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike . . . I guess you have one of your wealthy people. . . . The server, they say, Ukraine has it."

President Trump continued:

I would like to have the Attorney General call you or your people, and I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller—

A Vietnam war hero, by the way—a very poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you can do, it's very important that you do it if that's possible.

Who is the "they" referred to by President Trump putting forth the baseless conspiracy theory that the Ukrainians, not the Russians, were behind the hack of the Democratic National Committee server in 2016?

"They" means Russia. "They" means Putin. "They" are enemies of the United States.

Not a single witness who testified before the House knew of any factual basis for President Trump's belief in the CrowdStrike Ukraine fairytale. To the contrary, the U.S. intelligence community and this Senate Intelligence Committee assessed that Russia interfered in the 2016 election.

As Dr. Fiona Hill testified, the theory that Ukraine interfered in the 2016 election "is a fictional narrative that has been perpetrated and propagated by the Russian security services."

The conspiracy theory that President Trump advanced on the July 25 phone call is stone-cold Russian propaganda.

As early as February 2017, Vladimir Putin began to promote this lie during a press conference saying:

The Ukrainian Government adopted a unilateral position in favor of one candidate. More than that, certain oligarchs, certainly with the approval of the political leadership, funded this candidate, or female candidate, to be more precise.

Those are the words of Vladimir Putin—a script apparently adopted by President Donald John Trump.

If there was any doubt about who benefits from this unfounded, Russian-inspired conspiracy theory advanced by Donald Trump, Vladimir Putin made it clear when he said in November of 2019:

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

Unfortunately, this is not the first time President Trump tried to capitalize on Russian propaganda and misinformation for his own political benefit.

On July 24, just one day before this call, Special Counsel Robert Mueller testified before Congress that the "Russian government interfered in the 2016 election in sweeping and systematic fashion" in order to support the Trump campaign and divide America.

Mr. Mueller also found that the Trump campaign welcomed Russian interference in the 2016 election and utilized it as part of its campaign messaging.

Despite the clear and overwhelming conclusion of U.S. intelligence agencies, as well as the distinguished Senate Intelligence Committee, that Russia, not Ukraine interfered in the 2016



election, President Trump continued to press the new Ukrainian leader to announce an investigation into the CrowdStrike Ukraine conspiracy theory.

Why? President Trump sought a political favor—that is why—as part of a scheme to solicit foreign interference in the 2020 election.

The second demand made by President Trump on the July 25 call related to the campaign of Vice President Joe Biden, who announced his intention to run for the Office of the Presidency last April. Throughout the spring and early summer of last year, public polling consistently showed that Biden would decisively defeat President Trump. In fact, on June 16 of last year—June 16—a FOX News poll showed that President Trump would lose to Joe Biden by 10 points.

The concern with Joe Biden's candidacy provides motive for President Trump's demand that the Ukrainian Government investigate the former Vice President and his son Hunter.

Here is what President Trump said on that call:

The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it . . . It sounds horrible to me.

Now, the Trump administration officials who participated in the impeachment inquiry unanimously testified that there was no factual support for the allegation that Vice President Biden did anything wrong or misused his authority when he pressed for the removal of Ukraine's corrupt former prosecutor general. Joe Biden did nothing wrong. The witnesses testified that Vice President Biden was in fact carrying out official U.S. policy to clean up the prosecutor general's office in Ukraine.

This policy, of course, aligned with the perspective of many in this very distinguished body, as well as our European allies throughout the world, as well as the International Monetary Fund.

Vice President Biden did not remove Yuriy Lutsenko, the corrupt prosecutor. The Ukrainian Government did with the support of the free world.

Nonetheless, on October 3, 2019, when a reporter asked President Trump, "What exactly did you hope Zelensky would do about the Bidens after your phone call," President Trump responded as follows.

(Text of Videotape presentation:)

News Reporter. What exactly did you hope Zelensky would do about the Bidens after your phone? Exactly?

President TRUMP. Well, I would think that, if they were honest about it, they'd start a major investigation into the Bidens. It's a very simple answer.

Mr. Manager JEFFRIES. Start a major investigation into the Bidens. The evidence of wrongdoing by President Trump is hiding in plain sight.

During the July 25 call, President Trump also repeatedly pressed the Ukrainian President to coordinate with his personal attorney, Rudolph Giuliani.

Why was Rudolph Giuliani's name mentioned multiple times during the July 25 phone call? Giuliani is not the Secretary of State. He is not an ambassador. He is not a member of the diplomatic corps.

Rudolph Giuliani is a cold-blooded political operative for President Trump's reelection campaign. That is why he was referenced multiple times on that July 25 phone call, and it is evidence of corrupt intent by President Trump.

By the time the call took place, President Zelensky understood Giuliani's connection to the shakedown scheme. He recognized Giuliani's role as the President's political operative on matters related to Ukraine.

Zelensky informed President Trump that one of his aides spoke with Mr. Giuliani "just recently" and "we are hoping very much that Mr. Giuliani will be able to travel to Ukraine and we will meet once he comes."

The Ukrainian leader knew Giuliani represented President Trump's political interests in his country and could help unlock the long-sought-after Oval Office meeting that President Zelensky desired.

The phony investigations sought by President Trump on the July 25 call were not designed to bolster the national security interests of the United States of America—quite the contrary. President Trump sought to benefit himself and his own reelection prospects.

On the July 25 call, President Trump also suggested that President Zelensky speak with the Attorney General William Barr about the two fake investigations that the President sought.

This is important to keep in mind. At no time during this entire sordid scheme was there an ongoing American law enforcement investigation into the phony slander related to Joe Biden or the conspiracy theory related to Ukrainian interference in the 2016 election. At no time was there an ongoing American law enforcement investigation.

America is the leader of the free world. We do not urge other sovereign countries to target American citizens absent any legitimate basis whatsoever, absent any scintilla of evidence.

Apparently, President Trump does not play by those rules. During the July 25 call, President Trump didn't raise legitimate corruption concerns as it relates to the Ukraine. President Trump did not mention the word "corruption" once. The President did, however, viciously malign former U.S. Ambassador to Ukraine Marie Yovanovitch, a distinguished anticorruption advocate whom he abruptly removed because she was seen as an obstacle to his geopolitical shakedown.

Ambassador Yovanovitch joined the diplomatic corps under President Ronald Reagan and subsequently served three other Republican Presidents. She is a highly respected diplomat and Foreign Service professional. Yet President Trump told the new Ukrainian leader the former Ambassador from the United States, "the woman," was bad news, and the people she was dealing with in the Ukraine were bad news. "So I just want to let you know that."

He didn't stop there. Later in the call, President Trump ominously added, "Well, she's going to go through some things." These are the words of the President of the United States of America.

Ambassador Yovanovitch did not know of President Trump's disparaging remarks at the time. She didn't learn them until the call record became public in September. Asked whether she felt "threatened" by President Trump's statement that "she's going to go through some things," Ambassador Yovanovitch answered that she did. Here is what she said.

(Text of Videotape presentation:)

Mr. GOLDMAN. The next excerpt when the President references you is a short one, but he said: "Well, she's going to go through some things." What did you think when President Trump told President Zelensky and you read that you were going to go through some things?

Ambassador YOVANOVITCH. I didn't know what to think, but I was very concerned.

Mr. GOLDMAN. What were you concerned about?

Ambassador YOVANOVITCH. She's going to go through some things. It didn't sound good. It sounded like a threat.

Mr. GOLDMAN. Did you feel threatened?

Ambassador YOVANOVITCH. I did.

Mr. Manager JEFFRIES. During that same call, President Trump also took the opportunity to praise Yuriy Lutsenko—Mr. Lutsenko, who is the former Ukrainian prosecutor general who was widely regarded by the entire free world, including our European allies and the International Monetary Fund, to be corrupt and incompetent, but Donald John Trump, our President, praised him on that call.

He told President Zelensky:

I heard you had a prosecutor who was very good and he was shut down and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved.

Think about this contrast. The President bashed a career American diplomat and an anti-corruption champion whom he unceremoniously removed because she was viewed as an obstacle to his efforts to solicit foreign interference in the 2020 election and then at the same time praised someone who he thought could be an asset—a former Ukrainian prosecutor whom the free world views as an obstacle to the rule of law. The idea that President Trump cares about corruption is laughable. It is laughable.

A plain reading of the rough transcript of the July 25 call also sheds light on the quid pro quo involving the

Oval Office meeting that had been sought.

President Zelensky said on the call:

I also wanted to thank you for your invitation to visit the United States, specifically Washington, DC. On the other hand, I also wanted to ensure you that we will be very serious about the case and will work on the investigation.

As all of you know here in this distinguished body, *quid pro quo* is a Latin term. It means “this for that.” The statement that I just read shows that President Zelensky fully understood at the time of this July 25 call that if he yielded to President Trump’s demand for phony investigations, he would get the White House meeting in the Oval Office that he desperately sought. This for that.

President Trump has repeatedly insisted that his July 25 conversation with President Zelensky was “a perfect call.” His staff at the White House apparently believed otherwise. The press office issued a short and incomplete summary of the July 25 call. Let me read it for your hearing:

Today, President Donald J. Trump spoke by telephone with President Volodymyr Zelensky of Ukraine—

(Disturbance in the Galleries.)

Mr. Manager JEFFRIES. And the scripture says: “For the Lord loves justice and will not abandon His faithful ones.”

This is the White House call readout of July 25, 2019:

Today, President Donald J. Trump spoke by telephone with President Volodymyr Zelensky of Ukraine to congratulate him on his recent election. President Trump and President Zelensky 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.

That is the official White House readout of the call dated July 25, 2019. The official readout provided to the American people omitted key elements of the President’s conversation. Let’s review.

The official readout did not mention the phony investigations requested by President Trump. The official readout did not mention the Oval Office meeting sought by President Zelensky. The official readout did not mention President Trump’s elevation of a debunked conspiracy theory promoted by Vladimir Putin about 2016 election interference. The official readout did not mention President Trump’s demand that Ukraine investigate his domestic political rival, Joe Biden. The official readout did not mention that President Trump maligned and threatened Ambassador Yovanovitch. The official readout did not mention that President Trump praised a corrupt former Ukrainian prosecutor.

The complete conversation, however, between President Trump and President Zelensky that we just outlined offers powerful evidence that President Trump abused his power and solicited foreign interference in the 2020 election.

Several members of the President’s staff listening in on the call immediately grew concerned.

As he sat in the White House Situation Room listening to the conversation, LTC Alexander Vindman realized that the President’s demands of the Ukrainian leader were “inappropriate” and “improper.” He quickly recognized that as the President began referencing the Bidens, Burisma, and CrowdStrike, the call was diverging from the official National Security Council talking points that he helped prepare.

Lieutenant Colonel Vindman, a 20-year Iraq war veteran, Purple Heart recipient, and American patriot, testified in the context of the call that due to the unequal bargaining position of the two leaders and Ukraine’s dependence on the United States, the “favor” that President Trump sought would have been perceived by President Zelensky as a demand. Lieutenant Colonel Vindman worried that the call would undermine U.S. national security interests, and he knew immediately that he had a duty to report the contents of the call to White House lawyers.

(Text of Videotape presentation:)

I was concerned by the call. What I heard was inappropriate, and I reported my concerns to Mr. Eisenberg.

It is improper for the President of the United States to demand a foreign government investigate a U.S. citizen and a political opponent. I was also clear that if Ukraine pursued an investigation—it was also clear that if Ukraine pursued an investigation into the 2016 elections, the Bidens and Burisma, it would be interpreted as a partisan play. This would undoubtedly result in Ukraine losing bipartisan support, undermining U.S. national security, and advancing Russia’s strategic objectives in the region.

Mr. Manager JEFFRIES. Recounting the content of the call based on his detailed handwritten notes, Lieutenant Colonel Vindman told the lawyers that he believed it was “wrong” for President Trump to ask President Zelensky to investigate Vice President Biden.

Other witnesses were also troubled by what they heard. Vice President PENCE’s adviser, Jennifer Williams, expressed concern that President Trump raised a “domestic political matter” on an official call with a foreign leader. She testified that the mention of investigations struck her as unusual and more political in nature. She said: “I guess for me it shed some light on possible other motives behind a security assistance hold.”

Timothy Morrison, a former Republican congressional staffer who replaced Dr. Fiona Hill in July of 2019, also reported the call to National Security Council lawyers.

After the call, President Trump continued to push the scheme forward.

On July 26, the very next day, Ambassador Sondland and Ambassador Taylor met with President Zelensky and other Ukrainian officials in Kyiv.

According to David Holmes, the Ukraine-based U.S. diplomat who served as the notetaker, the Ukrainian

leader mentioned that President Trump had brought up some “very sensitive issues” during the July 25 call—“very sensitive issues.”

Ambassador Sondland then had a private meeting with Andriy Yermak, President Zelensky’s top aide. The two men insisted that the meeting be one-on-one with no notetaker—perhaps due to the “very sensitive issues” that might come up. Ambassador Sondland testified that he and President Zelensky’s aide “probably” discussed “the issue of investigations.”

After these key meetings in Ukraine, Ambassador Sondland went to lunch with David Holmes and two other American officials. Mr. Holmes sat directly across from Ambassador Sondland—close enough to hear the details of an extraordinary telephone call between Mr. Sondland and President Trump. As Mr. Holmes related during his sworn testimony under oath, Ambassador Sondland pulled out his unsecured cell phone and “said that he was going to call President Trump to give him an update.” What happened next was shocking.

