PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
joint with the
COMMITTEE ON OVERSIGHT AND REFORM
and the
COMMITTEE ON FOREIGN AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: KURT VOLKER

Thursday, October 3, 2019

Washington, D.C.

The interview in the above matter was held in Room

HVC-304, Capitol Visitor Center, commencing at 9:40 a.m.

Present: Representatives Schiff, Speier, Swalwell, Nunes, and Turner.

Also Present: Representatives Connelly, Raskin, Jordan, Meadows, Perry, and Zeldin.

Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

[redacted]

For the COMMITTEE ON OVERSIGHT AND REFORM:

[redacted]

For the COMMITTEE ON FOREIGN AFFAIRS:

[redacted]

For KURT VOLKER:

MARGARET E. DAUM,

PARTNER,

SQUIRE PATTON BOGGS LLP

2550 M STREET, NW

WASHINGTON, DC 20037

THE CHAIRMAN: Good morning. The interview will come to order.

I just want to make a few brief remarks before we get started.

This is the first witness interview as part of the impeachment inquiry. It is being conducted by the House Intelligence Committee with the participation of the Oversight and Foreign Affairs Committees.

This will be a staff-led interview. We have tried to keep the room to a reasonable size. We expect the questions to be professional, that you'll be treated civilly. We very much appreciate your coming in today.

Once my colleague makes some prefatory remarks you'll be given as much time as you'd like to make an opening statement. Then we'll begin the questioning, and my colleague will set out the time limits. But we appreciate your being here today.

MR. VOLKER: Thank you.

MR. GOLDMAN: Good morning, Ambassador Volker.

This is a transcribed interview that is conducted by the House Permanent Select Committee on Intelligence, pursuant to the impeachment inquiry announced by the Speaker of the House on September 24th.

Before we begin, if you could just please state your full name and spell your last name for the record.

MR. VOLKER: My name is Kurt Volker, and that is K-u-r-t V-o-l-k-e-r.

MR. GOLDMAN: Thank you.

Along with the other proceedings in furtherance of the inquiry, this interview is being led by the Intelligence Committee in exercise of its oversight and legislative jurisdiction and in coordination with the Committees on Foreign Affairs and Oversight and Reform.

In the room today are two majority staff members and two minority staff members from both the Foreign Affairs Committee and the Oversight Committee, as well as majority and minority staff from HPSCI.

My name is Daniel Goldman. I'm the director of investigations for the HPSCI majority staff, and I want to thank you for coming in today.

To my left here is Daniel Noble. He's a senior counsel for the majority staff, and he will be conducting the majority of the questions today.

Before we begin, I would just like to ask that we go around the room and that the staff members all introduce themselves and announce themselves for the record so that the court reporter knows who everybody is. I'll begin to my right.

[redacted]

[redacted]

MR. GOLDMAN: Thank you.

This interview will be conducted entirely at the unclassified level. However, because the -- the interview is being conducted here in the Intelligence Committee's secure spaces and in the presence of staff who all have appropriate security clearances.

It is the committee's expectation that neither the questions asked of you, the witness, nor answers by you or your counsel would require discussion of any information that is currently or at any point could be properly classified under executive order 13526.

Moreover, EO 13526 states that, quote, "In no case shall information be classified, continue to be maintained as classified, or fail to be declassified," unquote, for the purpose of concealing any violations of law or preventing embarrassment of any person or entity.

Today's interview is not being taken in executive session, but because of the sensitive and confidential nature of some of the topics and materials that will be discussed, access to the transcript will be limited to the three committees in attendance, the Intelligence Committee, Foreign Affairs Committee, and Committee on Oversight and Reform.

In advance of today's interview you voluntarily produced certain documents to the committees, which you have marked as confidential, and they have Bates numbers KV1 through KV65. We may refer to some of those documents today.

Mr. Volker, can you please confirm the documents you produced to the committees were generated on unclassified systems and that it is your understanding that the documents are today and were at all times unclassified?

MR. VOLKER: Yes, that is my understanding.

MR. GOLDMAN: Now, if any of our questions can only be answered with classified information, please inform us of that before you answer the question, and we will reserve time at the end for a classified portion of the interview.

Now, let me go over the ground rules for the interview.

First, the structure of this transcribed interview. The interview will proceed as follows. The majority will be given 1 hour to ask questions, then the minority will be given 1 hour to ask questions. Thereafter, we will alternate back and forth between majority and minority in 45-minute rounds until the questioning is complete. We will take periodic breaks as needed, and if you need a break at any time, please let us know.

Under the committee rules you are allowed to have an attorney present during this interview, and that I see you have brought one.

At this time, if counsel could state her appearance for the record.

MS. DAUM: Margaret Daum, Squire Patton Boggs, counsel for Ambassador Volker.

MR. GOLDMAN: There is a stenographer to your left taking down everything that I say and everything that you say to make a written record of the interview. For the record to be clear, please wait until each question is asked before you answer, and we will wait until you finish your response before asking you the next question.

The stenographer cannot record nonverbal answers, such as shaking your head, so it is important that you answer each question with an audible, verbal answer.

We ask that you give complete replies to questions based on your best recollection. If a question is unclear or you are uncertain in your response, please let us know. And if you do not know the answer to a question or cannot remember, simply say so.

Now, finally, you are reminded that it is unlawful to deliberately provide false information to Members of Congress or congressional staff.

Now, as we are conducting this interview under oath, Mr. Volker, would you please raise your right hand to be sworn?

Do you swear or affirm that the testimony you are about to give is the whole truth and nothing but the truth, so help you God?

MR. VOLKER: I so swear.

MR. GOLDMAN: Thank you.

The record will reflect that the witness has been duly sworn.

Now, Mr. Volker, with that, we turn it over to you for any opening statement that you would like to make.

MR. CASTOR: If we may, I believe Mr. Jordan has some welcoming remarks.

MR. JORDAN: I want to be clear on the ground rules. Members are permitted to ask questions?

THE CHAIRMAN: Mr. Jordan, it was our intention to make this a staff-only interview. I'm not going to prohibit Members, but we'd like to keep this professional at the staff level.

MR. JORDAN: Mr. Chairman, I've probably sat in on more transcribed interviews than maybe any other Member, at least on our side, and I have never seen an effort to prohibit Members from asking the witness questions. So we will be able to ask questions?

THE CHAIRMAN: I'm not going to prohibit you, Mr. Jordan, but we will expect you to treat the witness with respect.

MR. JORDAN: Certainly.

THE CHAIRMAN: We have conducted innumerable interviews in the HPSCI over the last several years without any difficulty, and I hope that the decorum that we expect here will be represented on both sides.

MR. JORDAN: I certainly agree with that.

Just a couple other things I would like to get on the record.

In the countless number of transcribed interviews I have participated in before we have never seen the limitations placed on staff that you have done to the Oversight Committee and to the Foreign Affairs Committee. I have never seen a time where agency counsel was not allowed to be present. And I've certainly never seen an indication that you would prefer Members not even participate in the interview.

But with that, we'll proceed. But I at least wanted to get that on the record before we heard from our witness today.

THE CHAIRMAN: Thank you.

I yield back to Mr. Goldman.

MR. GOLDMAN: Mr. Volker, if you have an opening statement, now is the time for you to deliver it.

MR. VOLKER: Thank you. I do.

And thank you very much for the opportunity to provide this testimony today.

Allow me to begin by stressing that you and the American people can be reassured and proud that the Department of State and the Department of Defense and the professionals working there, civil and Foreign Service and military, have conducted themselves with the highest degree of

professionalism, integrity, and dedication to the national interest. That is a testament to the strength of our people, our institutions, and our country.

MR. JORDAN: Ambassador, could you just pull it really close, the microphone?

MR. VOLKER: Oh, I'm sorry.

As a former member of the senior Foreign Service and in conducting my role as U.S. Special Representative for Ukraine negotiations, I have similarly acted solely to advance U.S. national interests, which included supporting democracy and reform in Ukraine, helping Ukraine better defend itself and deter Russian aggression, and leading U.S. negotiating efforts to end the war and restore Ukraine's territorial integrity.

Throughout my career, whether as a career diplomat, U.S. Ambassador to NATO, or in my other capacities, I have tried to be courageous, energetic, clear-eyed, and plainspoken, always acting with integrity to advance core American values and interests. My efforts as U.S. Special Representative for Ukraine negotiations were no different.

In carrying out this role I at some stage found myself faced with a choice: to be aware of a problem and to ignore it, or rather to accept that it was my responsibility to try to fix it. I would not have been true to myself, my duties, or my commitment to the people of the United States or

Ukraine if I did not dive in and try to fix problems as best I could.

There are five key points I would like to stress in this testimony, and I would like to submit a longer version and timeline of events for the record.

THE CHAIRMAN: Without objection.

[The information follows:]

******** COMMITTEE INSERT ********

MR. VOLKER: Let me be clear that I wish to be complete and open in my testimony in order to help get the facts out and the record straight.

First, my efforts were entirely focused on advancing U.S. foreign policy goals with respect to Ukraine. In this we were quite successful. U.S. policy toward Ukraine for the past 2 years has been strong, consistent, and has enjoyed support across the administration, bipartisan support in Congress, and support among our allies and Ukraine. While I will not be there to lead these efforts any longer, I sincerely hope that we are able to keep this policy strong going forward.

You may recall that in the spring of 2017, when then Secretary of State Tillerson asked if I would take on these responsibilities, there were major complicated questions swirling in public debate about the direction of U.S. policy towards Ukraine:

Would the administration lift sanctions against Russia?

Would it make some kind of grand bargain with Russia in which it would trade recognition of Russia's seizure of Ukrainian territory for some other deal in Syria or elsewhere?

Would the administration recognize Russia's claimed annexation of Crimea?

Will this just become another frozen conflict?

There were also a number -- a vast number of vacancies in key diplomatic positions, so no one was really representing the United States in the negotiating process about ending the war in eastern Ukraine.

Caring deeply about supporting Ukraine, recognizing that it stands for all of us in building a democracy and pushing back Russian aggression on their soil, and seeking to make sure American policy is in the right place, I agreed to take on these responsibilities.

Then Secretary of State Tillerson and I agreed that our fundamental policy goals would be to restore the sovereignty and territorial integrity of Ukraine and to assure the safety and security of all Ukrainian citizens, regardless of ethnicity, nationality, or religion.

I did this on a voluntary basis, with no salary paid by the U.S. taxpayer, simply because I believed it was important to serve our country in this way. I believed I could steer U.S. policy in the right direction.

In 2 years the track record speaks for itself. I was the administration's most outspoken figure highlighting Russia's ongoing aggression against Ukraine and Russia's responsibility to end the war.

We coordinated closely with our European allies and Canada to maintain a united front against Russian aggression and for Ukraine's democracy, reform, sovereignty, and

territorial integrity. Ukraine policy is perhaps the one area where the U.S. and its European allies are in lockstep.

This coordination helped to strengthen U.S. sanctions against Russia and to maintain EU sanctions as well. Along with others in the administration, I strongly advocated for lifting the ban on the sale of lethal defensive arms to Ukraine, advocated for increasing U.S. security assistance to Ukraine, and urged other countries to follow the U.S. lead.

I engaged with our allies, with Ukraine, and with Russia in negotiations to implement the Minsk agreements, holding a firm line on insisting on the withdrawal of Russian forces, dismantling of the so-called People's Republics, and restoring Ukrainian sovereignty and territorial integrity.

In order to shine a spotlight on Russian aggression and to highlight the humanitarian plight suffered by the people in the Donbas as a result, I visited the war zone in Ukraine three times with media in tow.

Together with others in the administration, we kept U.S. policy steady through Presidential and parliamentary elections in Ukraine and worked hard to strengthen the U.S.-Ukraine bilateral relationship under the new President and government, helping shepherd a peaceful transition of power in Ukraine.

In short, whereas 2 years ago most observers would have said that time is on Russia's side, we've turned the tables,

and now time is on Ukraine's side. That was first, but a very long point.

Second, in May of this year, I became concerned that a negative narrative about Ukraine fueled by assertions made by Ukraine's departing prosecutor general was reaching the President of the United States and impeding our ability to support the new Ukrainian government as robustly as I believed we should.

After sharing my concerns with the Ukrainian leadership, an adviser to President Zelensky asked me to connect him to the President's personal lawyer, Mayor Rudy Giuliani. I did so. I did so solely because I understood that the new Ukrainian leadership wanted to convince those, like Mayor Giuliani, who believed such a negative narrative about Ukraine, that times have changed and that, under President Zelensky, Ukraine is worthy of U.S. support.

I also made clear to the Ukrainians on a number of occasions that Mayor Giuliani is a private citizen and the President's personal lawyer and that he does not represent the United States Government.

Third, at no time was I aware of or took part in an effort to urge Ukraine to investigate former Vice President Biden. As you will see from the extensive text messages I am providing, which convey a sense of real-time dialogue with several different actors, Vice President Biden was never a

topic of discussion.

Moreover, as I was aware of public accusations about the Vice President, Vice President Biden, several times I cautioned the Ukrainians to distinguish between highlighting their own efforts to fight corruption domestically, including investigating Ukrainian individuals, something we support as a matter of U.S. policy, and doing anything that could be seen as impacting U.S. elections, which is in neither the United States' nor Ukraine's own interest.

To the best of my knowledge, no such actions by Ukraine were ever taken, at least in part, I believe, because of the advice I gave them.

Notably, I did not listen in on the July 25th, 2019, phone call between President Trump and President Zelensky and received only superficial readouts about that conversation afterwards.

In addition, I was not aware that Vice President Biden's name was mentioned or a request was made to investigate him until the transcript of this call was released on September 25th, 2019.

Fourth, while executing my duties, I kept my colleagues at the State Department and National Security Council informed and also briefed Congress about my actions. This included in-person meetings with senior U.S. officials at State, Defense, and the NSC, as well as staff briefings on

Capitol Hill and public testimony in the Senate on June 18th, 2019.

I have an extensive record of public commentary about our Ukraine policy. I have no doubt that there is a substantial paper trail of State Department correspondence concerning my meetings with Ukrainians, allies, and so forth. As a matter of practice, I did not edit or clear on these messages but told the reporting officers just to report as they normally would.

