

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 wavering 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 us to 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 timeframe 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—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.