(Text of Videotape presentation:)

While Ambassador Sondland’s phone was not on speakerphone, I could hear the President’s voice through the earpiece of the phone. The President’s voice was loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume. I heard Ambassador Sondland greet the President and explain he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied, yes, he was in Ukraine, and went on to state that President Zelensky “loves your ass.”

I then heard President Trump ask, “So he’s going to do the investigation?”

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

Mr. Manager JEFFRIES. “He is going to do it.” He will do “anything you ask him to do.”

Immediately after this call with President Trump, Mr. Holmes followed up with Ambassador Sondland.

(Text of Videotape presentation:)

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

I then took the opportunity to ask Ambassador Sondland for his candid impression of the President’s views on Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not give a [expletive] about Ukraine. Ambassador Sondland agreed that the President did not give a [expletive] about Ukraine. I asked, why not, and Ambassador Sondland stated that the President only cares about . . . “big stuff.” I noted that there was . . . “big stuff” going on in Ukraine, like a war with Russia. Ambassador Sondland replied that he meant . . . “big stuff” that benefits the President, like the . . . “Biden investigation” that Mr. Giuliani was pushing. The conversation then moved on to other topics.

Mr. Manager JEFFRIES. During the July 25 call, President Trump asked for the favor of these two phony political

investigations immediately after the Ukrainian President brought up defense assistance for Ukraine.

The following day, Ambassador Sondland confirmed to President Trump that Ukraine would indeed initiate the investigations discussed on the call, which was the only thing the President cared about with respect to Ukraine. He didn't care that Russia was forcefully occupying eastern Ukraine. President Trump didn't care that thousands of Ukrainians apparently have died fighting for their democracy. He didn't seem to care that supporting Ukraine bolsters America's national security, but he cared about himself as it relates to the prospects of his reelection in 2020.

In November, President Trump denied that he spoke to Ambassador Sondland on July 26, telling reporters: "I know nothing about that." But in his public testimony, Ambassador Sondland contradicted that assertion with official records he obtained from the White House.

Ambassador Sondland further explained that Holmes' testimony refreshed his recollection about the July 26 call, which Ambassador Sondland had not originally described when he first appeared at a deposition before the House.

(Text of Videotape presentation:)

Ambassador SONDLAND. Also, on July 26th, shortly after our Kyiv meetings, I spoke by phone with President Trump. The White House, which has finally, finally shared certain call dates and times with my attorneys confirms this. The call lasted 5 minutes.

I remember I was at a restaurant in Kyiv, and I have no reason to doubt that this conversation included the subject of investigations. Again, given Mr. Giuliani's demand that President Zelensky make a public statement about investigations, I knew that investigations were important to President Trump.

Mr. Manager JEFFRIES. President Trump said that his July 25 conversation was a perfect call. It was far from perfect.

In a perfect call, the President would not demand a political favor from a vulnerable Ukraine under attack by a Russian foe. In a perfect call, the President would not demand that a foreign leader investigate a Russian-inspired conspiracy about the 2016 election. In a perfect call, the President would not pressure a foreign government to target an American citizen for political, personal gain.

In a perfect call, the President would not solicit foreign interference in the 2020 election. In a perfect call, the President would not threaten the well-being of a highly respected American Ambassador and say she was going to "go through some things." In a perfect call, the President would not praise a disgraced former prosecutor whom the free world viewed as corrupt and incompetent, and in a perfect call, the President would not have directed a foreign leader to follow up with Rudolph Giuliani, a human hand grenade.

This was not a perfect call. It is direct evidence that President Donald John Trump corruptly abused his power and solicited foreign interference in the 2020 election.

The CHIEF JUSTICE. The majority leader is recognized.

#### RECESS

Mr. McCONNELL. Mr. Chief Justice, colleagues, we will now take a 30-minute break for dinner and reconvene at 5 minutes after 7:00.

I ask unanimous consent that the Senate stand in recess until that time.

There being no objection, at 6:35 p.m., the Senate, sitting as a Court of Impeachment, recessed until 7:20 p.m.; whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The Senate will come to order.

Mr. SCHIFF.

Mr. Manager SCHIFF. Mr. Chief Justice, just so Senators have an idea of the evening, we expect to go about 2 to 2½ hours. I will make a presentation. Representative LOFGREN from California will make a presentation. I will make a final presentation, and then we will be done for the evening. As an encouraging voice told me: Keep it up, but don't keep it up too long. So we will do our best not to keep it up too long.

I am going to turn now to the part of the chronology that picks up right after that July 25 call and walk through the increasingly explicit pressure campaign waged on Ukraine in order to get President Trump's deliverable—the investigations meant to tarnish his opponent and help his reelection.

Now remember, by the end of July, Ukraine was aware of President Trump's requests for investigation to help his political efforts and had come to know that President Trump put a freeze on security assistance. So this is by the end of July. They also clearly understood that President Trump was withholding an Oval Office meeting until those investigations were announced. Both were very critical to Ukraine as a sign of U.S. support and as a matter of their national security, and their national security, of course, implicates our national security.

In the weeks after the July 25 call, President Trump's handpicked representatives escalated their efforts to get the public announcement of the investigations from Ukraine.

So let's go through this step by step, because the 3 weeks following the July 25 call tell so much about this pressure scheme.

Let's start with July 26. On July 26—so this is the day after the call—Ambassador Volker sends a text message to Giuliani, and that text message says:

Hi, Mr. Mayor. You may have heard, the President had a great call with the Ukrainian President yesterday. Exactly the right

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

So here we are the day after that call, as my colleague demonstrates—this same day, so July 26, and the date of that second infamous call between President Trump this time and Gordon Sondland that you heard the diplomat, David Holmes, describe. So that is the same day, July 26, that we are talking about right now, where there is this text message.

Now, of course, in that July 25 call, the President wants to connect Rudy Giuliani with the President of Ukraine and his people. So this is a followup where Ambassador Volker is saying to Giuliani:

[It was] a great call with the Ukraine President. Exactly the right messages as we discussed.

And we know, of course, those messages were the need to do this political investigation.

Please send dates when you will be in Madrid. I am seeing Yermak tomorrow morning. He will come to you in Madrid.

So here is Ambassador Volker, one of the three amigos, following up, arranging this meeting between Giuliani and the Ukrainians. Giuliani replied, setting a meeting in Europe with President Zelensky's top aide for the very next week:

"I will arrive on August 1 and until 5," he wrote. Now remember, on July 22—so a few days before this and before the call—Ambassador Volker had connected Giuliani originally with Yermak, and they agreed to meet. So this is a followup. You have that arrangement being made by Volker and Giuliani before the call. Then, you have the call, and now you have the followup to arrange the meeting in Madrid.

So they do meet in Madrid. This is August 2. Andriy Yermak, Zelensky's top aide, flew to Madrid. He meets with Rudy Giuliani, who they know represented the President's interests. Both Giuliani and Yermak walk away from this meeting in Madrid clearly understanding that a White House meeting is linked to Zelensky's announcement of the investigations.

In separate conversations with Giuliani and Yermak after this Madrid meeting, Volker said he learned that Giuliani wanted the Ukrainians to issue a statement including specific mentions of the two investigations that the President wanted. According to Ambassador Volker's testimony, Yermak told him that his meeting with Giuliani was very good and immediately added that the Ukrainians asked for a White House meeting during the week of December 16.

Yermak presses Volker on the White House meeting date, saying that he was waiting for confirmation: "Maybe you know the date." This is a recurrent theme that we have seen through the text messages and other documents, and that is the recurrent requests for

this meeting, the pressing for this meeting by the Ukrainians because it was so important to them. Giuliani's objective was clear to Ambassadors Volker and Sondland, who took over the communications with Yermak.

Here is Ambassador Sondland.  
(Text of Videotape presentation:)

Mr. SONDLAND. I first communicated with Mr. Giuliani in early August, several months later. Mr. Giuliani emphasized that the President wanted a public statement from President Zelensky committing Ukraine to look into the corruption issues. Mr. Giuliani specifically mentioned the 2016 election, including the DNC server, and Burisma as two topics of importance to the President.

Mr. Manager SCHIFF. Giuliani exerted significant influence in this process. In fact, when on August 4 Yermak inquired again about the Presidential meeting, Ambassador Volker turned not to the National Security Council staff or to the State Department to arrange it and follow up. He turned to Giuliani again. Volker told Yermak that he would speak with Giuliani later that day and would call the Ukrainian President's aide afterward.

Volker then texts Giuliani to ask about the Madrid meeting and to set up the call that he had mentioned to Yermak. Giuliani replies that the meeting with Yermak was excellent and that he would call later. Phone records obtained by the committees show a 16-minute call on August 5 between Ambassador Volker and Giuliani. Ambassador Volker then texts Yermak:

Hi, Andriy. Had a good, long talk with Rudy. Call anytime. Kurt.

Separately, Volker told Ambassador Sondland: "Giuliani was happy with that meeting and it looks like things are turning around"—a reference to Volker's hope that satisfying Giuliani would break down President Trump's reservations concerning Ukraine.

But things had not turned around by the end of that first week of August, by August 7. The aid was still on hold, and there had been no movement on setting a date for the White House meeting.

Ambassador Volker then reaches out to Giuliani to try to get things moving. Ambassador Volker texts Giuliani to recommend that he report to "the boss," meaning President Trump, about his meeting with Yermak in Madrid. Specifically, he wrote—this is Volker writing to Giuliani:

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

So this is Ambassador Volker following up with Giuliani. Giuliani has met with the top aide to the President of Ukraine in Madrid. He wants Giuliani to convey to the boss—to Trump—how good that meeting in Madrid was about the investigations so they can get the President of Ukraine in the door at the White House.

Now, think about how unusual this is. This is the President's personal law-

yer, who is on this personal mission on behalf of his client to get these investigations in Ukraine. The President of Ukraine can't get in the door of the Oval Office. And who are they going to? Are they going to the Security Council? No. Are they going to the State Department? No. They tried all that. They are going to the President's personal lawyer. Does that sound like an official policy to try to fight corruption?

Why would you go outside of the normal channel to do that? You wouldn't. You would go to your personal attorney, who is on a personal mission that he admits is not foreign policy, when your objective has nothing to do with policy, when your objective is a corrupt one.

What does that mean, to have a corrupt objective? It means an illicit one. It means an impermissible one. It means one that furthers your own interests at the cost of the national interests—the willingness to break the law, like the Impoundment Control Act, by withholding aid is indicative of that corrupt purpose, the lengths the President would go, not in furtherance of U.S. policy but against U.S. policy, not even a difference on policy at all.

The mere pursuit of personal interest, the pursuit of an illegal effort to get foreign interference, is the very embodiment of a corrupt intent.

Here we are, August 7. Volker is saying: Rudy, if you are coming to DC, let's get together. It would be good if you can talk to the boss because we can't get a meeting another way.

Around that time, Ambassador Volker received a text message from Yermak, who asked him—and this is Yermak asking Volker:

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

Volker responds:

Not yet—I texted Rudy earlier to make sure he weighs in following your meeting. Gordon—

Meaning Sondland.

should be speaking with the president on Friday. We are pressing this.

There is Gordon Sondland, who is "pressing this." This is the man you have heard from already—Gordon Sondland, the man who says: It was absolutely a quid pro quo. You have asked about a quid pro quo. There was a quid pro quo about this White House meeting.

This is what they are talking about right here. Gordon will be "speaking with the president on Friday. We are pressing this."

Ambassador Volker's contact with Giuliani spurred a flurry of communications. The patterns of calls from August 8 strongly suggest Giuliani was attempting to call the White House to speak to a senior White House official, left a message, then had a 4-minute call with that official later that night.

We don't know from the call records who that White House official was, but recall that Giuliani has publicly stated

that when he spoke to the White House, he usually spoke to President Trump, his client.

Also, on August 8, Yermak texts Volker that he had some news. Ambassador Volker replies that he can talk then, and Ambassador Volker updates Giuliani in a text the next day.

Volker says to Giuliani in the text:

Hi Mr. Mayor! Had a good chat with Yermak last night. He was pleased with your phone call. Mentioned—

He is referring to President Zelensky here.

making a statement. Can we all get on the phone to make sure I advise—

Here he is referring to President Zelensky.

correctly as to what he should be saying? Want to make sure we get this done right.

Here, August 9, there is an effort by Volker to make sure to get this statement right about the investigations. If they can't get the statement right, you aren't going to get in the door of the Oval Office.

It also makes clear who is exactly in charge of this, and that is Rudy Giuliani. Ambassador Volker is checking with Rudy Giuliani about what he should advise President Zelensky. We know that Giuliani is taking his orders from President Trump.

Text messages and call records obtained by the committees show that Ambassador Volker and Giuliani connected by phone twice around noon on August 9 for several minutes each.

Following the calls with Giuliani, Ambassador Volker created a three-way group chat using WhatsApp and included himself, Ambassador Sondland, and Yermak. Ambassador Volker initiated the chat a round 2:20 that day. This is Volker chatting with Sondland and Yermak. It is a three-way chat.

Volker says:

Hi, Andrey—

Meaning Yermak.

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

Sondland says:

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

Call records obtained by the committees show that on August 9 Ambassador Sondland twice connected with phone lines associated with the White House—once in the early afternoon for about 18 minutes and once in the late afternoon for about 2 minutes. We know that Ambassador Sondland had direct access to President Trump.

After all this activity, Ambassador Sondland and Volker thought they had a breakthrough—finally, a breakthrough. Minutes after this call, which was likely with Tim Morrison about a possible date for the White House meeting, Ambassador Volker and Sondland discussed the agreement they believed they had reached and started with Sondland in this text message:

Morrison ready to get dates as soon as Yermak confirms.