Fifth, and finally, I strongly supported the provision of U.S. security assistance, including lethal defensive weapons to Ukraine, throughout my tenure. I became aware of a hold on congressional notifications about proceeding with that assistance on July 18th, 2019, and immediately tried to weigh in to reverse that position.

I was confident that this position would indeed be reversed in the end because the provision of such assistance was uniformly supported at State, Defense, the National Security Council, the House of Representatives, the Senate, and the expert community in Washington.

As I was confident the position would not stand, I did not discuss the hold with my Ukrainian counterparts until the matter became public in late August. The position was indeed reversed and assistance allowed to continue within a few weeks after that.

Thank you for the opportunity to provide this testimony, and I look forward to answering your questions.

EXAMINATION

BY MR. NOBLE:

Q Thank you, Mr. Volker. And, again, my name is Daniel Noble. I'm a senior counsel on HPSCI, and I'm going to be asking you most of the questions today.

Before I begin, I just want to remind you that you're under oath and that it's very important, obviously, for you to tell the truth today.

I want to begin at the beginning -- at the end actually -- and it's our understanding that on September 27th, 2019, you resigned your position as the Special Envoy for Ukraine. Is that correct?

A Yes, that is correct.

Q Why did you resign?

A I felt that I would no longer be effective as a special representative with this impeachment inquiry beginning and my name associated with that and all the media attention around that. I didn't think I would be able to go to Ukraine or meet with Russians and be able to carry out those duties in that way anymore.

I also wanted to make sure that I would be able to provide testimony, because I could see this coming, with as much candor and integrity as I possibly could.

Q Okay. Was there any pressure from Secretary of State Mike Pompeo for you to resign?

A Quite the opposite. He was very disappointed.

Q Did you receive pressure from anyone in the Trump administration to resign?

A No.

Q Can you describe your conversation with Secretary Pompeo in connection with your resignation?

A Yes. I called him and told him that I was very sorry, I felt that I would not be able to be effective as a special representative going forward, and I thought it was important that I be able to provide testimony as I have just done.

He was disappointed because he was focused on the mission with Ukraine, and after the record that we had accomplished over 2 years it's going to be very difficult to have someone step in and pick that up from here.

Q Did you discuss anything regarding the investigations that were made aware -- made public in the whistleblower's complaint?

A I don't recall discussing the whistleblower's complaint with him in that call.

Q Did you discuss the July 25th call between President Trump and President Zelensky with Secretary Pompeo?

A No, we didn't.

Q Did you discuss your resignation with anyone else at the State Department before resigning?

A I believe I spoke with Marik String, who is the acting legal adviser, before I spoke with the Secretary. And I believe I told Marik I was going to talk to the Secretary. I think it was within about a half an hour of each other.

Q Did you raise any concerns either with that person or Secretary Pompeo regarding Rudy Giuliani and his activities in Ukraine?

A I had several conversations with a number of people -- Marik String was not one of them -- but with others over the course of May through August.

Q Okay. Well, we'll get through those at some point today, but I was speaking specifically about in connection with your resignation discussion --

A No.

Q -- with Secretary Pompeo?

A No.

Q Okay. Did you discuss your resignation with Rudy Giuliani?

A No.

Q Did you destroy any records in connection with your departure from the State Department?

A No.

Q Did you discuss today's testimony with Secretary

Pompeo or anyone else at the State Department before today?

A No.

Q Are you aware of any --

A May I -- may I -- I did not discuss the contents of the testimony that I just read. I did discuss the fact that I'm going to testify.

Q With whom did you discuss that?

A With Marik String, the legal adviser.

Q Okay. Are you aware of any efforts by Secretary Pompeo or others at the State Department to try to stop witnesses from cooperating with Congress in connection with this impeachment inquiry?

A I read the letter that Secretary Pompeo sent to the committee.

Q Do you consider that an effort by Secretary Pompeo to stop witnesses from cooperating with Congress?

A It did not provide any instruction not to cooperate, and neither did I receive any separate instruction.

Q Are you aware of any other efforts by Secretary Pompeo or others at the State Department to intimidate State Department employees in connection with this inquiry?

A I am not aware of any efforts like that.

Q Have you ever received any communications, written or otherwise, from the State Department about your testimony

today?

A Did we?

We did receive a letter.

Q From whom did you receive that letter?

A It would have been from Marik String?

MS. DAUM: That's correct.

BY MR. NOBLE:

Q We'd ask that you provide a copy of that letter to the committee for the record.

A Of course.

Q And do you have an extra copy for the minority as well?

A So this is a letter dated October 2nd, 2019. It is addressed to my attorney, Ms. Margaret Daum at Squire Patton Boggs. It is from Marik String, the acting legal adviser at the State Department.

Q And have you read that letter?

A I have not read it with any care, no.

[Volker Exhibit No. 1
Was marked for identification.]

BY MR. NOBLE:

Q For the record, we're going to mark the letter that's dated October 2nd, 2019, as Exhibit 1.

Do you have an extra copy for the minority? Otherwise we'll make a copy.

During your discussion with the legal adviser, what, if anything, did he tell you about your testimony?

A I think the last conversation I had with him would have had to have been Tuesday of this week, which today is the 3rd, so it must have been the 1st of October. And he told me that he did not have any clear guidance -- that the administration was still deliberating internally what they would say. That was prior to Secretary Pompeo's letter being issued.

Q When did you first become aware of efforts by the President of the United States to try to instigate investigations by the Ukraine into a company called Burisma Holdings?

A By --

Q I'm sorry. Burisma Holdings.

A Burisma, yeah.

I became aware of the President's interest in -- well, let me take that back.

I don't recall ever hearing that the President was interested in investigating Burisma. I became aware of the President being interested in investigations concerning Vice President Biden and his son on September 25th when the transcript of the phone call came out.

Q Did you ever have any discussions with Rudy Giuliani or anyone at the State Department regarding

investigations into Burisma Holdings?

A Yes, I did.

Q Okay. We're going to go through some of your text messages that you turned over, and I'll ask you some more questions about that.

Did you ever learn of the President's desire for Ukraine to investigate the origins of their investigation into Paul Manafort?

A No.

Q Did you ever have any discussions with anyone at the State Department or with Rudy Giuliani regarding a desire on the part of Rudy Giuliani or the President for Ukraine to investigate the Paul Manafort case?

A No.

Q What about anything regarding interference in the 2016 U.S. Presidential election?

A Yes.

Q Are you aware that former Vice President Joe Biden's son Hunter Biden once sat on the board of Burisma Holdings?

A Yes.

Q Did you know that -- when did you first learn that?

A I think early this year, early 2019, as this was being reported in media in the U.S.

Q So during your discussions about Burisma Holdings,

that we're going to get to in your text messages with other individuals at the State Department, you are aware that Burisma Holdings was associated with Hunter Biden?

A I was aware that -- yes, I was aware that he had been a board member.

Q Now, I believe in your opening statement you said that President Trump -- you were not aware of President Trump exerting pressure on Ukraine to open investigations. Is that correct?

A That's correct, to open investigations into Vice President Biden or his son.

Q What about to open up investigations into Burisma Holdings?

A No, never aware that he had an interest in Burisma.

Q What about openings up investigations into the origins of the 20 -- or into election interference in the 2016 election?

A I knew that he was concerned about the possibility of there having been election interference. I do not recall him asking for investigations in that. I did hear that separately from Mr. Giuliani.

Q And how did you learn that?

A We had a meeting with the President in May following my participation in a Presidential delegation for the inauguration of the new Ukrainian President.

Q And that was on May 20th, the inauguration?

A No. I believe the inauguration was the 21st. Am I wrong?

Q May 20th or 21st, on or about?

A Okay.

Q Okay. And who participated in that meeting with you and the President?

A I know that those of us who were part of the Presidential delegation all took part. That was Secretary of Energy Rick Perry, it was Ambassador to the European Union Gordon Sondland, it was Senator Ron Johnson, and it was myself.

And there were other people in the room. I don't remember exactly who was there. I believe the deputy national security adviser, Mr. Kupperman (ph), was one person who was there.

Q And where did this meeting take place?

A It took place in the Oval Office.

Q Can you describe the conversation during that meeting?

A Yes. The four of us, who had been part of the Presidential delegation, had requested the meeting in order to brief the President after our participation at the inauguration of the new Ukrainian President, and meeting with the new President, an hour-long meeting that we had with him.

And we had a very favorable impression of President Zelensky. We believed that he was sincerely committed to reform in Ukraine, to fighting corruption. And we believed that this was the best opportunity that Ukraine has had for 20-some years to really break the grip of corruption that has set the country back for so long.

And we wanted to convey this to the President and urge that the U.S. and that he personally engage with the President of Ukraine in order to demonstrate full U.S. support for him.

We thought that he would -- that he, being President Zelensky, would face a lot of challenges, that going after oligarchs and corruption in Ukraine is not going to be easy, and he's going to need support. And so we wanted to advocate for that U.S. support.

In response to that, President Trump demonstrated that he had a very deeply rooted negative view of Ukraine based on past corruption. And that's a reasonable position. Most people who would know anything about Ukraine would think that. That's why it was important that we wanted to brief him, because we were saying, it's different, this guy is different.

But the President had a very deeply rooted negative view. We urged that he invite President Zelensky to meet with him at the White House. He was skeptical of that. We

persisted. And he finally agreed, okay, I'll do it.

Q Why --

A May I continue?

Q Yes.

A I'm sorry.

During the course of this conversation he did reference Mayor Giuliani, because he said that what we were saying as a positive narrative about Ukraine is not what he hears. And he gave the example of hearing from Rudy Giuliani that they're all corrupt, they're all terrible people, that they were -- they tried to take me down -- meaning the President in the 2016 election. And so he was clearly demonstrating that he had a negative view of and that information that he was getting from other sources was reinforcing that negative view.

Q And what did you understand him, the President, to mean when he said he believed that Ukraine had a role in trying to, I think you said, bring him down?

A Yes.

Q Can you explain that?

A Yes. There were accusations that had been made by the prosecutor general of Ukraine.

Q Is that Prosecutor General Lutsenko?

A Lutsenko.

Q Lutsenko.

A Yuriy Lutsenko, L-u-t-s-e-n-k-o.

Q Thank you. I think that would be helpful for the court reporter to spell some of the Ukrainian names.

A Yes. Yuriy is Y-u-r-i-y.

And he, in early 2019 --

Q "He" being the President?

A No, "he" being the prosecutor general of Ukraine, made a couple of accusations or allegations in early 2019. I don't know exactly when. And they made their way into U.S. media, reported both in print and then a journalist's writing who was then interviewed on television, so it was major news.

Q And can I stop you there, Ambassador Volker?

A Yes.

Q Which news publication, written news publication in particular?

A I believe it was The Hill.

Q And do you know the author of these articles?

A I do.

Q Who?

A John Solomon.

Q Okay. Continue, please.

A Okay. These allegations were twofold. One of them that Ukrainians had sought to influence the 2016 election by providing derogatory information about President Trump and about Mr. Manafort to the Hillary Clinton campaign, that this

was done by passing that information to our ambassador at the time in Ukraine, Masha Yovanovitch.

And --

Q Could you please spell that name for the record, too?

A Of course. Her proper name is Marie L. Yovanovitch, Y-o-v-a -- 1 second -- Y-o-v-a-n-o-v-i-t-c-h, and she goes by Masha, and I've known her for 30 years -- is that correct? -- '88 to now, so 31 years.

So the accusation was that derogatory material to influence the election was given to her and to the Ukrainian ambassador in Washington, Valeri, V-a-l-e-r-i, Chaliy, C-h-a-l-i-y. And this information was therefore intended to reach the Hillary campaign to influence the election. That was one allegation.

Q Can I stop you there --

A Yes.

Q -- before you get to the second allegation. You've used the word "allegation." Do you know whether or not that allegation was ever true or proven, or was there ever any evidence to support it?

A I do not know. I know the allegation was made. I have my opinions about the prosecutor general who made them.

Q What is your opinion about that allegation, whether it's true or false?

A My opinion is that he was --

Q "He" being --

A He, the prosecutor general.

Q Lutsenko, for the record.

A Lutsenko, yes. Okay. That's right.

Q Because I believe we'll probably be discussing multiple prosecutor generals today.

A Yes. Yes. Yes.

Q So let's just be clear for the record.

A That's a good point. Thank you.

My opinion of Prosecutor General Lutsenko was that he was acting in a self-serving manner, frankly making things up, in order to appear important to the United States, because he wanted to save his job. He was on his way out with the election of a new President. You could read the writing on the wall. This was before Zelensky was elected, but you could see the wave of popularity.

He had been put in place by the former President, Petro Poroshenko. I think there were a couple motivations to this, but I think most important was that he would stay in office probably to prevent investigations into himself for things that he may have done as prosecutor general.

And so by making himself seem important and valuable to the United States, the United States then might object or prevent him from being removed by the new President.

Q And to whom was he trying to make himself important precisely?

A Well, my assumption was the United States generally. The President himself, you know, the State Department. He --

Q What about Rudy Giuliani?

A Well, he obviously met with Rudy Giuliani, I've learned that from media reports, and therefore that was also a target of how to get information into the U.S. system.

Q Is it your opinion that President Trump believed these allegations?

A Yes, it is my opinion that he believed them. I know that Mr. Giuliani did, and I know that Mr. Giuliani reported to President Trump. So I believe that President Trump believed them. I don't know that he believed them.

Q Did President Trump want Ukraine to investigate those allegations?

A He never said that. He never raised that with me.

Q Did the President ever withhold a meeting with President Zelensky until the Ukrainians committed to investigating those allegations?

A We had a difficult time scheduling a bilateral meeting between President Zelensky and President Trump.

Q Ambassador Volker, that was a yes-or-no question.

A Well, if I -- can you repeat the question then?

Q Sure. Did President Trump ever withhold a meeting with President Zelensky or delay a meeting with President Zelensky until the Ukrainians committed to investigate the allegations that you just described concerning the 2016 Presidential election?