Volker says:

Excellent!! How did you sway him?

Sondland says:

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

We know what that “deliverable” is. It is the political investigations.

Volker says:

But does he know that?

And Sondland says:

Yep. Clearly lots of convos—

Meaning conversations.

going on.

Volker says:

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

Ambassador Sondland told the committees that the deliverable required by President Trump was a press statement from President Zelensky committing to do the investigations into the Bidens and the allegation of Ukraine election interference that President Trump mentioned on July 25. But Tim Morrison testified that he didn’t know anything about the deliverable; he was just involved in trying to schedule the White House meeting, which everyone wanted to schedule as a sign of support for President Zelensky and our ally Ukraine. But Trump’s agents wouldn’t just accept Ukraine’s word for it.

Ambassador Sondland then recommended to Ambassador Volker that Yermak share a draft of the press statement to ensure that the statement would comport with the President’s expectations.

Here, on August 9—we are still less than 2 weeks after the July 25 call; I guess we are about 2 weeks—Sondland says in this message:

To avoid misunderstandings, might be helpful to ask Andrey for a draft statement (embargoed) so that we can see exactly what they propose to cover. Even though Ze—

Referring to Zelensky.

does a [live] presser they can still summarize in a brief statement. Thoughts?

And Volker says:

Agree!

At his deposition, Ambassador Sondland said that he suggested reviewing a written summary of the statement because he was concerned that President Zelensky would say whatever he would say on live television, and it still wouldn’t be good enough for Rudy/the President.

Yermak, in turn, was concerned that the announcement would still not result in the coveted White House meeting. On August 10, Yermak texted Volker, attempting to schedule a White House meeting before the Ukrainian President made a public statement in support of the investigations into Burisma and the 2016 election.

You can see what is going on here. The President and his agent, Giuliani, want this public statement of the investigations before they will give a date. And the Ukrainians want a date before they have to commit to making public they are going to do the investigations.

So you have had this standoff where each is trying to get the deliverable first, but there is no debate about what the deliverable is on either side. There is no debate about the quid pro quo here: You give me this; I will give you that. You give me the White House meeting; I will give you the public announcement of the investigation into your political rival.

No, no, no. You give me the announcement of the investigation into my rival, and then I will give you the meeting.

The only debate here is about which comes first.

August 10, Yermak texts Volker:

I think it’s possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We inform about date of visit about our expectations and our guarantees for future visit. Let discuss it.

Ambassador Volker responded that he agreed but that first they would have to iron out a statement and use that to get a date, after which President Zelensky would give the statement. The two decided to have a call the next day and to include Ambassador Sondland.

Yermak texts Ambassador Volker:

Excellent.

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

Yermak was also in direct contact with Ambassador Sondland regarding this revised approach. In fact, he sent Ambassador Sondland the same text message.

Ambassador Sondland kept the leadership of the State Department in the loop. On August 10, he told Ambassador Volker that he had reported to T. Ulrich Breckbull, Counselor of the Department of State, who, Sondland testified, frequently consulted with Secretary Pompeo.

Sondland wrote to Volker: I briefed Ulrich. All good. So Ulrich is in the loop.

Sondland and Volker continued to pursue the statement from Zelensky on the investigations. The next day, Ambassador Sondland emails Breckbull and Lisa Kenna, the State Department’s Executive Secretary, about efforts to secure a public statement and a big presser from President Zelensky.

Sondland hoped it might “make the boss happy enough to authorize an invitation.”

After first being evasive on the topic, Secretary Pompeo has subsequently acknowledged that he listened in on the July 25 call.

Since he was on the call, Pompeo must have understood what would make the boss—that is, the President—happy enough to schedule a White House meeting.

Again, everyone was in the loop. On August 11, Ambassador Volker sent Giuliani a text message. This is Volker to Giuliani:

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

And Giuliani says:

Yes just call.

That is August 11.

On the next day, August 12, Yermak sent Ambassador Volker an initial version of the draft statement by text. Notably, as we saw earlier, this statement from the Ukrainians doesn’t explicitly mention Burisma, Biden, or 2016—election investigations that the President has been seeking.

You can see what is going on here now. There was this game of chicken.

You go first.

No, we’ll go first. You give us the date, and we will give you the statement.

No, you give us the statement, and we will give you the date.

And now, realizing, OK, they have to give the statement first, Ukraine tries to give them a generic statement that doesn’t really go into specifics about these investigations. And why? You can imagine why. Ukrainians don’t want to have to go out in public and say they are going to do these investigations, because they are not stupid, because they understood this would pull them right into U.S. Presidential politics. It was intended to, which isn’t in Ukraine’s interests. It is not in our interests either, and Ukraine understood that. And so they resisted.

First they resisted having to do the public statement, and then they wanted to make sure they got the deliverable, and then, when they had to make the statement, they didn’t want to be specific—for one thing, for another thing. This was what Zelensky campaigned on. He was going to fight corruption. He was going to end political investigations, so he didn’t want to be specific.

He sends this statement that doesn’t have the specific references. Ambassador Volker explained during his testimony that was not what Giuliani was requesting, and it would not satisfy Giuliani or Donald Trump.

Presumably, if the President was interested in corruption, that statement would have been enough. But all he was interested in was an investigation or an announcement of an investigation into his rival and this debunked theory about 2016.

The conversation that Volker referred to in his earlier testimony took place on the morning of August 13, when Giuliani made clear that the specific investigations related to Burisma—code for Bidens—and the 2016 election had to be included in order to get the White House meeting.

The Americans sent back to the Ukrainian top aide a revised draft that includes now the two investigations. You have seen the side-by-side. This was then the essence of the quid pro quo regarding the meeting. This direction came from President Trump. Here is how Ambassador Sondland put it.

(Text of Videotape presentation:)

Ambassador SONDLAND. Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. Mr. Giuliani demanded that Ukraine make a public statement announcing the investigations of the 2016 election DNC server and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President.

According to witness testimony, as you might imagine, Ukrainian officials were very uncomfortable with a draft that Giuliani, Volker, and Sondland were negotiating. They understood that the statement was the deliverable that President Trump wanted, but yielding to President Trump's demands would, in essence, force President Zelensky to break his promise to the Ukrainian people to root out corruption because politically motivated investigations are the hallmark of the kind of corruption that Ukraine has been plagued with in the past.

Mr. Yermak tried to get some confirmation that the requested investigations were legitimate. Yermak asked Volker "whether any request had ever been made by the U.S. to investigate election interference in 2016"; in other words, whether any request had been made by any official U.S. law enforcement agency through formal channels as you would expect if it were a legitimate request.

Ambassador Volker, trying to find a satisfactory answer, on August 15, Volker's assistant asked Deputy Assistant Secretary George Kent whether there was any precedent for such a request for investigations. At his deposition, Kent testified that "if you're asking me, have we ever gone to the Ukrainians and asked them to investigate or prosecute individuals for political reasons, the answer is, I hope we haven't, and we shouldn't because that goes against everything that we are trying to promote in the post Soviet states for the last 28 years, which is promotion of the rule of law."

We are now on the next day, August 16. In a conversation with Ambassador Bill Taylor, the U.S. Ambassador in Kyiv—Ambassador Taylor stepped in when Ambassador Yovanovitch was pushed out—Taylor "amplified the same theme" and told Kent that "Yermak was very uncomfortable" with the idea of investigations and suggested it should be done officially and put in writing.

As a result, it became clear to Kent in mid-August that Ukraine was being pressured to conduct politically motivated investigations. Kent told Ambassador Taylor: "That's wrong, and we shouldn't be doing that as a matter of U.S. policy."

Ambassador Volker claimed that he stopped pursuing the statement from the Iranians around this time because of the concerns raised by Zelensky's aide. At his deposition and despite all his efforts to secure a statement announcing these very specific political investigations desired by the Presi-

dent, Ambassador Volker testified that he agreed with Yermak's concerns and advised him that making those specific references was not a good idea because making those statements might look like it would play into our domestic politics.

Without specific references to the politically damaging investigations that Trump demanded, the agreement just wouldn't work. Ukraine did not release the statement and, in turn, the White House meeting was not scheduled. As it turns out, Ambassadors Sondland and Volker did not achieve the breakthrough after all.

Let's go into what finally breaks the logjam because that involves the military aid. With efforts to trade a White House meeting for a press statement announcing the investigations temporarily scuttled, Sondland and Volker go back to the drawing board. On August 19, Ambassador Sondland told Volker that he drove the larger issue home with Yermak, President Zelensky's top aide, particularly that this was now bigger than a White House meeting—bigger than just the White House meeting and was about the relationship per se. It is not just about the meeting anymore; it is about everything.

By this time in late August, the hold on security assistance had been in place more than a month, and there was still no credible explanation offered by the White House despite some, like Ambassador Sondland, repeatedly asking. There were no interagency meetings since July 31, and the Defense Department had withdrawn its assurances that it could even comply with the law, which, indeed, it couldn't. Every agency in the administration opposed the hold. As the Government Accountability Office confirmed, concerned DOD and OMB officials had been right that the President's holding of the aid was an unlawful act, but President Trump was not budging.

At the same time, despite the persistent efforts of numerous people, President Trump refused to schedule the coveted White House visit with President Zelensky until the investigations were announced that would benefit his campaign.

Here is what Ambassador Sondland said about the hold on funds and its link to the politically motivated investigations in Ukraine.

(Text of Videotape presentation:)

Ambassador SONDLAND. In the absence of any credible explanation for the suspension of aid, I later came to believe that the resumption of security aid would not occur until there was a public statement from Ukraine committing to the investigations of the 2016 elections and Burisma, as Mr. Giuliani had demanded.

Mr. Manager SCHIFF. From the Embassy in Kyiv, David Holmes reached the same conclusion—a conclusion as simple as two plus two equals four.

(Text of Videotape presentation:)

GORDON. Mr. Holmes, you have testified that by late August, you had a clear impres-

sion that the security assistance hold was somehow connected to the investigations that President Trump wanted. How did you conclude—how did you make—reach that clear conclusion?

Ambassador HOLMES. Sir, we've been hearing about the investigation since March—months before—and President Zelensky had received a congratulatory letter from the president saying he would be pleased to meet him following his inauguration in May.

And we had been unable to get that meeting. And then the security hold came up with no explanation.

And I'd be surprised if any of the Ukrainians—we discussed earlier, you know, they're sophisticated people—when they received no explanation for why that hold was in place, they would have drawn that conclusion.

GORDON. Because the investigations were still being pursued?

Ambassador HOLMES. Right.

GORDON. And the hold was still remaining without explanation?

Ambassador HOLMES. Right.

GORDON. So this to you was the only logical conclusion that you could reach?

Ambassador HOLMES. Right.

GORDON. Sort of like 2 plus 2 equals 4?

Ambassador HOLMES. Exactly.

Mr. Manager SCHIFF. Sondland explained the predicament he believed he faced with a hold on aid to Ukraine.

(Text of Videotape presentation:)

Ambassador SONDLAND. As my other State Department colleagues have testified, this security aid was critical to Ukraine's defense and should not have been delayed. I expressed this view to many during this period, but my goal at the time was to do what was necessary to get the aid released, to break the logjam. I believed that the public statement we have been discussing for weeks was essential to advancing that goal.

You know, I really regret that the Ukrainians were placed in that predicament, but I do not regret doing what I could to try to break the logjam and to solve the problem.

Mr. Manager SCHIFF. On August 22, Ambassador Sondland tried to break that logjam, as he put it, regarding both the security assistance hold and the White House meeting. Ambassador Sondland described those efforts in his public testimony. Let's listen to him again.

(Text of Videotape presentation:)

Ambassador SONDLAND. In preparation for the September 1 Warsaw meeting, I asked Secretary Pompeo whether a face-to-face conversation between Trump and Zelensky would help to break the logjam. This was when President Trump was still intending the travel to Warsaw.

Specifically, on August 22nd, I emailed Secretary Pompeo directly, copying Secretariat Kenna. I wrote—and this is my email to Secretary Pompeo. Should we block time in Warsaw for a short pull-aside for POTUS to meet Zelensky? I would ask Zelensky to look him in the eye and tell him that once Ukraine's new justice folks are in place in mid-September, that Zelensky—he, Zelensky, should be able to move forward publicly and with confidence on those issues of importance to POTUS in the U.S. Hopefully, that will help break the logjam.

The secretary replied, yes.

Mr. Manager SCHIFF. Sondland also explained that both he and Secretary Pompeo understood that issues of importance to the President were the two



sham investigations the President wanted to help his reelection efforts. And that reference to the logjam meant both the security assistance and the White House meeting.

At the end of August, National Security Advisor John Bolton arrived in Ukraine for an official visit. David Holmes took notes in Bolton's meeting and testified about Ambassador Bolton's message to the Ukrainians.

(Text of Videotape presentation:)

Ambassador HOLMES. Shortly thereafter, on August 27th, Ambassador Bolton visits Ukraine and brought welcome news that President Trump had agreed to meet President Zelensky on September 1st in Warsaw.

Ambassador Bolton further indicated that the hold on security assistance would not be lifted prior to the Warsaw meeting, where it would hang on whether President Zelensky was able to "favorably impress President Trump."

Mr. Manager SCHIFF. Let's think about that for a minute—unless you have something further to say. Let's think about that for a minute. Bolton further indicated that the hold on security assistance would not be lifted prior to the Warsaw meeting where it would hang on whether President Zelensky was able to "favorably impress" President Trump.

What do you think would favorably impress President Trump? What were the only two things that President Trump asked of President Zelensky? What were the two things that Rudy Giuliani was asking of President Zelensky and his top aides? What would favorably impress Donald Trump?

Would Donald Trump be favorably impressed if President Zelensky were to tell him about this new corruption court or new legislation in Marada or how negotiations with the Russians were going or how they are bringing about defense reform?

Had any of those things ever come up in any of these text messages, any of these emails, any of these phone calls, any of these conversations? Of course not. Of course not. There was only one thing that was going to favorably impress President Trump in Warsaw, and that is if Zelensky told him to his face: I am going to do these political investigations. I don't want to do them. You know I don't want to do them. I resisted doing them, but I am at war with Russia, and I can't wait anymore. I can't wait anymore. I am sure that would have impressed Donald Trump.

But the meeting between the two Presidents never happened in Warsaw. President Trump canceled the trip at the last moment. Before Bolton left Kyiv, Ambassador Taylor asked for a private meeting. Ambassador Taylor explained that he was extremely concerned about the hold on security assistance. He described the meeting to us during his testimony.

(Text of Videotape presentation:)

Ambassador TAYLOR. Near the end of Ambassador Bolton's visit, I asked to meet him privately, during which I expressed my serious concern about the withholding of mili-

tary assistance to Ukraine while the Ukrainians were defending their country from Russian aggression. Ambassador Bolton recommended that I send the first-person cable to Secretary Pompeo directly, relaying my concerns.

Mr. Manager SCHIFF. Now, in the State Department, sending a first-person cable is an extraordinary step. State Department cables are ordinarily written in the third person, as Ambassador Taylor testified at his deposition. Sending a first-person cable gets attention because there are not many first-person cables that come in. In fact, in his decades of diplomatic service, he had never written a single one until now.

Taylor sent that cable on August 29. Would you like me to read that to you right now? I would like to read it to you right now, except I don't have it because the State Department wouldn't provide it, but if you would like me to read it to you, we can do something about that. We can insist on getting that from the State Department. If you would like to know what John Bolton had in mind when he thought that Zelensky could favorably impress the President in Warsaw, we can find that out, too, just for the asking in a document called a subpoena.

Taylor sends that cable on August 29. The State Department did not provide that cable to us in response to a subpoena, but witnesses who reviewed it described it as a powerful message that described the folly—the folly—of withholding military aid from Ukraine at a time when it was facing incursion from Russian forces in eastern Ukraine. That cable also sought to explain that U.S. assistance to Ukraine was vital to U.S. national security as well.

Now, why don't they want you to see that cable? Maybe they don't want you to see that cable because that cable from a Vietnam veteran describes just how essential that military assistance was not just to Ukraine; maybe they don't want you to see that cable because it describes just how important that military assistance is to us—to us.

The President's counsel would love you to believe that this is just about Ukraine. You don't need to care about Ukraine. Who cares about Ukraine? How many people can find Ukraine on a map? Why should we care about Ukraine? Well, we should care about Ukraine. They are an ally of ours. If it matters to us, we should care about the fact that, in 1994, we asked them to give up their nuclear weapons that they had inherited from the Soviet Union, and they didn't want to give them up, and we were worried about proliferation.

We said: Hey, if you give them up, which you don't want to do because you are worried the Russians might invade if you give them up, we will help assure your territorial integrity.

We made that commitment. I hope we care about that. I hope we care about that because they did give them up.

And do you know what? Just what they feared took place—the Russians moved across their border, and they remain an occupied party in Ukraine. That is the word of America we gave, and we are breaking that word. Why? For help on a political campaign?

Ambassador Taylor was exactly right. That is crazy. It is worse than crazy. It is repulsive. It is repugnant. It breaks our word. To do it in the name of these corrupt investigations is also contrary to everything we espouse around the world.

I used to be part of a commission in the House on democracy assistance, where we would meet with parliamentarians, and I know my Senate colleagues do much the same thing. We would urge our colleagues to observe the rule of law, not to engage in political investigations and prosecutions. I don't know how we make that argument now. I don't know how we look our allies or these burgeoning democracies in the face or our fellow parliamentarians and make that argument now. I wouldn't make that argument now.

Testimony indicated that Secretary Pompeo eventually carried that cable into the White House, but there is no evidence that those national security concerns that they don't want you to see were able to outweigh the President's personal interest in his getting foreign help in his reelection campaign. There is no evidence at all.

Now we get to August 28.

POLITICO was the first to publicly report that President Trump had implemented a hold on nearly \$400 million of U.S. military assistance to Ukraine that had been appropriated by Congress. Now that the worst kept secret was public, Ukrainian officials immediately expressed their alarm and concern to their American counterparts.

As witnesses explained, the Ukrainians had two serious concerns.

One, of course, was the aid itself, which was vital to their ability to fight off Russia. In addition, they were worried about the symbolism of the hold; that it signaled to Russia and Vladimir Putin that the United States was waver- ing in its support for Ukraine. Witnesses testified that this was a division that Russia could and would exploit to drive a further wedge between the United States and Ukraine to its advantage.

The second concern was likely why Ukrainian officials had wanted the hold to remain a secret in the first place—because it would add to the negative impact to Ukraine if the hold itself became public. It is bad enough that the President of the United States put a hold on their aid. It was going to be far worse if it became public as, indeed, it did.

Andriy Yermak, the same Zelensky aide, sent Ambassador Volker a link to the POLITICO story and then texted: "Need to talk with you."

Other Ukrainian officials also expressed concerns to Ambassador Volker

that the Ukrainian Government was being singled out and penalized for some reason.

Well, what do we think that reason was? Why were they being singled out? Why was that country being singled out? That was the one country that this President could lever for help against an opponent he feared. That is why Ukraine was being singled out.

On August 29, Yermak also contacted Ambassador Taylor. Yermak said the Ukrainians were very concerned about the hold on military assistance. He said that he and other Ukrainian officials would be willing to travel to Washington to explain to its officials the importance of this assistance.

Ambassador Taylor, who was on the ground in Ukraine, explained the Ukrainian viewpoint and, frankly, their desperation.

(Text of Videotape presentation:)

Ambassador TAYLOR. In September, the Minister of Defense, for example, came to me—I would use the word—“desperate” to figure out why the assistance was being held. He thought that perhaps, if he went to Washington to talk to you—to talk to the Secretary of Defense, to talk to the President—he would be able to find out and reassure—provide whatever answer was necessary to have that assistance released.

Mr. Manager SCHIFF. Without any official explanation for the hold, American officials could provide little reassurance to their Ukrainian counterparts. It has been publicly reported that President Trump, Secretary Esper, and Secretary Pompeo met in late August and that they all implored the President to release the aid, but President Trump continued to refuse to release the aid.

As of August 30, the President was clearly directing the OMB to continue the hold on security assistance. In documents reviewed by just security but withheld from the Congress by the OMB on the President's instructions, OMB official Michael Duffey emailed DOD Comptroller Elaine McCusker that there is “clear direction from POTUS to continue the hold.”

So here we are on August 30. A month after that July 25 call, aid is still being withheld. Ukrainians are still holding on, still not willing to capitulate, not willing to violate Zelensky's whole campaign pledge about not engaging in corrupt investigations.

On that same day, August 30, Republican Senator RON JOHNSON spoke with Ambassador Sondland to express his concern about President Trump's decision to withhold military assistance to Ukraine. Senator JOHNSON described that call in an interview with the Wall Street Journal.

According to Senator JOHNSON, Ambassador Sondland told him that if Ukraine would commit to “get to the bottom of what happened in 2016—if President Trump has that confidence—then he will release the military spending.”

Senator JOHNSON added:

At that suggestion, I winced. My reaction was, “Oh, God. I don't want to see those two things combined.”

The next day, August 31, Senator JOHNSON spoke by phone with President Trump regarding the decision to withhold aid to Ukraine. According to the Wall Street Journal, President Trump denied the quid pro quo that Senator JOHNSON had learned of from Ambassador Sondland. At the same time, however, President Trump refused to authorize Senator JOHNSON to tell Ukrainian officials on his upcoming trip to Kyiv that the aid would be forthcoming.

The message that Ambassador Sondland communicated to Senator JOHNSON mirrored that used by President Trump during the July 25 call with President Zelensky in which President Trump twice asked the Ukrainian leader to get to the bottom of it, including in connection to an investigation into the debunked conspiracy theory of Ukrainian interference in the 2016 election. It also mirrored the language of the text message that Ambassador Volker sent to President Zelensky's aide just before the July 25 call.

Indeed, despite the President's self-serving denials, the message was clear: President Trump wanted the investigations, and he would withhold not one but two acts vested in him by the power of his office in order to get them.

Now begins September, September 1. The President was supposed to go to Warsaw, as we know, but he does not go to Warsaw. MIKE PENCE goes to Warsaw. Jennifer Williams, the special adviser to the Vice President for Europe and Russia, learned of the change in the President's travel plans on August 29. The Vice President's National Security Advisor asked, at the request of Vice President PENCE, for an update on the status of the security assistance that had just been publicly revealed in POLITICO and would be a critical issue during the bilateral meeting between the Vice President and President Zelensky in Warsaw.

The delegation arrived in Warsaw and gathered in a hotel room to brief Vice President PENCE before he met with the Ukrainian President. National Security Advisor Bolton led the meeting.

As Williams described it, advisers in the room “agreed on the need to get a final decision on security assistance as soon as possible so that it could be implemented before the end of the year, but Vice President PENCE did not have authority from the President to release the aid.”

Ambassador Sondland also attended that briefing. At the end of it, he expressed concern directly to Vice President PENCE about the security assistance being held until the Ukrainians announced the very same politically motivated investigations at the heart of this scheme.

(Text of Videotape presentation:)

Chairman SCHIFF. You mentioned that you also had a conversation with Vice Presi-

dent Pence before his meeting with President Zelensky in Warsaw and that you raised a concern you had, as well, that the security assistance was being withheld because of the President's desire to get a commitment from Zelensky to pursue these political investigations. What did you say to the Vice President?

Ambassador SONDLAND. I was in a briefing with several people, and I just spoke up, and I said: It appears that everything is stalled until this statement gets made. It was something—words to that effect. That's what I believe to be the case based on, you know, the work that the three of us had been doing—Volker, Perry, and myself—and the Vice President nodded like, you know, he heard what I said, and that was pretty much it as I recall.

Mr. Manager SCHIFF. Everyone was in the loop. Ambassador Sondland testified that Vice President PENCE was neither surprised nor dismayed by the description of this quid pro quo.

At the beginning of the bilateral meeting between President Zelensky and Vice President PENCE, as expected, the first question from President Zelensky related to the status of the security assistance.

As Vice President PENCE's aide Jennifer Williams testified, President Zelensky explained that just equally with the financial and fiscal value of the assistance, that it was the symbolic nature of that assistance that really was the show of U.S. support for Ukraine and for Ukraine's sovereignty and territorial integrity.

Later that day, Vice President PENCE spoke to the President about his meeting with President Zelensky, but the hold on security assistance remained in place well after Vice President PENCE returned from Warsaw.

After the Warsaw meeting with Vice President PENCE, Ambassador Sondland quickly pulled aside Andriy Yermak, Zelensky's top aide, and informed him that the aid would not be forthcoming until Ukraine publicly announced the two investigations that President Trump wanted.

So here we are, after the meeting—right after the meeting. They are still in Warsaw, and Zelensky pulls aside his Ukrainian counterpart, Yermak, and explains the aid is not coming until the investigations are announced.

(Text of Videotape presentation:)

Ambassador SONDLAND. Based on my previous communication with Secretary Pompeo, I felt comfortable sharing my concerns with Mr. Yermak. It was a very, very brief, pulled aside conversation that happened within a few seconds. I told Mr. Yermak that I believed that the resumption of U.S. aid would likely not occur until Ukraine took some kind of action on the public statement that we have been discussing for many weeks.

Mr. Manager SCHIFF. Let's let that sink in for a minute too.

You have heard my colleagues at the other table say: Ukrainians felt no pressure. There is no evidence they felt any pressure.

Of course, we have already had testimony about how they did feel pressure, and they didn't want to be drawn into this political campaign. You saw over

and over in these text messages and emails: No, you go first. You announce. No, you go first. Yet we are supposed to believe they felt no pressure? There it is. It breaks out into the open. The military aid is being withheld, and there is a connection between the holding of the military aid and these investigations.

The first thing they are asking about—and they send the copy of the article—is: What is happening with this aid? They are ready to come to DC to plead for the aid. They go to Warsaw. They meet with the Vice President. The first question is the aid.

And what happens after that meeting? Now, that was a big meeting, by the way, with the Vice President and the Ukrainian delegation. It is not likely, in front of all of those people, the Vice President is going to bring it up.

So Sondland goes up to his counterpart right after that, on the sidelines of that meeting, and he says basically: Ya ain't getting the money until you do the investigations.

And we are to believe they felt no pressure? Folks, they are at war. They are at war, and they are being told: You are not getting \$400 million in aid you need unless you do what the President wants, and what the President wants are these two investigations.

If you don't believe that is pressure, that is \$400 million worth of pressure, I got a bridge I want to sell you.

It is hard for to us put ourselves in the Ukrainians' position. I mean, imagine if the eastern third of our country were occupied by an enemy force, and we are beholden to another country for military aid, and they are saying: You are not going to get it until you do what we want. Do you think we would feel pressure? I think we would feel pressure, and that is exactly the situation the Ukrainians were in.