A The answer to the question is no, if you want a yes-or-no answer. But the reason the answer is no is we did have difficulty scheduling a meeting, but there was no linkage like that.

Q Okay. Let's go to the second allegation. And we're going to come back to the President's interest in that investigation later on. But could you describe, you said there was a second allegation?

A Yes. The second allegation is the one about Burisma and Hunter Biden and Vice President Biden. And the allegation there is that Hunter Biden was put on the board of a corrupt company that a prior prosecutor general, Shokin -- I believe it's S-h-o-k-i-n -- was seeking to investigate that company and that Vice President Biden weighed in with the President of Ukraine to have that prosecutor general, Shokin, fired. That's the allegation.

Q Okay. And to your knowledge, is there any evidence to support that allegation?

A There is clear evidence that Vice President Biden did indeed weigh in with the President of Ukraine to have

Shokin fired, but the motivations for that are entirely different from those contained in that allegation.

Q That were pushed by Prosecutor General Lutsenko --

A Correct.

Q -- and adopted by John Solomon in The Hill and then repeated on televised news?

A Correct. When Vice President Biden made those representations to President Poroshenko he was representing U.S. policy at the time. And it was a general assumption -- I was not doing U.S. policy at the time -- but a general assumption among the European Union, France, Germany, American diplomats, U.K., that Shokin was not doing his job as a prosecutor general. He was not pursuing corruption cases.

Q So it wasn't just former Vice President Biden who was pushing for his removal, it was those other parties you just mentioned?

A I don't know about any other specific efforts. It would not surprise me.

Q Now, you mentioned that during your Oval Office meeting with the President and others, following the May 20th or 21st inauguration, you urged the President to have a meeting with President Zelensky. Is that correct?

A That's correct.

Q Was that an Oval Office meeting that you were

urging?

A It was a White House visit, so, yes, it would have been an Oval Office meeting.

Q And why was the Oval Office meeting important to Ukraine?

A It was important to show support for the new Ukrainian President. He was taking on an effort to reform Ukraine, fight corruption, a big sea change in everything that had happened in Ukraine before, and demonstrating strong U.S. support for him would have been very important.

Q Okay. And what is it about an Oval Office meeting that is so significant, and why does it send such a strong signal of support for the new Ukrainian administration?

A It's just the optics. In addition to what the content of the meeting would be, where we do have a very strong policy of supporting Ukraine, the imagery of the Ukrainian President, you know, at the White House, walking down the colonnade, in the Rose Garden, whatever it might be, that imagery conveys a message of U.S. support.

Q Okay. I have two more questions on the second allegation, as you call it, and then I'm going to move on to your text messages.

First, did President Trump ever express an interest or desire for Ukraine to open or reopen an investigation of Burisma Holdings?

A I never heard that from President Trump.
Q What about Giuliani, Rudy Giuliani?
A Giuliani did.
Q And who did Giuliani work for?
A He's President Trump's personal lawyer.
Q Does he have -- he has no official role at the State Department. Is that correct?
A I have --
Q What was your understanding?
A Yeah. I believed him to be a private citizen who is President Trump's personal attorney.
Q Okay. To your knowledge, has a new prosecutor general been appointed by President Zelensky or the Ukrainian Parliament?
A Yes.
Q Do you know that person's name?
A Yes. This is a tough one. Ryabshapka. And R-y-a-b-s-h-a-p-k-a. That's my best guess.
Q And I'm not even going to attempt it, so I'll just ask you, do you know approximately when the new prosecutor general was appointed?
A Approximately September 2nd to 5th timeframe, somewhere in that range, I believe.
Q Do you know whether the new prosecutor general has opened an investigation into what you called the first

allegation?

A No, I don't.

Q Do you know whether he has opened an investigation or reopened an investigation into Burisma Holdings --

A No, I don't.

Q -- the second allegation that you described?

A No, I don't.

Q Okay. So I'd like to turn to some of your text messages that were produced.

So before we move to the text messages, I want to ask you a clarifying question. You said that you were not aware of any linkage between the delay in the Oval Office meeting between President Trump and President Zelensky and the Ukrainian commitment to investigate the two allegations as you described them, correct?

A Correct.

Q Do you know whether there was any linkage that Rudy Giuliani drew between the two of those things?

A No. If I can explain --

Q You do not know or he did not --

A I do not know whether he advocated for any linkage between those things or not.

Q Okay. What about President Trump, do you know one way or the other?

A No, I don't. May I say --

Q Yes.

A So the issue as I understood it was this deep-rooted, skeptical view of Ukraine, a negative view of Ukraine, preexisting 2019, you know, going back.

When I started this I had one other meeting with President Trump and President Poroshenko. It was in September of 2017. And at that time he had a very skeptical view of Ukraine. So I know he had a very deep-rooted skeptical view.

And my understanding at the time was that even though he agreed in the meeting that we had with him, say, okay, I'll invite him, he didn't really want to do it. And that's why the meeting kept being delayed and delayed.

And we ended up at a point in talking with the Ukrainians -- who we'll come to this, but, you know, who had asked to communicate with Giuliani -- that they wanted to convey that they really are different. And we ended up talking about, well, then, make a statement about investigating corruption and your commitment to reform and so forth.

Q Is that the statement that you discussed in your text messages --

A Yes.

Q -- around August of 2019?

A Yes.

Q Okay.

A Yeah. To say make a statement along those lines. And the thought behind that was just trying to be convincing that they are serious and different from the Ukraine of the past.

Q Now, I recall that in that text -- one of the text messages to Andrey Yermak -- I might have you spell that for the record.

A Okay. Andrey is A-n-d-r-e-y, and Yermak is Y-e-r-m-a-k, and he is an assistant to -- or a -- I don't know what the exact title is -- but an assistant to the President of Ukraine, probably his closest adviser.

Q I believe in the text messages, and we'll probably go through it, but you sent a proposed statement to Mr. Yermak for President Zelensky to release. Is that correct?

A It was the other way around. He sent it to me.

Q Okay. And in at least one version of that statement include references to investigations into Burisma Holdings, correct?

A That is correct.

Q And also into the 2016 election interference?

A That is correct.

Q Why did you single out those two specific allegations --

A Right.

Q -- for the statement that President Zelensky was going to release --

A Yes.

Q -- in order to get the White House visit?

A Right. He sent the draft statement to me, and I discussed it with Gordon Sondland, our ambassador to the European Union, and with Rudy Giuliani, we had a conference call together, because I was hoping that this would be convincing, that this is --

Q Convincing to who?

A To Giuliani, and therefore that information flow reaching the President would be more positive than it had been.

And Rudy did not find that convincing. He said that if they're not willing to investigate those things, Burisma --

Q Referring to the two allegations we were discussing?

A Burisma -- correct -- Burisma and 2016, then what does it mean?

And so we talked about it, and I said, well, if it said Burisma, let's be clear, we're talking about the Ukrainian company and Ukrainians that may have violated Ukrainian law or whether any Ukrainians may have tried to influence U.S. elections, that's what we're talking about. And that was,

yes, you know, that is what we were talking about.

I then wrote a version -- I added that to the statement that Mr. Yermak had sent me so we could look at it and say -- Gordon and I, I believe, looked at it -- say, is this what we're talking about? Gordon says, yes.

I sent that to Andrey Yermak and discussed it with him. And in that conversation with Andrey and a subsequent conversation I advised him, this is not a good idea.

Q Why did you think -- what specifically was not a good idea?

A To --

Q And why did you think that?

A Yeah. I advised him that making those specific references was not a good idea, that a generic statement about fighting corruption and, you know, if anyone had tried to interfere in U.S. domestic politics, it's unacceptable, we have to make sure that never happens again, that's fine. But making those specific references, I said, is not a good idea.

Andrey's argumentation, let me start with that, was that, first off, he didn't want to see any evidence destroyed by --

Q What do you mean by that?

A By -- yes. Very important point. Prosecutor General Lutsenko was at this time still in office, and so the one who's making these allegations, which, you know, there is

no -- no evidence was brought forward to support. I thought they were very self-serving and not credible.

Q And not only that, since Prosecutor General Lutsenko made those allegations, didn't he later come out and retract the allegations as completely false?

A Yeah. I believe that he did.

Q Okay.

A Yeah. And so he said, first off, we don't want to -- if there is any evidence here, we don't want to say this and then have Lutsenko destroy it.

Secondly, we don't want to commit to anything that we might do as an investigation without having our own prosecutor general in place, that is the new team that took office.

And my comment back to him was I think those are good reasons. And in addition, I just think it's important that you avoid anything that would look like it would play into our domestic politics, and this could. So just don't do it. I agree with -- so I told Andrey, I agree with you, don't do it.

Q So you believe that if the Ukrainians were to announce that they were pursuing investigations into what we've been describing as the two allegations, that could have an impact on U.S. domestic politics?

A Yeah. For the reason that you highlighted earlier,

which is that it was known that Hunter Biden was a board member of Burisma, so it could be interpreted that way.

Q And would it be fair to say that if the Ukrainians announce that they were opening an investigation into those two allegations, it could accrue to the benefit of President Trump's reelection campaign?

A We didn't discuss that.

Q Do you believe that it could be perceived that way here in the United States?

A Clearly, because it has now been perceived that way.

Q And you agree with that perception?

A Well, we're talking about what we see today especially in light of the phone call on July 25th. At the time I was not aware of that phone -- the contents of that phone call.

Q And yet, you raised concerns about it, correct?

A Yes, I was --

Q At the time.

A In August, because of conversations with Giuliani, I wanted to make sure that I was cautioning the Ukrainians, don't get sucked in.

Q Did you understand that Rudy Giuliani spoke for President Trump when he was dealing with the Ukrainians?

A No.

Q Did he -- but you said he was his personal lawyer. Is that correct?

A Yes.

Q Was he -- do you know whether he was conveying -- Rudy Giuliani -- conveying messages that President Trump wanted conveyed to the Ukrainians?

A I did not have that impression. I believe that he was doing his own communication about what he believed and was interested in.

Q But you said he was working for President Trump?

A He is President Trump's personal attorney.

Q Yeah. So why would Rudy Giuliani have any role in dealing with the Ukrainians?

A Because the Ukrainians asked to be connected to him in order to try to get across their message of being different from the past.

Q So the Ukrainians believed that by speaking to Rudy Giuliani they could communicate to President Trump?

A That information flow would reach the President.

Q Because Rudy Giuliani would convey that information to the President presumably, correct?

A Yes.

Q Okay. So I do want to go through the text messages because I believe that they're a good anchor for some of the other topics that we've been discussing that I do want to

discuss.

So I have a copy for you. I don't know if you --

A That's helpful if you do. Thank you.

Q Okay. So for the record, I'm handing the witness what the witness produced yesterday as KV1 through KV65. And we're not going to put this whole thing in as exhibits. We're going to do portions of them that we'll mark separately as separate exhibits.

[Volker Exhibit No. 2
Was marked for identification.]

BY MR. NOBLE:

Q So I'd like to first turn to page 36, and we're going to mark, as exhibit 2, 36, 37, 38, and 39.

A Am I correct that it's -- the bottom right is the page number?

Q Yes. On the bottom right it should say KV36. Do you see that?

A Yes.

Q Okay. Great.

Up at the top, this is a group message chat between Gordon and Bill. Is that correct?

A Yes.

Q And what medium were these messages exchanged in?

A I believe this was in WhatsApp.

Q Okay. And who are Gordon and Bill?

A Gordon is U.S. Ambassador to the European Union Gordon Sondland; and Bill is Ambassador Bill Taylor, who is the Charge d'affaires in Kyiv.

Q So just a preliminary question. If you jump down to -- and I think it will be easiest to refer to the messages by the date and timestamps on the left-hand side. Do you see those?

A Yep.

Q Okay. So jumping down a few lines to 6/19/19 at 5:12 a.m., do you see where it says, "This message was deleted"?

A Yes.

Q That appears throughout your text messages that you produced. Do you know why certain text messages were deleted?

A Yes. Let me clarify that. When a person sends a text message in WhatsApp and then they go in themselves and delete it, because they're correcting what they were trying to say, I did this, didn't -- you know, I wanted to say something different instead, they delete that. And WhatsApp records that there was a prior message that was deleted before the next message is there.

Q Okay. So jumping down to 6/19/19 at 8:33 a.m.

A Yes.

Q Bill Taylor is writing. And just can you explain

again who Bill Taylor is and where he was and what his role was?

A Yeah. Bill Taylor is the Charge d'affaires at the U.S. Embassy in Kyiv.

Q Okay. Is he a career U.S. State Foreign Service officer?

A He was a career civil servant, and he served as Ambassador to Ukraine, I believe, in the late 2000s. And when Ambassador Yovanovitch departed, the DCM at the Embassy also was at the end of her tour.

And it was my judgment, and I recommended this to Secretary Pompeo, that we needed a more seasoned diplomat in place to be the U.S. Charge. And so I recommended Bill. And Bill had been the vice president of USIP, and he took a leave of absence from that to take on the role of Charge.

Q Okay. And just generally, did you have conversations throughout, I guess, 2019 with Bill Taylor and Gordon Sondland regarding the issues that we've been discussing here today? Is that fair to say?

[10:40 a.m.]

Mr. Volker. Yes. On a routine basis, we were very closely in touch.

BY MR. NOBLE:

Q Okay. Let's jump to 6/24/19 at 3:01 p.m. Do you see that one?

A Yes, I do.

Q And can you read that for the record, what Bill Taylor writes?

A So Bill Taylor writes.

Q Gordon.

A Yes. Bill Taylor: Gordon, can I ask you to see if you can break through on two key issues, a date from the White House for the Zelensky visit -- ZE visit means Zelensky.

Q And throughout this, sometimes there's a ZE. Throughout these messages, ZE or Z, that refers generally to President Zelensky of Ukraine?

A Correct. So can I ask you to see if you can break through on two key issues, a date from the White House for the Zelensky visit and a senior lead for a delegation to Kyiv for their Independence Day parade and celebration on August 24th? The date for the visit is urgent. The NSC has not been able to get a date. Many are travel -- in parentheses, many are traveling, of course. Two years ago, Secretary

Mattis came for Independence Day. Last year Ambassador Bolton. Secretary Pompeo can't make it. The Vice President, question mark? Many thanks.