You heard the other counsel say before: Well, but they say they don't feel pressure—like they are going to admit they were being shaken down by the President of the United States. You think they feel pressure now, you should see what kind of pressure they would feel if they admitted that.

Tim Morrison, the NSC official, witnessed the conversation between Sondland and Yermak from across the room and immediately thereafter received the summary from Ambassador Sondland. He reported the substance of that conversation to his boss, Ambassador Bolton. He told Morrison to “consult with the lawyers.” Go talk to the lawyers.

You know, if you keep getting told you got to go talk to the lawyers, there is a problem. If things are perfect, you don't get told “go talk to the lawyers” time and again.

Morrison confirmed that he did talk to the lawyers, in part to ensure there was a record of what Ambassador Sondland was doing. That record exists within the White House. Would you like me to read you that record? I

would be happy to read you that record. It is there for your asking. Of course the President has refused to provide that record.

Precisely why did Ambassador Bolton direct Morrison to tell the lawyers, talk to the lawyers? Would you like Ambassador Bolton to tell you why he said that? He would be happy to tell you why he said that. He is there for your asking.

What did Bolton know about the freeze in aid prior to this meeting in Warsaw? What did he mean that he can press Zelensky—it is going to depend on whether you can press Zelensky? Would you like to know what that meant? I would like to know what he meant by that. I think we know what he meant by that.

Tim Morrison also conveyed the substance of the Sondland-Yermak pull-aside to his colleague Ambassador Taylor. So this is now Tim Morrison told by Bolton “go talk to the lawyers,” and he talks to, also, Ambassador Taylor, our Ambassador in Ukraine.

(Text of Videotape presentation:)

Ambassador TAYLOR. On the evening of September 1st, I received a readout of the Pence-Zelensky meeting over the phone from Mr. Morrison during which he told me that President Zelensky had opened the meeting by immediately asking the Vice President about the security cooperation. The Vice President did not respond substantively but said that he would talk to President Trump that night. The Vice President did say that President Trump wanted the Europeans to do more to support Ukraine and that he wanted the Ukrainians to do more to fight corruption.

During the same phone call with Mr. Morrison, he described the conversation Ambassador Sondland had with Mr. Yermak in Warsaw. Ambassador Sondland told Mr. Yermak that the security assistance money would not come until President Zelensky committed to pursue the Burisma investigation.

I was alarmed by what Mr. Morrison told me about the Sondland-Yermak conversation.

Mr. Manager SCHIFF. Ambassador Taylor then explained why he was so alarmed by this turn. Let's hear that as well.

(Text of Videotape presentation:)

Mr. GOLDMAN. You said previously that you were alarmed to learn this. Why were you alarmed?

Ambassador TAYLOR. It is one thing to try to leverage a meeting in the White House; it is another thing, I thought, to leverage security assistance—security assistance to a country at war dependent on both the security assistance and the demonstration of support. It was—it was much more alarming. The White House meeting was one thing, security assistance was much more alarming.

Mr. Manager SCHIFF. Upon learning from Mr. Morrison that the military aid may be conditioned on Ukraine publicly announcing these two investigations, Ambassador Taylor sends an urgent text message to Ambassador Sondland asking: “Are we now saying that security assistance and White House meeting are conditioned on investigations?” And the response by Ambassador Sondland: “Call me.”

Well, you know what that means, right? You get a text message that is putting it in black and white:

Are we saying security assistance and the White House meeting are conditioned on investigations?

Call me.

In other words, don't put this in writing; call me.

Ambassador Taylor did, in fact, call Sondland. Informed by notes he took at the time of the call, he summarized that conversation as follows.

(Text of Videotape presentation:)

Ambassador TAYLOR. During that phone call Ambassador Sondland told me that President Trump had told him that he wants President Zelensky to state publicly that Ukraine will investigate Burisma and alleged Ukrainian interference in the 2016 election.

Ambassador Sondland also told me that he now recognized that he had made a mistake by earlier telling Ukrainian officials that only a White House meeting with President Zelensky was dependent on a public announcement of the investigation. In fact, Ambassador Sondland said, “Everything was dependent on such an announcement, including security assistance.”

He said that President Trump wanted President Zelensky in a public box when making a public statement about ordering such investigations.

Mr. Manager SCHIFF. Ambassador Taylor testified that his contemporaneous notes of the call reflect that Sondland used the phrase “public box” to describe President Trump's desire to ensure that the initiation of his desired investigations was announced publicly. A private commitment was not good enough.

The State Department has Ambassador Taylor's extensive notes, and of course we would like to show them to you to corroborate his testimony, but pursuant to the President's instructions, the State Department will not turn them over.

You might recall from the tape yesterday that Ambassador Taylor said: They'll be shortly coming, I'm told.

Well, somebody countermanded that instruction. Who do we think that was? But you should see them. If you have any question about what Sondland told Ambassador Taylor, if the President's counsel tries to create any confusion about what Sondland told Taylor about his conversation with the President—and, look, Sondland had one recollection in his deposition and another recollection in the first hearing and another recollection in the declaration. You want to know exactly what happened in that conversation when it was fresh in Sondland's mind and he told Taylor about it and Taylor wrote it in his notes, you are going to want Taylor's notes.

In any courtroom in America holding a fair trial, you would want to see contemporaneous notes. This Senate should be no different. Demand those notes. Demand to see the truth. We are not afraid of those notes. We haven't seen them. We haven't seen them. Maybe those notes say something completely different. Maybe those notes

say no quid pro quo. Maybe those notes say it was a perfect call. I would like to see them. I am willing to trust Ambassador Taylor's testimony and his recollection. I would like to see them. I would like to show them to you. They are yours for the asking.

On September 25, the Washington Post editorial board reported concerns that President Trump was withholding military assistance for Ukraine and a White House meeting in order to force President Zelensky to announce investigations of Vice President Biden and purported Ukrainian interference in the U.S. election.

The Post editorial board wrote:

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.

So that is September 5. The President on notice: Scheme discovered. September 5.

September 7, the evidence shows, President Trump has a call with Ambassador Sondland where the President made the corrupt argument for military aid and the White House meeting even more explicit.

On September 7, Ambassador Sondland spoke to President Trump on the telephone. After that conversation, Ambassador Sondland called Tim Morrison to update him on that conversation. Unlike Sondland, who testified that he never took notes, Morrison took notes of the conversation and recalled it during his public testimony. Let's listen.

(Text of Videotape presentation:)

Attorney GOLDMAN. Now, a few days later, on September 7, you spoke again to Ambassador Sondland, who told you that he had just gotten off the phone with President Trump. Isn't that right?

Mr. MORRISON. That sounds correct, yes.

Attorney GOLDMAN. What did Ambassador Sondland tell you that President Trump said to him?

Mr. MORRISON. If I recall this conversation correctly, this was where Ambassador Sondland related that there was no quid pro quo but President Zelensky had to make the statement and that he had to want to do it.

Attorney GOLDMAN. And by that point, did you understand that the statement related to Biden and the 2016 investigations?

Mr. MORRISON. I think I did, yes.

Attorney GOLDMAN. And that that was essentially a condition for the security assistance to be released?

Mr. MORRISON. I understood that that's what Ambassador Sondland believed.

Attorney GOLDMAN. After speaking with President Trump?

Mr. MORRISON. That's what he represented.

Mr. Manager SCHIFF. I ask you to bear in mind that when Mr. Morrison said that is what he represented, that we asked Mr. Morrison about the President's calls with Ambassador Sondland, and he testified that every time he checked to see did Ambassador

Sondland in fact talk to the President when he said that he did, that, yes, in fact, he talked with the President. Every time he checked, he was able to confirm it.

Now, let's let this sink in for a minute. According to Mr. Morrison's testimony—former Republican staffer on the Armed Services Committee—he speaks with Sondland on September 7, and Sondland says he has just gotten off the phone with Trump, OK? So this is contemporaneous. Just got off the phone with him. Call is fresh in everybody's mind. And what was said? Morrison says Ambassador Sondland related there was no quid pro quo but President Zelensky had to make the statement and he had to want to do it. No quid pro quo, but there is a quid pro quo.

Now, there are notes that show this. There is a written record of this. There is a written record of what President Trump told Ambassador Sondland right after that call. Would you like to see that written record? It is called Mr. Morrison's notes. It is right there for the asking.

These fine lawyers over here want to persuade you that call didn't happen or it wasn't said or all he said was no quid pro quo; he never said, but you have to go to the mic and you have to want to do it. Well, there is a good way to find out what happened on that call because it is in writing.

Is there any question why they are withholding this from Congress? Is there any question about that? Did it claim—well, Mr. Morrison didn't claim absolute immunity. Mr. Sondland didn't claim absolute immunity. There is no absolute immunity over these notes, no executive privilege over these notes. The notes have already been described. The conversation has already been released. There is no even plausible, arguable, invented, even, excuse for withholding these notes. Would you like to see them? I will tell you, in any courtroom in America you would get to see them. This should be no different. It wouldn't be any different in a fair trial anywhere in America.

Morrison again informed Ambassador Bolton of this September 7 conversation, and guess what Ambassador Bolton said? I think you can probably figure this out by now: Go talk to the lawyers. Go talk to the lawyers. And yet again, for the third time, Morrison went to talk to the lawyers about this conversation with Ambassador Sondland.

Morrison also called Ambassador Taylor to inform him about the conversation, and we have the testimony from Ambassador Taylor about their conversation, which is also based on his contemporaneous notes.

Let's look at the conversation now between Mr. Morrison and Ambassador Taylor.

(Text of Videotape presentation:)

Ambassador TAYLOR. According to Mr. Morrison, President Trump told Ambassador Sondland he was not asking for a quid pro

quo. 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.

Mr. Manager SCHIFF. OK, so here we have two witnesses taking contemporaneous notes, both reflecting the same conversation—a conversation between Sondland and the President in which the President says, "No quid pro quo," but quid pro quo. There are documents that prove this—documents that prove this that are yours for the asking.

The following day, September 8, Sondland texts Taylor and Volker to bring them up to speed on the conversations with President Trump and, subsequently, President Zelensky, whom he spoke to after President Trump: "Guys, multiple conversations with Z," meaning Zelensky. "POTUS. Let's talk."

Sondland spoke to Taylor shortly after this text, according to Ambassador Taylor. He testified again on his real time notes. Let's hear what he said.

(Text of Videotape presentation:)

Ambassador TAYLOR. The following day on September 8, Ambassador Sondland and I spoke on the phone, and he confirmed he had talked with President Trump, as I suggested a week earlier, but President Trump was adamant that President Zelensky himself had to clean things up and do it in public. President Trump said it was not a quid pro quo.

Mr. Manager SCHIFF. It is all very consistent here, what the President said. No quid pro quo, but Zelensky must announce the investigations publicly, was what he was telling Sondland—no quid pro quo except for the quid pro quo.

The President's attorneys would like you to remember the first half of that sentence and would like to forget the second half ever happened, but we don't have to leave our common sense at the door, and we don't have to rely on an incomplete description of that call. We have instead the detailed notes of Mr. Morrison and Ambassador Taylor.

We also know what President Trump told Sondland because Sondland relayed that message to President Zelensky. During the same September 8 conversation with Taylor, Sondland described his conversation with President Zelensky.

Here is Ambassador Taylor's account of it.

(Text of Videotape presentation:)

Ambassador TAYLOR. Ambassador Sondland also said that he had talked with President Zelensky and Mr. Yermak and had told them that although this was not a quid pro quo, if President Zelensky did not clear things up in public, we would be at a stalemate. I understood a stalemate to mean that Ukraine would not receive the much-needed military assistance.

Ambassador Sondland said that this conversation concluded with President Zelensky agreeing to make a public statement in an interview on CNN.

So not only did Ambassador Sondland relate this conversation to Mr. Morrison and Mr. Taylor, not only did Ambassador Taylor and Mr. Morrison talk about it, but Sondland said he

relayed this conversation to Zelensky himself. Everyone was now in the loop on the military aid being withheld for the political investigations.

Taylor continued recalling the startling analogy Ambassador Sondland used to describe President Trump's approach to Ukraine:

(Text of Videotape presentation:)

Ambassador TAYLOR. During our meeting—during our call on September 8, Ambassador Sondland tried to explain to me that President Trump was a businessman, and when a businessman is about to sign a check to someone who owes him something, the business man asks that person to pay up before signing the check. Ambassador Volker used the same language several days later while we were together at the Yalta European strategy conference. I argued to both that the explanation made no sense. Ukrainians did not owe President Trump anything.

Mr. Manager SCHIFF. Ambassador Taylor testified that at the end of the Sondland-Zelensky conversation, President Zelensky said that he had relented and had agreed to do a CNN interview to announce the investigations.

So there was a breakthrough after all. The promised meeting wasn't enough. The withheld security assistance broke the logjam. Zelensky was going to go on CNN and announce the investigations.

Taylor, though, remained concerned that even if the Ukrainian leader did as President Trump required, President Trump might continue to withhold the vital U.S. security assistance in any event. Ambassador Taylor texted his concerns to Ambassador Volker and Sondland stating:

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

That is quite telling, too.

What is Ambassador Taylor is worried about? He is worried the Ukrainians are finally going to agree to do it. They are going to make the announcement, and they are still going to get stiffed on the aid.

In his deposition, Ambassador Taylor elaborated:

Ambassador TAYLOR. "The nightmare" is the scenario where President Zelensky goes out in public, makes an announcement that he's going to investigate Burisma and the interference in the 2016 election, maybe among other things. He might put that in some series of investigations. But . . . the nightmare was he would mention those two, take all the heat from that, get himself in big trouble in this country—

Meaning the United States—

and probably in his country as well, and the security assistance would not be released. That was the nightmare.

If it were to happen, Taylor has testified, he would quit.

Early in the morning in Europe on September 9, which was 12:47 a.m. in Washington, DC, Ambassador Taylor reiterated his concerns about the President's quid pro quo for security assistance in another series of text messages with Ambassadors Volker and Sondland.

Here are the September 9 text messages. Taylor texts to Sondland:

The messages from the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us. Thus my nightmare scenario.

Taylor goes on and says:

Counting on you to be right about this interview, Gordon.

Meaning, if they do it, you darn well better come through with the military aid.

And Sondland says:

Bill, I never said I was "right." I said we are where we are and believe we have identified the best pathway forward. Let's hope it works.

Taylor said:

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

Ambassador Taylor testified what he meant. He said that to withhold that assistance for no good reason other than to help with a political campaign made no sense. It was counterproductive to all of what we were trying to do. It was illogical. It could not be explained. It was crazy.

In response to Ambassador Taylor's text message, Sondland replies at about 5 a.m. in Washington. So the message from Taylor goes out at 12:47 a.m. The message back from Sondland comes at 5 a.m. So it looks like it might be 5 hours later.

So Taylor has texted at 12:47 a.m.:

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

There he is again, putting it in writing, for crying out loud. Hadn't Sondland said to call him about this stuff?

So 5 hours later, you get this really interesting message from Sondland:

Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear: no quid pro quo's of any kind. The President is trying to evaluate whether Ukraine is truly going to adopt transparency reforms that President Zelensky promised during his campaign. I suggest we stop the back and forth by text.

In other words, can you please stop putting this in writing? Congress may read this one day.

If you still have concerns, I recommend you give Lisa Kenna or S a call to discuss them directly. Thanks.

As you can see Ambassador Sondland's subsequent testimony reveals that this text and other denials of a quid pro quo were intentionally false and simply designed to provide a written record of a false explanation that could later be used to conceal wrongdoing.

The text message said there were no quid pro quos of any kind, but you have seen his testimony. He swore under oath. He was crystal clear when he said there was a quid pro quo for the White House meeting, and he subsequently testified there was a quid pro quo for the security assistance, as well, as confirmed by President Trump's direction to him on September 7.

Sondland's recollection of this conversation with President Trump, as I mentioned, has evolved over time. Initially, in his deposition, he testified that the conversation with the President occurred between Taylor's text of September 9th at 12:47, Washington time, and his response at 5 a.m. He recalled very little of the conversation at that time other than his belief that his text message reflected President Trump's response.

Subsequently, though—and again, this is one of the reasons why you do depositions in closed session. Subsequently, after the opening statements of the testimony of Ambassador Taylor and Mr. Morrison were released, which described in overlapping and painful detail Sondland's conversation with President Trump on September 7, Ambassador Sondland submitted an addendum to his deposition testimony, which in relevant part said this:

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

During his public testimony, Ambassador Sondland purported to remember more of his conversation with President Trump, although he still maintained he couldn't remember if it was on September 7 or September 9.

According to his testimony, President Trump did not specifically say there was a quid pro quo. But when Sondland simply asked the President what he wanted from Ukraine, President Trump immediately brought up a quid pro quo. According to Sondland, President Trump said:

I want nothing. I want no quid pro quo. I want Zelensky to do the right thing.

And I said: What does that mean?

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

In his subsequent testimony, Ambassador Sondland explained that Trump's reference to what he ran on was a nod to rooting out corruption. Here, however, corruption, like Burisma, has become code for the investigations that President Trump has sought.

So you have got Ambassador Sondland's emerging recollection. What you got is actually written notes taken at the time that he does not contest, written notes from Ambassador Taylor and Mr. Morrison, notes which I believe will reflect quite clearly the understanding of "dirt for dollars" that was confirmed by this telephone call to President Trump.

(Text of Videotape presentation:)

Mr. GOLDMAN. Well, you weren't dissuaded then, right? Because you still

thought that the aid was conditioned on the public announcement of the investigation after speaking to President Trump.

Ambassador SONDLAND. By September 8, I was absolutely convinced it was.

Mr. GOLDMAN. And President Trump did not dissuade you of that in the conversation that you noted you had with him?

Ambassador SONDLAND. I don't recall, because that would have changed my calculus. If President Trump had told me directly—

Mr. GOLDMAN. No, I'm not asking that. I am just saying, you still believed the security assistance was conditioned on the investigation, after you spoke to President Trump; yes or no?

Ambassador SONDLAND. From a time-frame standpoint, yes.

Mr. Manager SCHIFF. OK, so here we have Sondland saying that whatever his recollection may be about that call, he was still very clear what the President wanted and he was very clear there was a quid pro quo. That is consistent, obviously, with what Mr. Morrison had to say and Ambassador Taylor. In other words, he didn't believe President Trump's denial of a quid pro quo, and neither should you.

Sondland's understanding was further confirmed by President Trump's own Chief of Staff. On October 17, in a press briefing at the White House, Mick Mulvaney admitted that President Trump withheld essential military aid to Ukraine as leverage to pressure Ukraine to investigate the conspiracy theory that Ukraine had interfered in the 2016 election.

Mr. MULVANEY. Those were the driving factors. But he also mentioned to me that the corruption related to the DNC server. Absolutely, no question about it. But that is it. That is why we held up the money.

Mr. Manager SCHIFF. When pressed that he had just convinced them of the very quid pro quo that President Trump had been denying, Mulvaney doubled down. Let's listen to that.

(Text of Videotape presentation:)

Question. But to be clear, what you just described is a quid pro quo. It is: Funding will not flow unless the investigation into the Democratic server happens as well.

Mr. MULVANEY. We do that all the time with foreign policy.

Mr. Manager SCHIFF. This evidence demonstrates that President Trump withheld the security assistance and the White House meeting with President Zelensky until Ukraine made a public statement announcing the two investigations targeted to help his political reelection efforts. But as you will learn next, he got caught, and a coverup ensued.

Ms. Manager LOFGREN. Mr. Chief Justice and Senators, thank you for your patience. This is a lot of information, but you have a very important obligation, and that is, ultimately, to decide whether the President committed impeachable offenses. In order to make that judgment, you have to have all of the facts.

We are going through this chronology. We are close to being done, but it is important to know that while all of this material was going on and these deals were being made, there were

other forces at work. Even before the President's freeze on U.S. military assistance to Ukraine became public on August 28, Members of both Houses of Congress began to express concern.

On August 9, the Democratic leadership of the House and Senate Appropriations Committee wrote to the OMB and the White House, warning that a hold on assistance might constitute an illegal impoundment of funds. They urged the Trump administration to follow the law and obligate the funds.

When the news of the frozen aid broke on August 28, congressional scrutiny of President Trump's decision increased. On September 3, a group of Senators, both Republicans and Democrats, including Senator JEANNE SHAHEEN, Senator ROB PORTMAN, Senator DICK DURBIN, Senator RON JOHNSON, and Senator RICHARD BLUMENTHAL sent a letter to Acting White House Chief of Staff Mick Mulvaney, expressing "deep concerns . . . that the Administration is considering not obligating the Ukraine Security Initiative funds for 2019."

Two days later, as has been mentioned, on September 5, a Washington Post editorial expressed concern that President Trump was withholding military assistance to Ukraine in order to pressure President Zelensky to announce these investigations. That was the first public report linking the frozen security aid to the investigations that Mr. Giuliani had been publicly pressing for and that President Trump, as we have heard, had privately urged President Zelensky to conduct on the July 25 call.

That same day, Senators MURPHY and JOHNSON met with President Zelensky in Kyiv. Ambassador Taylor went with them, and he testified—Mr. Taylor testified that President Zelensky's "first question to the senators was about the withheld security assistance." Ambassador Taylor testified that both Senators "stressed that bipartisan support for Ukraine in Washington was Ukraine's most important strategic asset and that President Zelensky should not jeopardize that bipartisan support by getting drawn into U.S. domestic politics."

Senator JOHNSON and Senator MURPHY later submitted letters in which they explained that they sought to reassure President Zelensky that there was bipartisan support in Congress for providing Ukraine with military assistance and that they would continue to urge President Trump to lift the hold. Here is what they said in that letter.

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

And Senator JOHNSON in the letter said: "I explained that I had tried to persuade the President to authorize me to announce the hold was released but that I was unsuccessful."

As news of the President's hold on military assistance to Ukraine became

public at the end of August, Congress, the press, and the public started to pay more attention to President Trump's activities with Ukraine. This risked exposing the scheme that you have heard so much about today.

By now, the White House had learned that the inspector general of the intelligence community had found that a whistleblower complaint related to the same Ukraine matter was "credible" and "an urgent concern" and that they were therefore required to send that complaint to Congress.

On September 9, three House investigating committees sent a letter to White House Counsel Pat Cipollone, stating that President Trump and Giuliani "appeared to have acted outside legitimate law enforcement and diplomatic channels to coerce the Ukrainian government into pursuing two politically-motivated investigations under the guise of anti-corruption activity."

The letter also said this: "If the President is trying to pressure Ukraine into choosing between defending itself from Russian aggression without U.S. assistance or leveraging its judicial system to serve the ends of the Trump campaign, this would represent a staggering abuse of power, a boon to Moscow, and a betrayal of the public trust."

The Chairs requested that the White House preserve all relevant records and produce them by September 16. This included the transcript—or actually the call record of the July 25 call between President Trump and President Zelensky.

Based on witness testimony, it looks like the White House Counsel's Office circulated the committee's document request around the White House. Tim Morrison, a senior director at the National Security Council, remembered seeing a copy of this letter. He also recalled that the three committees' Ukraine investigation was discussed at a meeting of senior level NSC staff soon after it was publicly announced. Lieutenant Colonel Vindman recalled discussions among the NSC staff members that the investigation—and here is a quote—"might have the effect of releasing the hold on Ukraine military assistance because it would be potentially politically challenging for the Administration to justify that hold to Congress."

Later that same day, on September 9, the inspector general informed the House and Senate Intelligence Committees he had determined that the whistleblower complaint that had been submitted on August 12 appeared to be credible, met the definition of urgent concern under the statute, and yet he reported that for first time ever, the Acting Director of National Intelligence was withholding this whistleblower complaint from Congress. That violated the law, which required it to be in the Senate in 7 days. The Acting Director later testified that his office initially withheld the complaint based



on advice from the White House in an unprecedented intervention by the Department of Justice.

According to public reporting and testimony from the Acting DNI at a hearing before the House Intelligence Committee on September 26, the White House had been aware of the whistleblower complaint for weeks prior to the IG September 9 letter to the Intelligence Committee.

Acting DNI Maguire testified that when he received the whistleblower complaint from the inspector general, his office contacted the White House Counsel's Office for guidance. Consistent with Acting DNI Maguire's testimony, the New York Times has reported that, in late August, the President's current defense counsel, Mr. Cipollone, and NSC lawyer, John Eisenberg, personally briefed President Trump about the complaint's existence and told the President they believed the complaint could be withheld from Congress on executive privilege grounds.

On September 10, the next day, Ambassador Bolton resigned from his position as National Security Advisor. On that same day, September 10, Chairman SCHIFF of the House Intelligence Committee wrote a letter to the Acting Director, demanding that he provide the complaint as the law required. The next day, on September 11, President Trump lifted the hold on the security assistance to Ukraine.

Numerous witnesses have testified that they weren't aware of any reason why the hold was lifted, just that there was no explanation for the hold being implemented. There was no additional review, no additional European contribution, nothing to justify the President's change in his position, except he got caught. Just as there was no official explanation for why the hold on Ukrainian assistance was implemented, numerous witnesses testified that they were not provided with any reason for why the hold was lifted on September 11.

For example, Jennifer Williams, who was a special adviser to Vice President PENCE, testified that she was never given a reason for that decision; neither was Lieutenant Colonel Vindman. Here is what he told us during the hearing.

(Text of Videotape presentation:)

Mr. GOLDMAN. Are you also aware that the security assistance hold was not lifted for another 10 days after this meeting?

Ms. WILLIAMS. That is correct.

Mr. GOLDMAN. And am I correct that you never did learn the reason why the hold was lifted?

Ms. WILLIAMS. That is correct.

Mr. GOLDMAN. Colonel Vindman, you didn't learn a reason why the hold was lifted either; is that right?

Colonel VINDMAN. Right.

Mr. GOLDMAN. Colonel Vindman, are you aware that the committees launched an investigation into the Ukrainian matters on September 9, 2 days before the hold was lifted?

Colonel VINDMAN. I am aware, and it was lifted.

Ms. Manager LOFGREN. Ambassador Taylor, the person in charge at the U.S. Embassy in Kyiv who communicated the decision to the Ukrainians, also never got an explanation. Here is what he said.

(Text of Videotape presentation:)

Mr. GOLDMAN. Are you also aware, however, that the security assistance hold was not lifted for another 10 days after this?

Ambassador TAYLOR. Finally, on September 11, I learned that the hold had been lifted and the security assistance would be provided. I was not told the reason why the hold was lifted.

Ms. Manager LOFGREN. Mark Sandy, a career officer at OMB, testified he only learned of the possible rationale for the hold in early September after the Acting DNI had informed the White House about the whistleblower complaint.