Q Please continue.

A A further message from Bill Taylor: Gordon, you might not have seen the message from George Kent on the high side that tells us that senior levels at the White House said that the visit is not happening any time soon. Very discouraging. Any chance you can turn this around? If not, I don't think a senior call with the Ukrainians on Friday, as your staff is suggesting, makes sense. Plus, it's a Ukrainian holiday, Constitution Day. Your thoughts?

Q Then you go on to say: Let's have an internal call on Friday?

A Let's have an internal call Friday, three of us plus Secretary Perry. So rallying that Presidential delegation.

Q And please go ahead and read the next line.

A Gordon Sondland: This is Vindman and is being fixed. Agree, Kurt, let's talk Friday.

Q Okay. I want to ask you about two of the people who are mentioned in these messages. Who is George Kent?

A George Kent is the Deputy Assistant Secretary of State responsible for Ukraine, Georgia, and this part of the world. He's formerly the Deputy Chief of Mission in Ukraine.

Q Okay. And Mr. Vindman?

A Alex Vindman is a National Security Council staffer who has worked on Ukraine.

Q And can you explain just what you were -- you and Ambassador Sondland and Mr. Taylor were discussing on this -- in these exchanges?

A Yes. So this is after President Trump wrote a letter to President Zelensky, inviting him to meet with him at the White House. And then, in trying to nail down a date to propose to the Ukrainians for that visit, we were not getting anywhere. What Gordon is referring to is his belief when he says, "This is Vindman and is being fixed." He believed that Alex Vindman was slow-rolling this invitation to President Zelensky.

Q Who believed that?

A Gordon Sondland did. He believed that this is Vindman and is being fixed. He believed that the invitation was being slow-rolled by Alex, who was saying: We need to have more content to justify why we have this visit. There's no -- there's nothing for them to talk about. There's no deliverable. There's no accomplishments here. So we need to do more first with Ukraine to build up to White House visit.

Q And at this time, what was your position regarding whether or not a meeting should occur between President Trump and President Zelensky?

A My -- first off, let me say that I don't think that was what Alex Vindman was doing.

Q Okay.

A I think Gordon was wrong about that. But it was what Gordon believed. And my view on a visit was that the opposite is true. We need the personal relationship between President Trump and President Zelensky. Once they get to know each other, that will give President Trump the confidence that this is a new day in Ukraine, a new President, a team committed to reform. So I just wanted to get the two of them together as quickly as possible.

Q Okay. Now, you referenced a letter from President Trump to President Zelensky congratulating him on his inauguration. Is that correct?

A Correct.

Q And you've produced a copy of that to us, which I believe is KV-12. Do you have that in front of you? And we're going to mark KV-12 as exhibit 3.

[Volker Exhibit No. 3
Was marked for identification.]

BY MR. NOBLE:

Q Do you see that?

A Yes, I do.

Q And this is the letter where President Trump invites President Zelensky to visit him in Washington, D.C.?

A That is correct.

Q And the date of this letter is May 29th, 2019?

A That is correct.

Q And yet, as of the time of these text messages in late June, no meeting had yet been scheduled. Is that right?

A That is correct.

Q I'm going to jump down, still on page 36, to 6/28/19 at 8:30 a.m. And Ambassador Sondland says: Whoo, glad you stayed on.

And then can you read what Bill Taylor wrote? And just read the next few lines, and I'll tell you when to stop.

A Okay. Gordon Sondland: Whoo, glad you stayed on.

Bill Taylor: Me too. I might see him Sunday with Congressman Hoyer's delegation.

Bill Taylor: How do you plan to handle informing anyone else about the call? I will completely follow your lead.

Kurt Volker: I think we just keep it among ourselves and try to build a working relationship and get the damn date for the meeting.

Q The "damn" is blanked out, though, right?

A The "damn" is, yes. I don't usually -- and a smiley face because I don't normally use profanity. So I already felt bad about it.

Gordon Sondland: Agree with KV, very close hold.

Bill Taylor: Got it.

Bill Taylor: Kurt had a good meeting with Zelensky, I hear.

This is now July 3rd.

Q Oh, yeah.

A I'm sorry. That's now July 3rd. So that's --

Q Yeah, let's stop there. Let's go back up. First of all, can you explain what Ambassador Sondland's role was with respect to Ukraine because you said he was the Ambassador to the European Union, correct?

A Yes.

Q Why was he involved in U.S.-Ukrainian relations?

A He took a strong interest in Ukraine at the EU. We wanted to strengthen EU support for Ukraine. They do a lot of budgetary assistance. We wanted more political assistance. And, for instance, February 28th, we had a U.S. Destroyer visit the Port of Odessa. I went there, as the senior representative, to be there for that Destroyer visit. And Ambassador Sondland came for that as well.

And then he was part of the Presidential delegation in May for the President's inauguration. And I found his engagement to be very useful. He had -- he's a political appointee and had close ties with the political side of the White House that I did not have.

Q Okay. And did you understand his -- you said political ties to President Trump, what the nature of those

were?

A I don't know what the nature was. I just know that he had a relationship with President Trump that I did not have.

Q Are you aware that he donated a large sum of money to his inauguration fund?

A I would not be surprised. I didn't know that.

Q But you said he -- was he close -- would you say he was close to President Trump?

A I would say that he felt that he could call the President and that they could have conversations. I don't know how close.

Q Now, what is this call -- what is the call that you're discussing in these messages that you later say -- or Ambassador Sondland says, very close hold?

A Yes.

Q What is this call?

A Yes. So what I understand this to be -- it took me a while to reconstruct this in my own mind. I believe that Gordon and Bill had a phone call with President Zelensky, and they were -- I don't know what the purpose was, but they were trying to somehow steer President Zelensky on the where we are with the request for a meeting because we had the letter, you know --

Q From the President.

A -- being invited to the White House, and we're not offering a date. And I believe they had a conversation with him about that.

Q Were the Ukrainians -- and I should be more specific. President Zelensky or his close adviser Andriy Yermak, were they pressing you or Ambassador Sondland or Bill Taylor to get this meeting with the President set up?

A Yes, they were.

Q Okay. And can you describe your conversations with them -- and let's just stick to this general timeframe, May-June of 2019 -- regarding a meeting?

A Yeah. They had the letter. They knew that the President was invited to the White House. We were not in a position to give them a date. And they would check in, I'd say, every other day. Anything new? You know, do you have -- and we would just report, you know, or answer their question, you know: Don't have anything. We are trying. We are trying to get a date out.

And we -- various different times, you know, we'd weigh in with the National Security Council staff, with -- I know that Gordon Sondland called the chief of staff once. But we were not getting anywhere in getting a date nailed down.

Q Why did the Ukrainians keeping contacting you about setting up this meeting with the President? Why was it so important to them? What's your understanding?

A For the reason that we discussed earlier. That is a tremendous symbol of support to have their president visiting with our President in the White House.

Q Okay. Going back to these text messages, the call that you were discussing, which I believe you said you were not on the call?

A I was not.

Q Do you know what was discussed during that call?

A I believe it was trying to explain to President Zelensky personally: We are working this. We're committed to having you there. We are trying to get a date.

That's what I believe it was, but I don't know the specific contents.

Q Okay. Jumping down to the line that's 7/3/19 at 1:50 p.m.

A Yes. Gordon Sondland: I have not briefed Ulrich yet. Waiting for the Bolton meeting and then a comprehensive briefing. If you want to chat with him sooner, no worries on my end. Have a great Fourth.

Q Who is Ulrich?

A Ulrich is Ulrich Brechbuhl, who is the counselor of the State Department.

Q He's a counselor at the State Department, correct?

A Yes.

Q And what is -- are you aware of his relationship to

Secretary Pompeo?

A I believe they have a very close relationship and work well together.

Q Okay. And what was Ulrich's role with respect to U.S.-Ukrainian relations during 2019?

A He played no real role in U.S.-Ukrainian relations at all. He was a way of communicating so that information could get to the Secretary if he needed it to.

Q Fair to say Ulrich was a conduit to Secretary Pompeo?

A Yes. And one that I did not use very much, but I think Gordon and Bill did call him a few more times than I did.

Q I'm sorry. Going back up to that call that we were discussing in the June 28, 2019, text messages, why were you not on that call?

A I don't know. I'd have to look at -- I'd have to think about calendar and where I might have been or what I was doing, but I'm not sure.

Q Would you normally have been on such calls with Bill Taylor and Gordon Sondland himself and President Zelensky?

A Well, there wasn't a normal. This was the only time it happened.

Q Okay. Going back down to the 7/3/19 line.

Ambassador Sondland wrote: Waiting for the Bolton meeting.

What Bolton meeting was he referring to? And I assume he's referring to former National Security Advisor John Bolton?

A That is correct. That is who he's referring to. Let me check something. So I don't know what the Bolton meeting is. It may be that we had a meeting or -- waiting for the Bolton meeting. Ah, okay. I think I understand it. The name in here that is misspelled, in the 7/3/19 message, 1:22, it says: Did Dayliuk get confirmed with Bolton for next week?

That is a misspelling. It is Danylyuk.

Q Can you spell it correctly for the record?

A The correct spelling is D-a-n-y-l-y-u-k. And --

Q Oleksandr Danylyuk?

A Oleksandr Danylyuk --

Q Danylyuk.

A -- was at that time -- he's since resigned. He was at that time the chair of the National Security and Defense Council of Ukraine, appointed by President Zelensky. And he was seeking a meeting with National Security Advisor John Bolton as a first meeting with his counterpart.

Q I see.

A And I believe the meeting in question with Bolton -- waiting for the Bolton meeting I understand to be

--

Q Is that the meeting that -- I apologize for interrupting, but is that the meeting that later took place on July 10th --

A That is correct.

Q -- at the White House?

A That is correct.

Q And Oleksandr Dany -- I can't pronounce it, but Danylyuk and Andriy Yermak attended that meeting on the Ukrainian side?

A That is correct. That is correct.

Q Okay. Does Oleksandr Danylyuk also go by Sasha?

A Yes.

Q Can we jump down to the text messages on July 10th, '19? And I'll just have you read those, starting with what Bill Taylor said at 7:56 a.m.

A Yes. So Bill Taylor on July 10th: Just had a meeting with Andriy and Vadym.

Q Apology there. Who are Andriy and who are Vadym, for the record?

A Vadym is Vadym Prystaiko, P-r-y-s-t-a-i-k-o. He is now the Foreign Minister of Ukraine but at this time was a diplomatic adviser to President Zelensky. Andriy could be one of two people. It could be Andriy Bohdan, A-n-d-r-i-y, Bohdan but spelled in the Ukrainian way, B-o-h-d-a-n. He's

the chief of staff of the Presidential administration. That's who I think it is.

Q You believe it's Bohdan?

A I believe it's Bohdan. The other person it could be, however, is Andriy Yermak. His name is spelled A-n-d-r-e-y.

Q Okay. But, to be clear, you're not sure who Bill Taylor was referring to, which Andriy?

A I'm not sure. I believe it was Bohdan, but I'm not sure.

Q All right. Continue.

A Just had a meeting with Andriy and Vadym. Very concerned about what Lutsenko told them. That according to Rudy Giuliani --

Q That's RG in the text message?

A Yes. RG is Rudy Giuliani, yes.

The Zelensky-POTUS meeting will not happen. Advice?

And I responded, Kurt Volker: Good grief, please tell Vadym to let the official USG representatives speak for the U.S. Lutsenko has his own self-interest here. And this is what we discussed earlier.

Q And please continue.

A Okay.

Bill Taylor: Exactly what I told them.

Bill Taylor: And I said that RG, Rudy Giuliani, is a

private citizen.

Bill Taylor: I briefed Ulrich this afternoon on this.

Bill Taylor: Eager to hear if your meeting with Danylyuk and Bolton resulted in a decision on a call, a phone call between President Trump and President Zelensky.

If I can explain that --

Q Let's finish the text, then we'll go back and have you explain some things.

A Sure.

Bill Taylor: How did the meeting go?

Kurt Volker: Not good, let's talk. KV.

Q And the meeting that's being referred to is the July 10th meeting at the White House?

A That's right.

Q All right. So I want to go back up to the first line. Andriy and Vadym were very concerned about what Lutsenko told them. Do you know what Lutsenko told them, you wrote?

A Just what it says here, that according to Rudy Giuliani, the Zelensky-POTUS meeting will not happen.

Q And how did Lutsenko know that?

A Because it says here "according to Rudy Giuliani." So, apparently, they spoke.

Q Are you aware of whether Prosecutor General Lutsenko and Rudy Giuliani had direct communication?

A I know that they met earlier in the year. So it's possible that they had further communications, but I don't know.

Q Did Rudy Giuliani ever back brief you on those conversations he had with Lutsenko?

A No.

Q All right. Bill Taylor says he briefed Ulrich on this. Do you have an understanding why Bill Taylor briefed Ulrich on the situation?

A Yes, because with the message that Lutsenko said, that according to Rudy Giuliani this meeting will not happen, he wanted to make sure that the Secretary -- by briefing Ulrich, it would get to the Secretary -- that there's this issue, that this is what was said.

Q Do you know what Bill Taylor told Ulrich, Counselor Ulrich exactly?

A Well, when he says "briefed Ulrich this afternoon on this," I assume what it is, is that message from Andriy and Vadym about what Lutsenko told them.

Q Okay. So Bill Taylor learns from Andriy and Vadym that Rudy Giuliani told Lutsenko that the meeting with the President of the United States was not happening. Is that right?

A That's what it says.

Q Okay. And then Bill Taylor briefs that to

Counselor Ulrich so that Ulrich can inform Secretary Pompeo. Is that fair?

A Yes.

Q Now, when you're asked about the meeting between Danylyuk and Bolton at the White House on July 10th, you say: It did not go -- you said -- when asked how it went, you said: Not good.

A Yes.

Q Sorry, that was garbled. But why did you say that?