Sandy testified that sometime in early September he received an email from his boss, Michael Duffey. Approximately 2 months after the hold had been placed, the email "attributed the hold to the President's concern about other countries not contributing more to Ukraine" and requested "information about what additional countries were contributing to Ukraine." This was a different explanation than OMB had provided at the July 26 interagency meeting that referenced concerns about corruption.

The Lieutenant Colonel testified that none of the facts on the ground about Ukrainian efforts to combat corruption or other countries' contributions to Ukraine had changed before President Trump lifted the hold.

According to a press report, after Congress began investigating President Trump's scheme, the White House Counsel's Office opened an internal investigation relating to the July 25 call. The following slides provide excerpts from a report in the Washington Post.

As part of that internal investigation, White House lawyers reportedly gathered and reviewed hundreds of documents that revealed extensive efforts to generate an after-the-fact justification for the hold on military assistance for Ukraine that had been ordered by the President.

These documents reportedly include "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."

The Washington Post article also reported, and this is a quote: "Emails show OMB Director Vought and OMB staffers arguing that withholding the 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." You should be able to see these documents, but the White House has withheld them from Congress. The

House can't verify the news report, but you could. You could do that if you could see these documents. You should subpoena them, and there is no reason not to see all of the relevant documents.

The lengthy delay created by President Trump's hold prevented the Department of Defense from spending all congressionally appropriated funds by the end of the fiscal year, as we have mentioned before. That meant the funds were going to expire on September 30 because, as we know, unused funds do not roll over to the next fiscal year. This confirmed the fears expressed by Cooper, Sandy, and others—concerns that were discussed within the relevant agencies in late July and throughout August.

Ultimately, approximately \$35 million of Ukraine military assistance—that is 14 percent of the DOD funds—remained unspent by the end of the fiscal year. In order to make sure that Ukraine did not permanently lose the \$35 million of critical military assistance that had been frozen by the White House, Congress had to pass a provision on September 27—3 days before the funds were to expire—to ensure that the remaining \$35 million could be sent to Ukraine.

George Kent is an anti-corruption and rule-of-law expert. He told us that American anti-corruption efforts prioritized building institutional capacity, support for the rule of law, not the pursuit of individual investigations, particularly of political rivals. Here is how he explained their approach.

(Text of Videotape presentation:)

Mr. KENT. U.S. efforts to counter corruption in Ukraine focus on building institutional capacity so that the Ukrainian Government has the ability to go after corruption and effectively investigate, prosecute, and judge alleged criminal activities using appropriate institutional mechanisms; that is, to create and follow the rule of law. That means that if there are criminal nexuses for activity in the United States, U.S. law enforcement should pursue the case. If we think there's been a criminal act overseas that violates U.S. law, we have the institutional mechanisms to address that. It could be through the Justice Department and FBI agents assigned overseas or through treaty mechanisms, such as the mutual legal assistance treaty.

As a general principle, I do not believe the United States should ask other countries to engage in selective politically associated investigations or prosecutions against opponents of those in power because such selective actions undermine the rule of law, regardless of the country.

Ms. Manager LOFGREN. David Holmes concurred during his testimony. Holmes also compared the official approach that we believe in, that we promulgated across the world, with what the President and Mr. Giuliani actually were doing.

(Text of Videotape presentation:)

Mr. HOLMES. Our long-standing policy is to encourage them to establish, build rule of law institutions that are capable, that can pursue allegations. That's our policy. We've been doing that for some time with some

success. Focusing on particular cases, particularly where there is interest of the President, just not part of what we've done. It's hard to explain why we would do that.

Ms. Manager LOFGREN. Unfortunately, we do know the explanation. We know why President Trump wanted President Zelensky to announce investigations—because it would help him in his election.

On September 18, approximately a week before he was supposed to meet with President Trump at the United Nations General Assembly in New York, President Zelensky spoke by telephone with Vice President PENCE.

During her deposition, Jennifer Williams testified. She was Vice President PENCE's assistant. She had testified that Vice President PENCE basically reiterated that the hold on aid had been lifted and asked a bit more about how Zelensky's efforts were going.

Following her deposition and while preparing for her testimony at the open hearing on November 19, Williams reviewed the documents—they had not been produced to us by the White House—and those documents refreshed her recollection of Vice President PENCE's call with President Zelensky. The White House blocked Williams from testifying about her refreshed recollections of the Vice President's call when she appeared at the open public hearing. They claim that certain portions of the September 18 call, including the information that Williams wanted to tell us about, were classified.

On November 26, she submitted a classified addition to her hearing testimony where she provided additional information about the Vice President's September 18 telephone call with President Zelensky. The Intelligence Committee provided this classified addition to the Judiciary Committee. It has been sent to the Senate for your review. Now, I have read that testimony. I will just say that a coverup is not a proper reason to classify a document.

Vice President PENCE has repeatedly said publicly that he has no objection to the White House releasing the actual transcript of his calls with President Zelensky. Yet his office has refused many requests by the committee to declassify Williams' addendum so the American people could also see the additional evidence about this call.

We urge the Senators to review it, and we again ask that the White House declassify them. As the House wrote in two separate letters, there is no basis to keep it classified. Again, in case the White House needs a reminder, it is improper to keep something classified just to avoid embarrassment or to conceal wrongdoing.

We have been through a lot of facts today. We have seen the President's scheme. A shakedown of Ukraine for his personal benefit was, I believe, an obvious abuse of his power. But this misconduct and scheme became exposed. Congress asked questions. The press reported. Nonpolitical officers in the government expressed concern. The whistleblower laws were activated.

As this happened, there was an effort to create an after-the-fact, misleading record to avoid responsibility for what the President had actually been doing. These were not the only efforts to hide misconduct, and misconduct continued. Congressman SCHIFF will review some of those items.

Mr. Manager SCHIFF. We have about 20 minutes left in the presentation tonight.

I would like to now go through with you the President's efforts to hide this corrupt scheme even as it continued well into the fall of last year.

On August 12, a whistleblower in the intelligence community submitted a complaint addressed to the congressional Intelligence Committees. This explosive document stated that President Trump had solicited foreign interference from Ukraine to assist his 2020 reelection bid.

The complaint alleged a scheme by President Trump to "us[e] the power of his office to solicit interference from a foreign country in the 2020 U.S. election." The complaint stated that the President had applied pressure on Ukraine to investigate one of the President's main domestic political rivals and detailed the involvement of the President's personal lawyer, Rudy Giuliani. The complaint also stated that the whistleblower believed the President's activities "posed risks to U.S. national security and undermine the U.S. Government's efforts to deter and counter foreign interference in the U.S. elections."

Under the law, the whistleblower was required to file the complaint with the inspector general of the intelligence community, which was then required to vet and assess the complaint and determine if it warranted reporting to the Intelligence Committees. The law gives the inspector general 14 days to conduct an initial review and then inform the Director of National Intelligence about his findings.

On August 26, the inspector general sent the whistleblower complaint and the inspector general's preliminary determination to the Acting Director of National Intelligence. The inspector general wrote that based on his review of the complaint, its allegations constituted an "urgent concern" and appeared "credible" under the statute. The inspector general confirmed that the whistleblower acted lawfully in bringing the complaint and credibly raised a legitimate concern that should be communicated to the Intelligence Committees of Congress.

The Director of National Intelligence quickly informed the White House about the complaint.

Under the law, the Acting Director of National Intelligence was required to forward the complaint and the inspector general's determination to the congressional Intelligence Committees no later than 7 days after he received them. The legal requirement is extremely clear. Upon receipt of the transmittal from the ICIG—that is the

inspector general of the intelligence community—the Director shall, within 7 calendar days of such receipt, forward such transmittal to the congressional Intelligence Committees, together with any comments the Director considers appropriate. Yet, despite the clear letter of the law, the White House mobilized to keep the information in the whistleblower complaint from Congress, including by inviting the Department of Justice to render an opinion as to whether the complaint could be withheld from Congress.

The statutory deadline of September 2, when the Director of National Intelligence was required to turn them over to Congress, came and went, and the complaint remained hidden from Congress.

Finally, on September 9, a full week after the complaint was required to be sent to Congress—and once again, an urgent concern—the inspector general wrote to the leaders of the Intelligence Committees to inform them that the Director of National Intelligence was withholding a whistleblower complaint, in direct contravention of past practice and the law.

On September 24, Speaker of the House NANCY PELOSI announced that "the House of Representatives is moving forward with an official impeachment inquiry."

The next day, the House of Representatives passed a resolution calling on the Trump administration to provide the whistleblower's complaint immediately to the congressional Intelligence Committees.

Later that day, the White House publicly released the summary of the July 25 call between President Trump and President Zelensky and permitted the Acting Director of National Intelligence to provide the whistleblower's complaint and related documents to the congressional Intelligence Committees.

The President himself was happy to discuss the motivations for the scheme in public. That day, in a joint press availability with President Zelensky at the United Nations General Assembly, President Trump reiterated that he wanted Ukraine to investigate the Bidens.

(Text of Videotape presentation:)

President TRUMP. No, I want him to do whatever he can. This was not his fault. He wasn't there. He's just been here recently. But whatever he can do in terms of corruption because the corruption is massive. Now, when Biden's son walks away with millions of dollars from Ukraine, and he knows nothing, and they're paying him millions of dollars, that's corruption.

Mr. Manager SCHIFF. Finally, the day after President Trump explained to the public that he wanted Ukraine to investigate former Vice President Biden, on the morning of September 26, the Intelligence Committee publicly released declassified redactions of two documents: the whistleblower's August 12 complaint and the inspector general's August 26 transmittal to the Acting Director of National Intelligence.

Even after the impeachment inquiry into the Ukraine matter began, President Trump and his proxy, Rudy Giuliani, had continued to publicly urge President Zelensky to launch an investigation of Vice President Biden and alleged 2016 election interference by Ukraine.

On September 30, during his remarks at the swearing-in of the new Labor Secretary, President Trump stated this.

(Text of Videotape presentation:)

President TRUMP. Now, the new President of Ukraine ran on the basis of no corruption. That's how he got elected. And I believe that he really means it. But there was a lot of corruption having to do with the 2016 election against us. And we want to get to the bottom of it, and it is very important we do. Thank you, everyone.

Mr. Manager SCHIFF. So here he is. He is meeting at the United Nations, September 30, and he is still pursuing this bogus CrowdStrike conspiracy theory with the President of Ukraine.

On October 2, in a public press availability, President Trump discussed the July 25 call with President Zelensky and stated that "the conversation was perfect; it couldn't have been nicer." He then linked his notion of corruption with the Biden investigation.

On October 3, in remarks before he departed on Marine One, President Trump expressed his hope that Ukraine would investigate Vice President Biden and his son. President Trump actually escalated his rhetoric, urging not only Ukraine to investigate the Bidens but China too.

(Text of Videotape presentation:)

Question. Mr. President, what exactly did you hope Zelensky would do about the Bidens after your phone call?

President TRUMP. Well, I would think that, if they were honest about it, they would start a major investigation into the Bidens. It's a very simple answer. They should investigate the Bidens, because how does a company that's newly formed—and all these companies, if you look at—and, by the way, likewise, China should start an investigation into the Bidens, because what happened in China is just about as bad as what happened with—with Ukraine. So I would say that President Zelensky—if it were me, I would recommend that they start an investigation into the Bidens.

Mr. Manager SCHIFF. The same day, President Trump tweeted that he has an absolute right to investigate corruption. That really means he feels he has an absolute right to investigate or get foreign countries to investigate his political opponents. The President sent a similar tweet the next day, once again linking corruption with the Biden investigation:

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

Give him credit for being so pompous. "This has nothing to do with politics or a political campaign against the Bidens," but you have got to inves-

tigate the Bidens. I guess that is just a coincidence.

President Trump continued to demonstrate his eagerness to solicit foreign assistance related to his personal interests: "Here's what's okay," he said. "If we feel there's corruption like I feel there was in the 2016 campaign—there was tremendous corruption against me. If we feel there's corruption, we have a right to go to a foreign country."

President Trump added that asking President Xi of China to investigate the Bidens "is certainly something we can start thinking about."

Even last month—even last month—the President and Giuliani's scheme continued. During the first week of December, Giuliani traveled to Budapest, Kyiv, and Vienna to meet with former Ukrainian Government officials as part of a continuing effort to dig up dirt, political dirt, on Vice President Biden and advance the theory that Ukraine interfered in the 2016 election.

Asked about his interviews of former Ukrainian prosecutors, Giuliani told the New York Times that he was acting on behalf of his client, President Trump: "Like a good lawyer, I am gathering evidence to defend my client against the false charges being leveled against him." Indeed, evidence obtained by the House from Giuliani's associate confirms that he had been representing himself in as early as May 2019 as President Trump's personal lawyer, doing Donald J. Trump's personal bidding in his dealings with Ukraine.

This letter of May 10, 2019, from Giuliani to Zelensky says, among other things:

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

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

This is evidence recently obtained showing his effort to get that meeting in May with Zelensky. Giuliani told the Wall Street Journal that, when he returned to New York from his most recent trip on December 7, President Trump called him as his plane was still taxiing down the runway: "What did you get?" he said President Trump asked. "More than you can imagine," Giuliani replied. Giuliani claimed that he was putting his findings into a 20-page report and that the President had asked him to brief the Attorney General and the Republicans in Congress. Shortly thereafter, on the same day, President Trump told reporters before departing on Marine One that he was aware of Giuliani's efforts in Ukraine and that Giuliani was going to report his purported findings to the Attorney General and Congress.