A Because Alex Danylyuk led the meeting and was talking really very bureaucratically. He was getting into the weeds about restructuring the intelligence services, the security services in Ukraine, into the weeds about restructuring the Defense Ministry, how they were going to set up a National Security Council apparatus different from the one -- and this is not the level of conversation you should be having with the National Security Advisor of the United States.

You should be conveying a much more top-line strategic message: We're a new team. We understand the problems in Ukraine. We are committed to solving them. We want to work with -- that's what the message should have been, and he just didn't do it.

Q Okay. And who was in the room during that conversation?

A John Bolton, of course, and with him Rick Perry, Secretary of Energy; Ambassador Sondland; myself. So we had this same Presidential delegation team. We kind of tried to shepherd this relationship together as best we could. Andriy Yermak. Obviously, Oleksandr Danylyuk.

There must have been an NSC staffer with John. I don't remember who it was now, whether it was Alex or -- Vindman or whether it was senior director at the time. I don't remember who that was.

Q Would that have been Fiona Hill?

A I don't remember when Fiona left and when Tim Morrison started.

Q Tony Morrison?

A No, Tim.

Q Tim Morrison, I'm sorry.

A Yes. So Fiona was there as senior director up to a point. And when she left, she was replaced by Tim Morrison, and I don't remember when that transition took place.

Q During that meeting, was there any discussion about setting up the July 25th telephone call with President Trump and President Zelensky?

A I believe -- let me just double-check what it says here too. Yes, there was, because Bill was asking me: Eager to hear if your meeting with Danylyuk and Bolton resulted in a decision on a call.

And the reason we were now seeking a phone call was because it had been so long since the letter inviting the President of Ukraine to the White House without scheduling the visit that we thought it would be a good idea for President Trump to call him again.

And, in addition, we were looking forward to the Parliamentary election, which was going to be concluded on July 21st. And so we were saying: Let's see if we can get agreement that we'll do a phone call either just before or just after that Parliamentary election.

Q Thank you, Ambassador Volker.

My time is up, so I'm going to turn it over to my colleagues on the minority side.

MR. VOLKER: May we have a short biological break and come back?

THE CHAIRMAN: Yes, take a 5-minute break.

[Recess.]

MR. CASTOR: Back on the record. It's 11:13. Everybody comfortable to start now?

BY MR. CASTOR:

Q My name is Steve Castor with the Republican staff. Thank you so much for coming in. We were just amazed by your deep knowledge of the region, your ability to recall specific names, pronounce them. During the break, all of the members, the staff at large talked about it, just an incredible

appreciation for your knowledge of the region. So thank you for coming in.

And we want to signal at the start that we have great respect for you. We have great respect for the career Foreign Service officers, and to the extent any Foreign Service officer is thrust into the political realm, we appreciate that that is just an unfortunate circumstance.

Nevertheless, you're here. You're here to answer all the questions. It's very encouraging. So, you know, I'm a congressional staffer. I'm not a career Foreign Service person. So, if I get any of the names, if I mispronounce it, anything of that sort, if I'm not as savvy as you, please forgive me. It in no way is a lack of respect for the job that you and your colleagues do. And, with that in mind, I mean, you mentioned in your opening statement that at all times you conducted yourself with the highest level of personal and professional integrity. Is that fair?

A Yes.

Q And so any of the facts here, you connecting Mr. Giuliani with Mr. Yermak and to the extent you were facilitating Mr. Giuliani's communication with anybody in the Ukraine, you were operating under the best interests of the United States?

A Absolutely.

Q And to the extent Mr. Giuliani is tight with the

President, has a good relationship with him, has the ability to influence him, is it fair to say that, at times, it was in the U.S.' interest to have Mr. Giuliani connecting with these Ukrainian officials?

A Yes, I would say it this way: It was I think in the U.S. interest for the information that was reaching the President to be accurate and fresh and coming from the right people. And if some of what Mr. Giuliani believed or heard from, for instance, the former Prosecutor General Lutsenko was self-serving, inaccurate, wrong, et cetera, I think correcting that perception that he has is important, because to the extent that the President does hear from him, as he would, you don't want this dissonant information reaching the President.

Q And you mentioned that the President was skeptical, had a deep-rooted view of the Ukraine. Is that correct?

A That is correct.

Q And that, whether fair or unfair, he believed there were officials in Ukraine that were out to get him in the run-up to his election?

A That is correct.

Q So, to the extent there are allegations lodged, credible or uncredible, if the President was made aware of those allegations, whether it was via The Hill or, you know, via Mr. Giuliani or via cable news, if the President was made

aware of these allegations, isn't it fair to say that he may, in fact, have believed they were credible?

A Yes, I believe so.

Q And to that end, did you feel that it was worthwhile to give a little bit with Mr. Giuliani, in terms of the statement?

A What I wanted to do with the statement -- and it was not my idea. I believe it must have come up in the conversation that Mr. Giuliani had with Mr. Yermak in Madrid on August 2nd because it was Yermak who came to me with a draft statement.

And I viewed this as valuable for getting the Ukrainian Government on the record about their commitment to reform and change and fighting corruption because I believed that would be helpful in overcoming this deep skepticism that the President had about Ukraine.

Q And the draft statement went through some iterations. Is that correct?

A Yeah. It was pretty quick, though. I don't know the timeline exactly. We have it. But, basically, Andriy sends me a text. I share it with Gordon Sondland. We have a conversation with Rudy to say: The Ukrainians are looking at this text.

Rudy says: Well, if it doesn't say Burisma and if it doesn't say 2016, what does it mean? You know, it's not

credible. You know, they're hiding something.

And so we talked and I said: So what you're saying is just at the end of the -- same statement, just insert Burisma and 2016, you think that would be more credible?

And he said: Yes.

So I sent that back to Andriy, conveyed the conversation with him -- because he had spoken with Rudy prior to that, not me -- conveyed the conversation, and Andriy said that he was not -- he did not think this was a good idea, and I shared his view.

Q You had testified from the beginning you didn't think it was a good idea to mention Burisma or 2016.

A Correct.

Q But then, as I understand it, you came to believe that if we're going to do the statement, maybe it's necessary to have that reference in there, correct?

A I'd say I was in the middle. I wouldn't say I thought it was necessary to have it in there because I thought the target here is not the specific investigations. The target is getting Ukraine to be seen as credible in changing the country, fighting corruption, introducing reform, that Zelensky is the real deal.

You may remember that there was a statement that Rudy Giuliani made when he canceled his visit to Ukraine in May of 2019 that President Zelensky is surrounded by enemies of the

United States. And I just knew that to be fundamentally not true. And so I think, when you talk about overcoming skepticism, that's kind of what I'm talking about, getting these guys out there publicly saying: We are different.

Q I guess what I'm trying to get to, though, is that there was a point where you tweaked --

A Oh, yeah. Yes.

Q -- the draft statement and you sent it back, even though you weren't really in favor of --

A Well, I wanted to do that because I was trying to communicate clearly. So what is it that you are saying here? You know, Rudy Giuliani, Gordon was on the phone with that as well. What are you saying? Is this what you're saying?

And there is an important distinction about Burisma that I think I made earlier, but I want to repeat it again. Burisma is known for years to have been a corrupt company accused of money laundering, et cetera. So, when someone says investigate Burisma, that's fine. You know, what were Ukrainian citizens doing, and do you want to look into that? Saying investigating Vice President Biden or his son, that is not fine. And that was never part of the conversation.

Q And you said earlier today that that was never part of any conversation --

A Correct.

Q -- you had with --

A Yes. And if you go through the pages and pages here, you know, there's -- of everything that was the topic of conversation -- and there's a lot -- that never comes up.

Q Okay. And you're the official U.S. representative for the Ukraine, along with the Ambassador, right?

A For -- yes. Yes is probably the simplest way to say that.

Q And are you confident that the U.S. Ambassador to Ukraine also never ever advocated for the investigation of --

A Yes.

Q -- Vice President Biden or Hunter Biden?

A Yes. I am more than -- more than that, I know from having spoken with Bill Taylor, our Charge there, that he specifically advised Ukrainians: Don't do anything to interfere, that that would be seen as interfering in U.S. elections.

Q And the fact that the President may have been zeroed in on the four digits 2016 and Burisma is in line with the President's, you know, often stated concerns about attempts to damage him in the run-up to the 2016 election, right?

A That is correct.

Q I'd like to -- you know, the Burisma, it's a natural gas company, right, in Ukraine?

A Yes.

Q Under the control of one of the oligarchs, Zlochevsky?

A That sounds right. I don't know the name off the top of my head.

Q And he's a former Interior Minister?

A I don't know.

Q It's my understanding he's a former Interior Minister and that he has great control over energy companies in the energy sector. Is that something you're familiar with?

A I'm not really familiar with the details of the company.

Q And, you know, there was an issue of whether the former prosecutor general before Lutsenko -- so I guess two prosecutor generals ago?

A Yes. This would be Prosecutor General Shokin.

Q Shokin. There was a question of whether he was, you know -- some in the United States -- and maybe credible and maybe uncredible, people might get mad that I suggest it's credible, but -- were concerned that Shokin wasn't aggressively going after some of these companies controlled by this former Interior Minister?

A That is my understanding.

Q And Burisma is one of those companies?

A That is my understanding.

Q And so, when folks are agitating for Shokin to go after Burisma, it's in the context of there are Ukrainians affiliated with this company that may have been involved with corrupt activities?

A Correct.

Q And are you aware of whether, you know, Burisma was sufficiently investigated in that time period during the Shokin era?

A I don't know. I was not really involved in policy at that time.

Q Do you have any awareness, given your deep understanding of the area, whether --

A I don't. I'll make one general comment. Ukraine has a long history of pervasive corruption throughout the economy throughout the country, and it has been incredibly difficult for Ukraine as a country to deal with this, to investigate it, to prosecute it.

It seemed -- let me put it this way: A slogan that I have used a lot or in explaining this to people is that in a situation where everybody is guilty of something, the choice of whom to prosecute is a political decision. And that's the way anticorruption was played out in Ukraine for decades, that it wasn't about just fighting corruption; it was about who are my enemies and who are my friends and back and forth.

Q Was Shokin regarded --

A His reputation, as I know it -- I was not involved in policy at this time, but his reputation is one of a prosecutor general who was protecting certain interests rather than prosecuting them.

Q And looking to Lutsenko, did Lutsenko express an interest or advance, you know, did he advance investigations into the energy sector companies?

A I don't know.

Q Then what was the knock on Lutsenko, other than you had said earlier that he may not have been a reliable --

A Well, the information about Lutsenko -- and I'm not vouching for this; I'm telling you what was the rumor mill in Kyiv -- that he himself was corrupt, that he was protecting President Poroshenko and friends of President Poroshenko in this, you know, how does prosecution work. He was protecting those sorts of things. He was a politician himself who became the prosecutor general, not a judge or lawyer who got into that position directly, and playing a very political role as prosecutor general.

And that he saw the writing on the wall when Zelensky's popularity was rising and Poroshenko was likely to lose the election, and he was concerned about possible investigations into himself once he was out of office and possible investigations into President Poroshenko once he was out of office. So very anxious to see whether he would be able to

stay on.

Q Going back to the statement of a possible White House meeting, the letter from the President was in May?

A May 29th.

Q In your experience as a veteran Foreign Service official, is this a long time? I mean, don't these meetings between countries sometimes take a long time to get scheduled?

A They do. They do.

Q And were the facts that were unfolding after the May 29th letter and the effort to try to expedite the meeting from the Ukrainian side and maybe the concerns from the U.S. side, did that strike you as novel?

A Not novel, no. It struck me as normal at the beginning, and then the longer it went on, it became clear there's an issue here. This is not moving.

Q But in your career as a Foreign Service veteran, you've seen these --

A I've seen that happen. I -- when I was at the National Security Council staff, trying to get meetings with President Bush for various leaders there, banging your head against the wall trying to get it scheduled.

Q And it can take months. It can take a year.

A It sometimes just doesn't happen.

Q And sometimes doesn't happen.

And the same with the issue of the aid, the foreign assistance. You know, in your experience, foreign assistance sometimes gets locked up. There's issues to work through. Then it's released. Is what happened here unusual?

A You are correct. I agree with you in saying that assistance gets held up for a variety of reasons at various times. That is true.

In this case, here you had an instance where everyone that I spoke with in the policy side of the administration -- you know, Pentagon, military, civilian, State Department, National Security Council -- they all thought this is really important to provide this assistance. And so, in that circumstance, for there to be a hold placed struck me as unusual.

I didn't know the reason. No reason was ever given as to why that was. It came from OMB, so I immediately thought about budgetary issues, that, for whatever reason, there's a hold placed. There was one report about a hold placed on all assistance because of a concern about end-of-year spending not being done efficiently.

And I just didn't believe that this hold would ever be sustained because the policy community in the administration was determined to see it go forward.

Q And it did?

A And it did.

Q Looking back on it now, is this something, in the grand scheme of things, that's very significant? I mean, is this worthy of investigating, or is this just another chapter in the rough and tumble world of diplomacy and foreign assistance?

A In my view, this hold on security assistance was not significant. I don't believe -- in fact, I am quite sure that at least I, Secretary Pompeo, the official representatives of the U.S., never communicated to Ukrainians that it is being held for a reason. We never had a reason.

And I tried to avoid talking to Ukrainians about it for as long as I could until it came out in Politico a month later because I was confident we were going to get it fixed internally.

Q So, as one of the official U.S. representatives to the Ukraine, you never explained to them that they needed to do X, Y, or Z to get the aid?

A No. By the time it hit Politico publicly, I believe it was the end of August. And I got a text message from, it was either the Foreign Minister or -- I think it was the future Foreign Minister.

And, you know, basically, you're just -- you're -- I have to verbalize this. You're just trying to explain that we are trying this. We have a complicated system. We have a lot of players in this. We are working this. Give us time

to fix it.

Q So anybody on the Ukrainian side of things ever express like grave concern that this would not get worked out?