(Text of Videotape presentation:)

President TRUMP. Well, I just know he came back from someplace, and he's going to

make a report, I think to the Attorney General and to Congress. He says he has a lot of good information. I have not spoken to him about that information. But Rudy, as you know, has been one of the great crime fighters of the last 50 years. And he did get back from Europe just recently, and I know—he has not told me what he found, but I think he wants to go before Congress and say—and also to the Attorney General and the Department of Justice. I hear he's found plenty, yeah.

Three days after those remarks on December 10, Giuliani confirmed to the Washington Post that President Trump had asked him to brief the Justice Department and Republican Senators on his "findings" from his trip to Ukraine.

Giuliani stated:

He wants me to do it. I'm working on pulling it together and hope to have it done by the end of the week.

That Friday, December 13, Giuliani reportedly met with President Trump at the White House, and on December 17 Giuliani confirmed to CNN that President Trump has been very supportive of his efforts to dig up dirt on Vice President Biden and Ukraine and that they are on the same page.

The following day, on December 18, 2019, the House of Representatives approved the two Articles of Impeachment you are considering in this trial. Since the House voted on these articles, evidence has continued to come to light related to the President's corrupt scheme. Among other things, Freedom of Information Act lawsuits, press reporting, and documents provided to Congress from Rudy Giuliani associate Lev Parnas further corroborate what we already know about the President's scheme.

As Giuliani again said on December 17, President Trump has been "very supportive" of his efforts to dig up dirt on Vice President Biden and they are "on the same page."

Parnas further corroborated what we already know about President Trump's scheme; that he was responsible for withholding military aid and sustaining that hold and that his personal attorney, Mr. Giuliani, was working at the direction of President Trump himself.

On December 20, new emails were released showing that, 91 minutes after President Trump's call with Ukrainian President Zelensky, a top Office of Management and Budget aide asked the Department of Defense to hold off on sending military aid to Ukraine. So those were new documents that came on December 20.

On December 29, revelations emerged from OMB Director and Acting Chief of Staff Mick Mulvaney's role about them—about that role in the delay of aid and efforts by lawyers at OMB, the Department of Justice, and the White House to justify the delay and the alarm that the delay caused within the administration. Those records just became available on December 29.

On January 2, newly unredacted Pentagon emails which raised serious concerns by Trump administration officials about the legality of the President's hold on aid became available.

On January 6, former Trump National Security Advisor John Bolton announced that he would comply with a Senate subpoena compelling his testimony. His lawyers stated that he has new relevant information.

On January 13, reports emerged that the Russian Government hacked the Ukrainian gas company Burisma, almost certainly in an effort to find information about Vice President Joe Biden's son in order to weaponize that information against Mr. Biden and in favor of Mr. Trump, just as Russia did against Secretary Clinton in favor of then-candidate Trump in 2016.

That brings us up to January 13 of this year. Last week, House committees received new evidence from Lev Parnas that further demonstrates that the President was a central player in this scheme to pressure Ukraine for his political gain. Also last week, the Government Accountability Office found that President Trump violated the law when he withheld that aid.

Last night we had further development when more redacted emails from the Office of Management and Budget were produced. I think Representative CROW showed you these. These are among the documents that were just released. I am sure that, if we could read under those redactions, it would be a very perfect email, but you have to ask: What is being redacted here? What is so important to keep confidential during the course of an impeachment inquiry?

As you can see, right up until last night, evidence continues to be produced. The truth is going to come out. Indeed, the truth has already come out, but more and more of it will. More emails are going to come out. More witnesses are going to come forward. They are going to have more relevant information to share.

The only question is, Do you want to hear it now? Do you want to know the full truth now? Do you want to know just who was in the loop? It sounds like everyone was in the loop. Do you want to know how broad this scheme was?

We have the evidence to prove that President Trump ordered the aid withheld. He did so to coerce Ukraine to help his reelection campaign. He withheld a White House meeting to coerce the same sham investigations. We can and will prove President Trump guilty of this conduct and of obstructing the investigation into his misconduct, but you and the American people should know who else was involved in this scheme. You should want the whole truth to come out. You should want to know about every player in this sordid business. It is within your power to do so, and I would urge you, even if you are prepared to vote to convict and impeach and remove this President, to find out the full truth about how far this corruption goes because I think the public has a right to know.

Now, today—well, yesterday we made the case for why you should hear this additional evidence and testimony.

This morning, I introduced you to the broad sweep of the President's conduct, and then, during the course of today, we walked you through a factual chronology in realtime about how this plot unfolded. During that factual chronology today, you saw that, in March of this year, Giuliani began that smear campaign against Ambassador Yovanovitch in order to get her fired by President Trump, something he would later admit was necessary to get her out of the way because she was going to be in the way of these two investigations.

This is the supposed anticorruption effort by the President: to get rid of a woman who has dedicated her career to representing the United States, often in dangerous parts of the world, to fighting corruption, and to promoting the rule of law. This plot begins with getting her out of the way, with the President saying that "she is going to go through some things." This anticorruption reformer, this U.S. patriot—this plot begins with getting her out of the way.

This says so much about the administration. Tellingly, it wasn't enough just to recall her or fire her. The President could have done that anytime. No. They wanted to destroy her because she had the audacity to stand in their way.

So we heard in March about the effort to get rid of her, and it succeeded. And guess what message that sent to the Ukrainians about the power the President's lawyer has. The Ukrainians were watching this whole saga. They were hearing his interviews. They were seeing the smears he was putting out. And this attorney for the President, working hand in hand with these corrupt Ukrainians, was able to get a UN ambassador yanked out of her job. Proof positive—you want a window to this President, you want entre to this President, you want to make things happen with this President, you go through his lawyer. Never mind the State Department, never mind the National Security Council, never mind the Defense Department—you go through his employer. That is March.

In April, Zelensky has this huge victory in the Presidential election. He gets a congratulatory call from the President. The President assigns Vice President PENCE to go to the inauguration.

In May, Giuliani is rebuffed by Zelensky, cancels the trip to Ukraine—the one where he wanted to go, remember, and meddle in the investigation because, Giuliani says, enemies of Trump surround Zelensky. I guess that means he didn't get the money, and they must be enemies of the President. Of course, the Ukrainians know why he wants that meeting.

In May, Trump disinvites PENCE to the inauguration. PENCE is going, Giuliani is rebuffed, PENCE isn't going. That is May.

Instead, May 23, we have this meeting at the White House, and there is a

new party in town: the three amigos. They are going to be handling the Ukraine portfolio. They are told: Work with Rudy, work with Rudy. Ambassador Sondland, Ambassador Volker, Secretary Perry, work with Rudy.

As you saw in June, Rudy is pushing for these investigations, and they are trying to arrange these meetings and trying to make this happen. Also in June, the Defense Department announces they are going the release the military aid. The President reads about this, and then he stops it. He stops the aid.

In July—July 10—you heard in the chronology, there is a meeting at the White House, the meeting in which Sondland blurts out in this meeting between the Ukrainians and Americans: Hey, they have a deal. They are trying to get this meeting, and there is a debate whether the meeting is going to happen and when it is going to happen. Sondland says: Hey, we have a deal with Mulvaney here. We are going to get this meeting, and you are going to do those investigations.

Bolton stiffens and abruptly ends the meeting. That was the first meeting that day. Then Sondland brings the delegation to a different part of the White House, and they have the followup meeting where he makes it even more explicit—this drug deal is made even more explicit. Dr. Hill is told by Ambassador Bolton: You need to go talk to the lawyers; I don't want any part of this drug deal they are cooking up. That is July.

July is the month where that email goes from Sondland to Pompeo and others, and everybody is in the loop. July is the month where the hold is implemented with no explanation. July is the month where Mueller testifies about Russia's systemic interference in our affairs. July is the month after Mueller testifies that the President believes he has escaped accountability.

The next day in July is, of course, the July 25 call in which the President asks for his favor. July 26 is the date of the call between President Trump and Ambassador Sondland. You know the one: "Zelensky loves your ass," and he will do anything you want.

Is he going to do the investigation? Yeah, he is going to do the investigation.

July is the month of that conversation between Sondland and David Holmes, where Holmes says: Can you tell me candidly here what the President thinks of Ukraine? Does he give a "blank" about Ukraine? No, he doesn't give a "blank" about Ukraine. He only cares about the big stuff.

Well, it is kind of big stuff here in Ukraine, like a war with the Russians.

No, no, no. Big stuff that affects him personally, like the Biden investigation that Giuliani wants. That is the month of July.

In August, we have that meeting between Giuliani and Yermak in Madrid. In August, we have the back and forth about the statement: No, you go first,

and you commit and publicly announce investigations, and then we will give you a date.

No, you go first. You give us the date, and then we will announce the investigations.

Well, we will give you a statement that doesn't mention the specifics.

No, no, you give us a statement that mentions the investigations.

That is the month of August.

August is also the month where it becomes clear that it is not just the meeting anymore. It is everything. Everything is conditioned on these investigations—the relationship, the money, the meeting. Sondland and Holmes testify it is as simple as two plus two equals four. That is all.

In September, Sondland says to Yermak: Everything is conditioned on public announcements.

Message delivered, no ambiguity: The Ukrainians are told quid pro quo.

Taylor texts: This is crazy to withhold aid.

September is the month—September 7 in particular, Trump and Sondland talk on the phone, and the President has that conversation where he says: No quid pro quo—except, here is the quid pro quo.

Zelensky has to go to the mike, and what is more, he should want to do it.

September is also the month where the investigations begin in Congress. September is the month where, after those investigations begin, after the President knows he has been caught, the aid is finally released. September is the month where Pence and Zelensky are on the phone and Jennifer Williams has classified information to share with you that I hope you will take a look at because it is relevant to these issues.

That is September.

In October, Trump admits: Yes, if it wasn't obvious enough, he wants Ukraine to investigate his political opponent. October is the month where he invites another nation, China, to investigate his opponent.

This is the broad outline of the chronology that we went through today.

Tomorrow, we will go through the law, the Constitution, and the facts as they apply to article I. That is the plan for tomorrow.

We have introduced the case. We have gone through the chronology, and tomorrow, we will apply the facts to the law as it pertains to the President's abuse of power.

Let me just conclude this evening by remarking again on what brought us here. What brought us here is that some courageous people came forward,

courageous people that risked their entire careers. One of the things that has been striking to me about that, as I watch these witnesses like Maria Yovanovitch and Ambassador Taylor and David Holmes and others—Dr. Hill—is how much these dedicated officials were willing to risk their career, the beginning of their career, the middle of their career, or late in their career, when they had everything to lose, but people senior to them, who have every advantage, who sit in positions of power, lack that same basic commitment, lack that similar basic willingness to put their country first and expose wrongdoing.

Why is it that Colonel Vindman, who worked for Fiona Hill, who worked for John Bolton and Dr. Kupperman, were willing to stick their neck out and answer lawful subpoenas when their bosses wouldn't? I don't know that I can answer that question, but I just can tell you, I have such admiration for the fact they did.

I think this is some form of cosmic justice that this Ambassador that was so ruthlessly smeared is now a hero for her courage. There is justice in that. But what would really vindicate that leap of faith that she took is if we show the same courage. They risked everything—their careers—and, yes, I know what you are asked to decide may risk yours too, but if they could show the courage, so can we.

I yield back.

The CHIEF JUSTICE. Pursuant to the provisions of S. Res. 243 of the 100th Congress, a single, one-page classified document identified by the House managers for filing with the Secretary of the Senate, that will be received on January 22, 2020, shall not be made part of the public record and shall not be printed, but shall be made available pursuant to the Standing Order for the 100th Congress.

The majority leader is recognized.

#### RECOGNIZING THE PAGES

Mr. McCONNELL. Mr. Chief Justice, colleagues, we are almost through for the evening. We will convene again at 1 o'clock tomorrow. Before we adjourn, I would like to acknowledge that tomorrow is the official last day for this term's Senate pages.

(Applause, Senators rising.)

In addition to witnessing this unusual event that we are all experiencing, they are studying for their final exams as well, and we wish them well, as they head off back to boring, normal high school.

Mr. SCHUMER. Mr. Leader, let me just add my thanks and gratitude from

all of us. It is rare, particularly these days, when 100 Senators from both sides of the aisle, of every political persuasion, get up and give someone a standing ovation, but you deserve it.

Thank you for your good work. We hope you have beautiful and successful lives.

(Applause, Senators rising.)

#### UNANIMOUS CONSENT AGREEMENT—SENATE BUSINESS

Mr. McCONNELL. Mr. Chief Justice, I ask unanimous consent that on Tuesday, January 28, from 10 a.m. until 11 a.m., while the Senate is sitting in the Court of Impeachment and that notwithstanding the Senate's adjournment, the Senate can receive House messages and executive matters, committees be authorized to report legislative and executive matters, and Senators be allowed to submit statements for the RECORD, bills and resolutions and cosponsor requests and, where applicable, the Secretary of the Senate on behalf of the Presiding Officer be permitted to refer such matters.

The CHIEF JUSTICE. Without objection, it is so ordered.

#### MORNING BUSINESS

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2019, the President pro tempore (Mr. GRASSLEY) announced that on January 22, 2020, during the adjournment of the Senate, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 5430. An act to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

#### ADJOURNMENT UNTIL 1 P.M. TOMORROW

Mr. McCONNELL. Mr. Chief Justice, finally, I ask unanimous consent that the trial adjourn until 1 p.m. Thursday, January 23, and this also constitute the adjournment of the Senate.

There being no objection, at 9:42 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Thursday, January 23, 2020, at 1 p.m.