A Not that it wouldn't get worked out, no, they did not. They expressed concern that, since this has now come out publicly in this Politico article, it looks like that they're being, you know, singled out and penalized for some reason. That's the image that that would create in Ukraine.

Q And you assured them that --

A I told them that is absolutely not the case.

Q You were the -- you were working for free --

A Yes.

Q -- right? And it seems from going through your text messages, the United States Government, that taxpayers were getting a good value.

A It's kind of you to say.

Q You were working hard?

A I was.

Q And can you maybe just help us understand why you decided to do this for free?

A Yes. I was working and still am as the executive director of the McCain Institute. It was founded by Senator and Mrs. McCain and Arizona State University. I was the founding executive director in 2012. We were building this

institute. Some of you may have heard of it by now, which means that we've been successfully building this institute. And I did not feel that I could leave those responsibilities, to leave the McCain family or Arizona State University in order to take on a full-time position.

But, because I cared about the issues and I knew that we had a gap, that we were not in the game on Ukraine in early 2017 the way we should be, I wanted to help. And so I asked then-Secretary of State Tillerson if he would be okay if I did this on a part-time, voluntary, unpaid basis rather than as a full-time employee because I didn't want -- I didn't feel I could give up the responsibilities I had taken on in developing the McCain Institute.

I also had some other personal reasons that I'd rather not dive into, but I did not want to be joining the administration full time at that point.

Q So the McCain Institute is your full-time job?

A Correct, correct.

Q And now you have, as a result largely of this firestorm, you've been -- you had to resign. Is that correct?

A No, that is not correct. I am still executive director.

Q No, from being a Special Envoy?

A Oh, yes. There I would say quite unfortunately

because I think we were in a very -- we had developed a very strong Ukraine policy. We had developed a strong relationship with this new government now. We did have a bilateral meeting between the two Presidents in New York. We did get the arms -- the security assistance moving. And there is renewed pressure on Russia. The Ukrainians are being very smart about the negotiations right now, and it's developing some new pressure on Russia. So to be unable to be in a position to keep pressing that I think is very unfortunate.

Q So, I mean, is it fair to say you're a little bit of a victim here of this political --

A I don't characterize myself as a victim. I would rather characterize myself as a professional. You do the best job you can for as long as you can.

Q Secretary Pompeo, I mean, he was disappointed you had decided to leave?

A He was disappointed because he saw what I just described as well. We worked this policy well. It's been one of the bright spots in our foreign policy.

Q The decision to release the call transcript, the July 25th transcript between President Trump and President Zelensky, was unusual, correct?

A Absolutely.

Q And do you think it was a good idea -- generally

speaking, is it a good idea to release call transcripts?

A Generally speaking, I take a view that we need to protect the conversations of our foreign interlocutors. We want to be able to have candid conversations with them, and we don't want to feel that they will not have that degree of openness in speaking with us if they believe what they tell us is going to be released publicly.

Q Do you think the release of this particular transcript, the thrusting of Ukraine into the number one national story, is good for Ukrainian-U.S. relations?

A That's -- the decision to release it is not my decision. That's taking place at a much higher pay grade. And you could -- as far as the impact on U.S.-Ukraine relations, I believe that the substance of those relations is pretty strong right now, and I don't see it changing. Ukraine needs the support of the United States. The U.S. is committed to supporting Ukraine.

Q Can you walk us through the foreign assistance provided by the United States since 2016 -- I'm sorry, since January 2017 a little bit?

A Yes.

Q Characterize it for us?

A Yes. So there has been U.S. assistance provided to Ukraine for some time, under the Bush administration, Obama administration, and now under the Trump administration. I

was particularly interested in the security assistance and lethal defensive weapons. The reason for this is this was something that the Obama administration did not approve. They did not want to send lethal defensive arms to Ukraine.

I fundamentally disagreed with that decision. It is not my -- you know, I was just a private citizen, but that's my opinion. I thought that this is a country that is defending itself against Russian aggression. They had their military largely destroyed by Russia in 2014 and '15 and needed the help. And humanitarian assistance is great, and nonlethal assistance, you know, MREs and blankets and all, that's fine, but if you're being attacked with mortars and artilleries and tanks, you need to be able to fight back.

The argument against this assistance being provided, the lethal defensive assistance, was that it would be provocative and could escalate the fighting with Russia. I had a fundamentally different view that if we did not provide it, it's an inducement to Russia to keep up the aggression, and there's no deterrence of Russia from trying to go further into Ukraine. So I believed it was important to help them rebuild their defensive capabilities and to deter Russia. It's also a symbol of U.S. support.

So I argued very strongly from the time I was appointed by Secretary Tillerson that the rationale for why we were not providing lethal defensive assistance to me doesn't hold

water and that is a much stronger rationale that we should be doing it.

That eventually became administration policy. It took a while, but Secretary Tillerson, you know, he wanted to think it through, see how that would play out. How would the allies react to this? How would Russia react to this? How would the Ukrainians handle it? And we managed those issues. Secretary Mattis was very much in favor. And they met -- I did not meet with the President about this -- but they met with the President and the President approved it.

Q And how soon into 2017 did that assistance start flowing?

A Well, flowing, probably late 2017-early 2018. Decisionmaking about this really -- I started in July, and I think we had the decisionmaking beginning around September and then finalized a little bit later in the autumn.

Q And all along, the officials in the Ukraine knew that you were advocating for it?

A Absolutely. I was very public about it.

Q And could you characterize the assistance that was provided to Ukraine prior to that a little bit more than you have? You said about nonlethal assistance, MREs?

A Yeah. I mean, that's the pejorative. I mean, I'm sure there were other things, like night vision goggles, scopes for rifles, counter-battery radars. So, if you're

being fired on with mortar or artillery, you can calibrate where that's coming from better with a counter-battery radar, and that enables you to then fire back more accurately.

So we weren't giving them the weapon to fire back, but we were giving them the radar. So these are the sorts of things that were being finessed by the Pentagon before we changed the policy. And then said, no, we're going to provide genuine lethal defensive arms, anti-tank missiles, anti-sniper systems, and so forth.

Q And has the lethal defensive arms that have been provided to date, has that been helpful?

A It has been extremely helpful.

Q And there has been a material -- you know, you can see materially that this is helping the country of Ukraine?

A Absolutely.

Q And stoking Russian aggression -- or preventing Russian aggression?

A Deterring further Russian incursions into Ukraine.

Q So it has been successful?

A Yes. Let me -- deterring further Russian incursions into Ukraine on land. They did attack the Ukrainian Navy and seize a bunch of sailors. We have not done as much in the naval and coastal defense area as we have on ground.

Q Turning back to President Trump's skepticism of

Ukraine and the corruption there, do you think you made any inroads in convincing him that Zelensky was a good partner?

A I do. I do. I attended the President's meeting with President Zelensky in New York on, I guess it was the 25th of September. And I could see the body language and the chemistry between them was positive, and I felt that this is what we needed all along.

Q And there's been some controversy about the curtailment of the prior Ambassador's term?

A Yes.

Q Ambassador Yovanovitch?

A Yes.

Q And the facts leading up to her being brought home. How early was she brought home, do you know?

A I believe it was about 3 weeks prior to what the opening of the normal Foreign Service transfer season would be.

Q Okay. And granted that the facts relating to her being brought home early, it may be subject to debate, but if the President genuinely believed that Ambassador Yovanovitch was not on his team, if Ambassador Yovanovitch wasn't fully committed to the Trump administration, is it fair, in your view, if the President believed that, to make the decision that he did?

A Well, without commenting on the merits of it, it is

absolutely the right of the President to determine who his Ambassadors are in the world. That is a Presidential nomination, a Senate confirmation, and the President has the right to recall anyone at any time that he wants.

Q The recall of the Ambassador has provoked some I'd even say emotion on the part of her allies. Would you agree with that?

A I would agree that she feels that it was improper and that she should not have been removed early, and there has been an emotional response to that. Yes, I agree with that.

Q The fact that she was brought home early, whether it's 3 weeks or whether that 3 weeks could be characterized as, yeah, actually, she would get to stay longer, do you think the extreme emotion around her being brought home is fair for her and her allies?

A Well, it impugns her character and credibility. It makes it look like she was doing something wrong. And I think that's unfortunate for her because she is a professional. She's hardworking. She did a good job in Ukraine. And I think it is unfair to her to have that reputational damage or that image created as a result.

Q I mean, there was one allegation, not that I'm trying to lend credibility to it, but there is, you know, one allegation that she was speaking negatively about President

Trump in foreign relations circles?

A Yes, that is an allegation, and it was an allegation that made its way into media in the U.S. A I know that that -- well, let me say it this way. I don't know. President Trump would understandably be concerned if that was true because you want to have trust and confidence in your Ambassadors.

Q Do you know whether Ambassador Yovanovitch was maligning the President?

A I don't know. I have known her for 31 years. We served together in 1988 the first time. And I have always known her to be upstanding, high integrity, capable, honest, and professional in the way she carries out her duties.

Q So you never heard her besmirch the President?

A No.

Q Did you hear secondhand from anyone that you trust that perhaps that she did besmirch the President?

A No, no. It's only this public narrative that I saw.

Q And given her sophistication -- she's a sophisticated career Foreign Service diplomat, right?

A She is.

Q She's familiar with -- she's also sophisticated to know about the U.S. political system currently?

A Uh-huh.

Q I mean, is it fair to say that -- I guess part of the trouble that some of my Republican colleagues are having with the emotion connected to her recall is, granted, anything that besmirches your character and integrity, anybody would be upset about that, to a degree a little bit emotional.

But the degree to which -- you know, in this environment, if the President for whatever reason, true or untrue, develops a feeling that he's got an Ambassador that isn't loyal to him, he's going to bring them home, correct?

A It's the President's right to do that.

Q And so the question is, okay, look, you know, is this as big of a deal as everybody is making it out to be?

A I think you can look at it as a matter of the President's prerogatives as President, and it's unquestionable. This is his right, as the President, to choose his Ambassadors.

If you look at it from the perspective of a capable career diplomat who then suffers some damage to her reputation or career or perceptions about her, that is unfortunate. And I think you can see both of those at the same time.

Q There have been allegations that, from time to time, not just on one occasion, that officials from the Embassy in Ukraine, whether it be Ambassador Yovanovitch or

Ambassador Pyatt, communicated to the prosecutors general in Ukraine, both Shokin and Lutsenko at various points in time, that there were certain entities or individuals that should not be prosecuted. Are you aware of that allegation?

A I've heard of that allegation.

Q And do you have any firsthand knowledge of communications to that effect?

A I have no firsthand knowledge of anything like that.

Q Okay. And there's a question of whether or not a list was given by Ambassador Yovanovitch.

A I've seen that allegation as well, and I believe the State Department put out a statement addressing that. I don't recall exactly how it was addressed, but --

Q There certainly are facts on both sides, and there are -- like I said, this is one of those allegations that provokes great emotion. But Lutsenko has said that there was a list of, you know, entities not to prosecute. And you're aware of that?

A He said that. And this is the same prosecutor general who I described earlier as saying things that I believed were intended to be self-serving.

Q And Shokin I think at various points in time has alleged that he was encouraged not to investigate Burisma.

A Well, this -- there's more of a record on that,

where it was a matter of U.S. policy to investigate corruption in Ukraine, disappointment with him in not doing that, and then a push to remove him for those reasons.

Q And you're not aware, you don't have any firsthand knowledge of anybody, whether it be Ambassador Yovanovitch or her predecessor, Ambassador Pyatt, ever communicating a list, whether it's orally --

A No. I have no knowledge of that.

[11:45 a.m.]

BY MR. CASTOR:

Q So to the extent when that has been reported, given your knowledge of the area, your impression of that allegation is it's not --

A Yeah. My impression of that allegation is that it's made up.

Q Have you ever had any communications with Ambassador Yovanovitch about that allegation?

A No. Actually, I haven't.

Q Anybody else that might have, you know, firsthand knowledge of --

A I did communicate about it with George Kent, who was the deputy chief of mission at the time and is now the deputy assistant secretary of state, and he's the one that took the lead in putting together a response for the State Department about it.

Q Have you ever been in any official meetings with Ambassador Yovanovitch and Lutsenko?

A Not at the same time. I met with President Poroshenko once. I believe it -- well, I met with President Poroshenko many times. On one occasion when I met with him, he brought Prosecutor General Lutsenko to the meeting so I could meet with him. We shook hands. We spoke for 5 minutes, maybe. I was -- that was just me with President

Poroshenko.

I don't remember how many meetings I had with him, but possibly, you know, 10, 12, something like that.

Ambassador Yovanovitch, we interacted quite regularly, just as you see with Bill Taylor here. When she was ambassador, we interacted quite a lot. And when I visited Ukraine, for the most part, we were in all our meetings together. There were a few when she was not there.

Q Did you ever speak with any, you know, U.S. official in the Embassy about the origins of this allegation?

A The allegation of there being a list?

Q Yes.

A Not really, no.

Q Okay. So do you think it was treated seriously or was it just thought, oh, this is Lutsenko talking out of school?

A Oh, I think -- again, I'd have to refer back to the statement that the State Department put out addressing this, because I think that was actually put together -- researched and put together. I don't think it was handled lightly.

Q There's another allegation that Lutsenko's visa was denied, he wanted to come to the U.S. and he had his visa denied. Are you aware of that allegation?

A Not aware of that, no.

Q How would -- if Lutsenko wanted to come to the

United States, how would that visa ordinarily be processed?

A Right. Normally an applicant for a visa will go to the U.S. Embassy. They'll fill in the application. The Embassy will send that back to Washington. An interagency review process takes place pretty quickly. Normally it's purely electronic.

If a name is flagged for any reason, then it triggers a review by people, and then they make a decision as to whether to approve a visa or not.

Q So you have no knowledge of whether Lutsenko had a visa denied?

A I have no idea.

Q Have you seen it reported in the press?

A No, I haven't, actually.

Q If it was denied, would there be another mechanism for Lutsenko to get a second crack at it?

A If someone applies for a visa and the visa is denied, then you can apply for a waiver of the denial, depending on what the denial is.

And I used to do this when I was a visa officer in London. I was -- I was the -- I don't know what you would call it -- the waiver officer. And they submit an explanation, a petition, to have a waiver of the denial.

You send that back to Washington with a recommendation. The interagency community in Washington vets it, gives you an

answer. You convey that answer to the applicant.

Q You know, if Lutsenko really wanted to come, you know, his visa was denied, would he have been able to have other Ukrainian officials go to bat for him with the U.S. Embassy in Ukraine?

A I don't know any of the circumstances of this.

Q Okay. You mentioned this morning that in advance of your coming in for the interview nobody at the State Department told you, you couldn't come. Is that correct?

A That is correct.

Q And while there was a letter from Pompeo and -- the State Department has concerns about their diplomatic --

A Yeah.

Q -- interests and information?

A Yeah. Let me -- they do. And let me say on that, I read Secretary Pompeo's letter. I think he made a few good points. One of them is the importance of protecting members of our Foreign Service. I agree with that.

Another is that it is difficult to put together information of the right quality for a committee like this in such a short period of time.

So I think those are fair things.

And I noticed even in the long form written testimony that I prepared for you, I already noticed this morning I got three dates wrong. So we'll correct those in what we give

you.

And there's probably more that the State Department has that I have not had a chance to review, because I'm only going based on what my personal recollections and knowledge and what I can find from reviewing these text messages, and so there's probably more that would be in the State Department official reporting that I've not had a chance to review.

Q Other than the letter that we talked about from the Secretary and then there was a letter last night from Marik String to your lawyer, that's the extent of any communications you've had from the State Department? If we're trying to look at the whole record --

A Yes.

Q -- and the State Department's activities trying to block your testimony, that's --

A Yeah. So I had a conversation with the acting legal adviser, Marik String, on the Tuesday of this week, which had to have been the 1st of October. I saw -- I had prior conversations with him, but those prior conversations were not at a point where it would -- I had resigned and was -- clearly was going to testify.

It was only the 27th -- 27th of September is when I resigned, and then -- and that is a date when I spoke with Marik String. I may have called him over the weekend as

well, and then October 1st.

In none of these conversations did he say I am instructed not to testify. In my conversation with Secretary Pompeo, he did not say that either.

I read the letter. The letter does not say, don't do it, and there was no formal instruction.

There was a concern expressed in this letter that was sent to my attorney last night about protection of classified material. As was asked earlier, I believe all of the information that is contained in these things that I'm discussing is unclassified. I was communicating on unclassified devices, I was doing it with people, there's no intelligence, there's no deep national security information.

There are a couple of conversations I would categorize as sensitive, but I would not characterize any of those as classified. And that is, however, one of the things that was communicated in that letter from Marik String.

Q Nobody from the White House told you not to cooperate?

A No. No. I had a conversation with White House Counsel lawyers soon after the -- not the subpoena -- when the request for transcribed testimony came in, and I had a conversation with White House Counsel.

Q But nobody told you not to cooperate with Congress?

A No, no. They -- that was a fact-finding phone

call --

Q Okay.

A -- to find out what do I know about anything.

[Discussion off the record.]

MR. VOLKER: Yes. Thank you.

As a matter of completeness, the State Department acting legal adviser did call my attorney yesterday. Again, there was no request to have me not testify.

BY MR. CASTOR:

Q Okay. And to your knowledge, you didn't see any State Department lawyers or White House lawyers outside to try to prevent you from joining us here today?

A No, no.

Q In the whistleblower complaint, there's a reference to you.

A Yes.

Q I'm sure you're aware of that.

A I believe there's two.

Q So maybe we could just get you to talk about your reaction when you saw your name --

A Yeah.

Q -- thrust into this document.

A Yeah. I thought that it was a fairly accurate characterization. He got some facts wrong, but I thought that trying to do damage limitation -- I wouldn't have used

the word "damage limitation," but I under -- I kind of get what he's talking about.

This is what I am referring to when I say make sure that there's a -- there's not a negative narrative about Ukraine that's reaching the President from other means, that we get one story straight.

And then secondly, helping the Ukrainians "navigate," was the word that he used, "requests," I believe he said from the President, if I'm not mistaken. There are some mistakes in this.

Helping Ukrainians navigate, I would say that's accurate, but navigate what? Navigate how to provide convincing presentation of themselves as being the new team that is committed to fighting corruption, that is committed to reform, and avoiding things that would drag them into U.S. domestic politics or anything relating to 2020, just helping them and coaching them, "Don't go there."

Q Right.

A So helping them navigate in that sense.

I -- the whistleblower report says that I was dispatched to Ukraine after the President's phone call to meet with President Zelensky to talk about it. That's not accurate.

I was planning a visit to Ukraine to fall after the 21st of July, which is when the parliamentary election was. I did not want to show up in Ukraine during an election campaign,

because all they do is ask you, do you like this candidate, do you like that candidate, did you talk to these -- so I just avoid going during election seasons.

So I wanted to go after that, and I wanted particularly to go to the conflict zone, which I tried to do every year, as a way of highlighting that Russia is still here killing people. And I did that.

So in setting that trip up, we arranged it to be around the 25th, 26th of July. I left Washington on the 23rd of July, and en route I learned that the proposed phone call, congratulatory phone call from President Trump to President Zelensky, was then starting to be scheduled. I didn't know whether or when it would take place.

It turns out that it took place on the 25th of July, which was the day I was in Kyiv already having meetings.

The next day is when my meeting with President Zelensky was scheduled, and then after that meeting, we went out to eastern Ukraine to the conflict zone.

Q So you're in Ukraine when the call happens. You weren't on the call?

A Correct.

Q You get a readout from the call?

A I got an oral readout from the staffer who works for me in the State Department and our Charge, as well as from Andriy Yermak, who had been on the call in Ukraine

himself.

Q So you got two readouts?

A Yeah.

Q One from each side?

A Correct.

Q What was the top line message you got from the State Department?

A Well, they were the same, actually, which is interesting. But the message was congratulations from the President to President Zelensky; President Zelensky reiterating that he is committed to fighting corruption and reform in the Ukraine; and President Trump reiterating an invitation for President Zelensky to visit him at the White House. That was it.

Q When it subsequently came out the President was talking about investigating Burisma and the facts relating to the 2016 election, did that surprise you?

A Yes, it did.

Q Okay. But that was not related to you in any of the readouts?

A No, it wasn't.

Q Okay. So if there's a top line message coming from the Ukrainians, it didn't involve that?

A That's correct.

Q The top line message coming from your people at the

State Department, the people that you work with, it wasn't in that?

A That is correct.

Q I'm running out of time, so I'll wrap up. And we like to be real strict with our 1 hour, so I will literally try to stop in the middle of a sentence at my hour, because we don't want to abuse the process.

Your text messages with Rudy Giuliani, you know, evidence that you were carrying on somewhat regular communications with Rudy Giuliani, right?

A Yes, for a period of time, from -- I had some initial contact when I heard that he was going to visit Ukraine in mid-May. He cancelled that visit, and that kind of dropped off.

And then in July, I was starting to see that there's a problem here, that we're -- we're not -- how do I want to put that?

We saw in text messages that we discussed earlier, on July 10th, Giuliani apparently had been in touch with Lutsenko. And in my view, that's the wrong person to be talking to in Ukraine.

And so I could see we have a problem of this negative feed, coming possibly from Lutsenko through Rudy Giuliani, reinforcing a negative perception of the President, possibly.

So I resumed contact with Rudy, saying, can we get

together and can we try to get this in the box?

MR. CASTOR: Okay. I've been advised Congressman Zeldin had a brief question. I want to defer to him.

MR. ZELDIN: Ambassador Volker, Lee Zeldin from New York 1. Thank you for being here. Just a few quick followups.

When do you learn that you were referenced in the whistleblower report?

MR. VOLKER: When it came out publicly.

MR. ZELDIN: Have you had any contact with the whistleblower?

MR. VOLKER: I don't know who the whistleblower is.

MR. ZELDIN: With regards to Burisma, are you aware of what specific role Hunter Biden had with the company?

MR. VOLKER: I was vaguely aware, meaning I had heard in early 2019 that he was on the board of Burisma. I didn't know much more about the company or the details than that -- other than that it had a bad reputation, which is probably why they wanted him on the board.

MR. ZELDIN: Do you know when Hunter Biden became a board member of Burisma?

MR. VOLKER: I don't.

MR. ZELDIN: Do you know why Hunter Biden joined Burisma?

MR. VOLKER: I don't know why.

MR. ZELDIN: Have you had any communications with Hunter

Biden?

MR. VOLKER: No, I have not.

MR. ZELDIN: Do you know if Hunter Biden had any business expertise related to the Ukrainian energy industry?

MR. VOLKER: I don't know Hunter Biden and I don't know what expertise he has.

MR. ZELDIN: Do you have any thought as to why he would have been hired by Burisma?

MR. VOLKER: My suspicion is that Burisma, having had a very bad reputation as a company for corruption and money laundering, was looking to spruce up its image by having, you know, prominent-named people on its board.

MR. ZELDIN: Do you know if Viktor Shokin was investigating Burisma at the time he was removed as prosecutor?

MR. VOLKER: I don't know.

MR. ZELDIN: Do you know what has happened with the Burisma investigation since --

MR. VOLKER: I don't.

MR. ZELDIN: -- Mr. Shokin was --

MR. VOLKER: I don't.

MR. ZELDIN: Do you know who Christopher Heinz is?

MR. VOLKER: I'm sorry. Christopher?

MR. ZELDIN: Heinz.

MR. VOLKER: Heinz. Chris Heinz. That name rings a

bell, but I can't place it.

MR. ZELDIN: Christopher Heinz is the stepson of then Secretary of State John Kerry, co-owned --

MR. VOLKER: I -- yes.

MR. ZELDIN: -- Rosemont Seneca Partners with Hunter Biden.

MR. VOLKER: Yes. I heard -- that's where I heard the name, yes, in a press report.

MR. ZELDIN: Are you familiar with the name Devon Archer (ph)?

MR. VOLKER: I'm not, no.

MR. ZELDIN: Do you know Matt Sommers (ph) or David Wade (ph)?

MR. VOLKER: No, I don't.

MR. ZELDIN: Can you speak to the loan guarantee treaty that we have between our countries and the mutual legal assistance in criminal matters?

MR. VOLKER: I don't know the specifics of these concerning Ukraine. I know generally what they are as matters of treaties.

MR. ZELDIN: Are you -- you are aware, though, that there's a mutual legal assistance treaty between the U.S. and Ukraine?

MR. VOLKER: I believe there is, yes.

MR. ZELDIN: Are you able to talk through whether or not

requests for documents or evidence in criminal matters for anticorruption efforts have been made before under this treaty?

MR. VOLKER: I'm not, no.

MR. ZELDIN: You are familiar with the loan guarantee treaty with Ukraine?

MR. VOLKER: I'm not, no.

MR. ZELDIN: In the interests of time, I'll stop there before opening up a new line of questions. Thank you.

MR. VOLKER: Thank you, Congressman.

MR. CASTOR: I think we're good to take a break. We very much appreciate your continuing. These interviews tend to take a while.

MR. VOLKER: Of course. I understand.

MR. CASTOR: So we appreciate your indulgence.

MR. VOLKER: Thank you very much.

THE CHAIRMAN: Break for another 5 minutes and then we will resume.

[Recess.]

THE CHAIRMAN: Okay. The interview will come back to order.

I want to ask a few followup questions before I pass it back to staff.

THE CHAIRMAN: Ambassador, we've been discussing the events, in many respects, as if the call between the

President and President Zelensky never happened.

I realize you weren't on the call, but we now know what was said on that call, and I think we need to evaluate what you witnessed in the context of a call that we now know the details of. So let me present you with a record of the call. It's been marked as Exhibit 4.

[Volker Exhibit No. 4
Was marked for identification.]

THE CHAIRMAN: If you could turn to page 4 of the call record. And in the top paragraph, if you could read the line beginning with, "The other thing," the rest of the paragraph beginning with, "The other thing."

MR. VOLKER: Would you like me to read it?

THE CHAIRMAN: Yes, please.

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

Keep going?

THE CHAIRMAN: No. That's fine.

So the President's request here is that President Zelensky look into allegations concerning Joe Biden and his son. Am I right?

MR. VOLKER: Yes. Insofar as I'm reading it, yes, you're right, but it's specifically about stopping this prosecution, which I think is the conversation with Shokin that Vice President Biden would have had at that time. I think --

THE CHAIRMAN: So that as you read it, the focus is on Joe Biden here?

MR. VOLKER: Yes.

THE CHAIRMAN: Now, the President doesn't mention here Burisma.

MR. VOLKER: Oh, that's a very good point, Congressman. I'm sorry.

It refers to Biden, it says: There's a lot of talk about Biden's son -- and then it says -- that Biden stopped the prosecution.

And I interpreted that immediately as the first one being the son and the second one being Joe Biden, but you could read it as both being the son. But I interpreted it --

THE CHAIRMAN: Ambassador, the President here is asking his counterpart, the President of Ukraine, to look into "talk about Biden's son," and then it says that "Biden stopped the prosecution."

MR. VOLKER: Yes.

THE CHAIRMAN: That's referring to Joe Biden, right?

MR. VOLKER: That's what I understand, too.

THE CHAIRMAN: So I'm correct that --

MR. VOLKER: Yes.

THE CHAIRMAN: -- here the President is asking his counterpart to look into, investigate Joe Biden and his son and these allegations?

MR. VOLKER: Yes.

THE CHAIRMAN: The President doesn't mention Burisma here, right?

MR. VOLKER: Correct.

THE CHAIRMAN: He's talking about the Bidens.

MR. VOLKER: Correct.

THE CHAIRMAN: Correct?

MR. VOLKER: Yes.

THE CHAIRMAN: This isn't some generic interest in energy companies or one particular company. The President's interest as expressed here is in Joe Biden and his son.

MR. VOLKER: Yes.

THE CHAIRMAN: This is the context in which you would later discuss the statement that Andriy Yermak was proposing to get a meeting with the President for his boss, Mr. Zelensky, correct?

MR. VOLKER: Yes. Except that I didn't know that this was the context at the time.

THE CHAIRMAN: No, I realize you didn't know that, but Andriy Yermak would know that, wouldn't he?

MR. VOLKER: He would have been on this phone call.

THE CHAIRMAN: Okay. So Andriy Yermak knows that the President of the United States wants Joe Biden and his son investigated and that the President thus far has not been willing to commit to a date for a meeting.

MR. VOLKER: Yes.

THE CHAIRMAN: Correct?

MR. VOLKER: Yes.

THE CHAIRMAN: And the meeting is very important to Zelensky to establish his credibility back home and because of the key relationship between the U.S. and Ukraine?

MR. VOLKER: That is correct.

THE CHAIRMAN: A key relationship in which they are dependent on the United States for military support, economic support, diplomatic support, and every other way?

MR. VOLKER: Yes.

THE CHAIRMAN: So this meeting is really important to them?

MR. VOLKER: Yes.

THE CHAIRMAN: And some time after this call, Rudy Giuliani goes to Madrid to meet with Andriy Yermak. Do I have the chronology right?

MR. VOLKER: Yes. That took place on August 2nd.

THE CHAIRMAN: So after the President-to-President call.

MR. VOLKER: Yes.

THE CHAIRMAN: And so after that meeting, Yermak proposes to include in this statement to get the meeting a mention of Burisma?

MR. VOLKER: No. Andriy Yermak sent me a draft statement that did not include that. And I discussed that statement with Gordon Sondland and with Rudy Giuliani to see -- in my -- not knowing this, is this going to be helpful, will this help convey a sense of commitment of Ukraine to fighting corruption, et cetera.

And in that conversation it was Mr. Giuliani who said: If it doesn't say Burisma and 2016, it's not credible, because what are they hiding?

I then discussed that with Mr. Yermak after that conversation, and he did not want to include Burisma and 2016, and I agreed with him.

THE CHAIRMAN: So let me ask you about then, Giuliani said that unless there was a mention of Burisma, the statement wouldn't be credible, that is, it wouldn't be helpful in getting the meeting?

MR. VOLKER: That it -- well, what I interpreted that to mean, which I thought at the time, is that it doesn't convey a sense this Ukraine, this leader, this leadership in Ukraine being any different than the past.

THE CHAIRMAN: Well, you say that what you believed at the time, but at the time, you didn't know that the President

had made a specific ask of his counterpart --

MR. VOLKER: That's right.

THE CHAIRMAN: -- a specific ask that Yermak would have been aware of, that Zelensky have the prosecutors investigate the Bidens, right?

MR. VOLKER: That's correct.

THE CHAIRMAN: So now you do know that and now you can put in context what Giuliani was saying, because Giuliani was saying: Without a mention of Burisma, this statement won't be credible; that is, it won't help get the meeting. Am I right?

MR. VOLKER: He said -- he said that it needs to mention Burisma and 2016, and if it doesn't do that, it's not credible in terms of being a convincing statement that this Ukrainian Government is serious about finding out what happened in the past, cleaning it up.

THE CHAIRMAN: This is what Giuliani represented to you.

MR. VOLKER: Yes.

THE CHAIRMAN: But you didn't know about the Presidential call at that point?

MR. VOLKER: That's exactly right.

THE CHAIRMAN: Now, since the President never mentions Burisma, it's fair to say that in Giuliani's mind -- and you didn't know this at the time, I think you're testifying -- in Giuliani's mind, Burisma is synonymous with the President's

ask during this call to investigate the Bidens?

MR. VOLKER: I can't speak to what was in his mind, but it makes --

THE CHAIRMAN: We don't need to be --

MR. VOLKER: Yeah.

THE CHAIRMAN: -- naive here, right?

MR. VOLKER: Right.

THE CHAIRMAN: Rudy Giuliani doesn't have an interest in other companies for the sake of other companies in Ukraine, right? He was interested in Burisma because he thought it reflected ill on the Bidens and would be helpful to his client. Am I right?

MR. VOLKER: I can't speak to that. I can only testify to what I know. So I can't speak to that, but I understand what you're saying.

THE CHAIRMAN: Well, Rudy Giuliani was not representing the State Department, right? You made that clear.

MR. VOLKER: That is correct.

THE CHAIRMAN: But he was representing the President.

MR. VOLKER: He is the President's personal attorney. I don't know whether he was representing the President or whether he was doing his own things to try to be helpful to the President.

THE CHAIRMAN: Well, he's the President's agent, is he not?

MR. VOLKER: I did not make a judgment about that.

THE CHAIRMAN: Well, you understood, didn't you, Ambassador --

MR. VOLKER: I understood that he communicates with the President.

THE CHAIRMAN: You understood that the Ukrainians recognized that Rudy Giuliani represented the President, that he was the agent of the President, that he was a direct channel to the President. Ukrainian officials you were dealing with would have understood that, would they not?

MR. VOLKER: I would not say that they thought of him as an agent, but that he was a way of communicating, that you could get something to Giuliani and he would be someone who would be talking to the President anyway, so it would flow information that way.

THE CHAIRMAN: So this was someone who had the President's ear?

MR. VOLKER: Yes. That's fair.

THE CHAIRMAN: And that was, at least in title, the attorney for the President?

MR. VOLKER: Yes.

THE CHAIRMAN: And so when Mr. Giuliani said that without mentioning Burisma the statement wouldn't be credible, they would have understood that he was communicating for the President?

MR. VOLKER: I'm not so sure about that, because I don't know whether -- I was not part of the discussion that they had in Madrid. I don't know whether Mr. Giuliani represented himself as speaking for the President. I don't know any of that.

I do know from the Ukrainians that they viewed him as someone who communicated with the President and, therefore, they wanted to tell their story to him.

THE CHAIRMAN: So you acknowledge that you don't know what was said in private meetings and discussions between Mr. Giuliani and Ukrainian officials?

MR. VOLKER: That's correct.

THE CHAIRMAN: And if Giuliani was communicating with them that in order to get a meeting with the President, they were going to have to be very specific about looking into the Bidens, you would not have been privy to that?

MR. VOLKER: That's correct.

THE CHAIRMAN: But they would have understood that Giuliani was Trump's agent, he wasn't an agent of the State Department?

MR. VOLKER: They knew that he was President Trump's personal attorney.

THE CHAIRMAN: And so here there's a meeting that's being held up for whatever reason, and we now know the President was asking for an investigation into the Bidens,

and Rudy Giuliani is saying that in order to get this meeting there has to be a mention of Burisma, correct?

MR. VOLKER: He's saying that the statement, in order to be credible, needs to mention Burisma and 2016.

THE CHAIRMAN: Now, the --

MR. VOLKER: It's less clearly linked to that that would break free the scheduling of a meeting. I don't think Mr. Giuliani ever -- ever suggested that he's in a position to do that.

THE CHAIRMAN: Because there's no indication from the call record of any interest by the President in Burisma, but there is an interest of the President in the Bidens. Isn't it fair to say that when Rudy Giuliani uses the term "Burisma," it's really code for Biden?

MR. VOLKER: I think that is something I was aware of at the time, that there's a linkage between Joe Biden's son and Burisma, but Burisma stands on its own as a company that is an issue of longstanding, and so --

THE CHAIRMAN: Well, maybe in your mind, but the President never mentions --

MR. VOLKER: No, he doesn't.

THE CHAIRMAN: -- Burisma.

MR. VOLKER: And so I think in -- Congressman, what I hear you suggesting, if I understand correctly, is Rudy Giuliani seeing these as synonymous.

THE CHAIRMAN: Yes.

MR. VOLKER: And I'm saying that I can see how that would be the case.

What I was trying to do was understand, you know, what is the request to investigate Burisma. Is it reasonable for the Ukrainians to do that or not, to say that they would do so. I didn't know the context of all of this at the time.

And in talking with the Ukrainians and conveying that that was what Rudy Giuliani had said, it should mention Burisma and 2016, they expressed discomfort with that, and I agreed with that and said I don't think you should do it.

THE CHAIRMAN: And why would -- why did they and how did they express discomfort with --

MR. VOLKER: Yeah. There were a few --

THE CHAIRMAN: -- looking into Burisma?

MR. VOLKER: There were a few reasons given. One of them was that the prosecutor general in place at the time was not, quote, unquote, their prosecutor general, it was the carryover from the previous government, Lutsenko. So they didn't trust him and they didn't want to put anything out suggesting investigations that would either get him engaged, or that he would then try to obstruct or thwart somehow. That was one reason.

Another is they didn't want to mention a specific company, period. Just as a matter of prudence, you don't

mention a particular company.

And then another was, what they expressed -- I put less credibility into this explanation -- but they expressed a fear that the current prosecutor general would destroy any evidence that might exist from previous investigations.

THE CHAIRMAN: Wasn't there also a concern, Ambassador, with not being used to investigate a political candidate in the 2020 election?

MR. VOLKER: I think the way they put it was they don't want to be seen as a factor or a football in American domestic politics.

THE CHAIRMAN: They didn't want to be drawn into --

MR. VOLKER: Yes.

THE CHAIRMAN: -- helping the President's campaign?

MR. VOLKER: The campaign was not mentioned. 2020 was not mentioned.

THE CHAIRMAN: Well, we're --

MR. VOLKER: But --

THE CHAIRMAN: I think we're -- we're toying around the edges here.

MR. VOLKER: But --

THE CHAIRMAN: They didn't want to be drawn into investigating a Democratic candidate for President, which would mean only peril for Ukraine. Is that fair to say?

MR. VOLKER: That may be true. That may be true. They

didn't express that to me, and, of course, I didn't know that was the context at the time.

THE CHAIRMAN: Part of the other context is vital military support is being withheld from the Ukraine during this period, right?

MR. VOLKER: That was not part of the context at the time. At least to my knowledge, they were not aware of that.

THE CHAIRMAN: Well, that is, you didn't discuss it with them?

MR. VOLKER: I did not. And the first conversation I had was when the diplomatic adviser to President Zelensky, Vadym Prystaiko, I believe it was, texted me a copy of the Politico article about the hold on assistance.

So I had had many conversations with him in the months prior to that, and this did not come up from him to me, which makes me believe that this was not on his radar until that time when he saw the article.

THE CHAIRMAN: And when did the suspension in aid come to your attention?

MR. VOLKER: July 18th.

THE CHAIRMAN: So it came to your attention before the President's call with President Zelensky?

MR. VOLKER: Yes.

THE CHAIRMAN: And you tried to find out the reason for the suspension. I think you said you --

MR. VOLKER: Yes.

THE CHAIRMAN: -- talked to the State Department, the Defense Department, and no one understood the reasons why the aid was being --

MR. VOLKER: Nobody ever gave a reason why. And I gave -- I made those contacts specifically to give reasons why we should not have a hold, that --

THE CHAIRMAN: I understand that, but --

MR. VOLKER: Yeah.

THE CHAIRMAN: -- but with something this serious and bipartisan and significant, there should be an explanation, right?

MR. VOLKER: There should have been, but there wasn't.

THE CHAIRMAN: You weren't able to find out. Senator McConnell said recently he wasn't able to find out. It was a mystery why it was being withheld.

MR. VOLKER: Yes. The only statement made was that there's a review.

THE CHAIRMAN: And you would agree, Ambassador, that if the President makes a request of a foreign power that is dependent on the United States for military support, that request is going to carry enormous weight with that foreign leader. Am I right?

MR. VOLKER: Yes. And I would even go further and say any request from the President of the United States will be

taken very seriously by any foreign country, it is -- that wants to have a friendly relationship with the U.S., and those things are noticed.

THE CHAIRMAN: Can we also agree that no President of the United States should ask a foreign leader to help interfere in a U.S. election?

MR. VOLKER: I agree with that.

THE CHAIRMAN: And that would be particularly egregious if it was done in the context of withholding foreign assistance?

MR. VOLKER: We're getting now into, you know, a conflation of these things that I didn't think was actually there.

THE CHAIRMAN: Well, you weren't knowledgeable about the request at all at the time, but you are now.

MR. VOLKER: Right.

THE CHAIRMAN: You would agree, would you, that if it's inappropriate for a President to seek foreign help in a U.S. election, it would be doubly so if a President was doing that at a time when the United States was withholding military support from the country?

MR. VOLKER: Yeah, I can't -- I can't really speak to that. My understanding of the security assistance issue is --

THE CHAIRMAN: Why can't you speak to that, Ambassador?

You're a career diplomat. You can understand the enormous leverage --

MR. VOLKER: Well --

THE CHAIRMAN: -- can't you, that -- let me finish the question -- the enormous leverage that a President would have while withholding military support from an ally at war with Russia? You can understand just how significant that would be, correct?

MR. VOLKER: I can understand that that would be significant.

THE CHAIRMAN: And when that suspension of aid became known to that country, to Ukraine, it would be all the more weighty to consider what the President had asked of them, wouldn't it?

MR. VOLKER: So, again, Congressman, I don't believe --

THE CHAIRMAN: It's a pretty straightforward question.

MR. VOLKER: No. But I don't believe the Ukrainians were aware --

THE CHAIRMAN: But they --

MR. VOLKER: -- that the assistance was being held up.

THE CHAIRMAN: They became aware of it.

MR. VOLKER: They became aware later, but I don't believe --

THE CHAIRMAN: They were --

MR. VOLKER: -- they were aware at the time, so there

was no leverage implied.

THE CHAIRMAN: Well, what I'm asking you is, when they became aware that military assistance was being withheld for a reason you couldn't explain, no one could explain, weren't they under even greater pressure to give the President what he had asked for in that call?

MR. VOLKER: The timeline doesn't -- as I understand it, and, again, my understanding here will have been impartial, because I was not privy to a lot of information -- but the timeline about talking with Andriy Yermak about whether there would be a statement or not to convey their commitment to fighting corruption and being a new day in Ukraine was in the middle of August.

To my knowledge, the news about a hold on security assistance did not get into Ukrainian Government circles, as indicated to me by the current foreign minister, then diplomatic adviser, until the end of August. And by the time that we had that, we had dropped the idea of even looking at a statement.

THE CHAIRMAN: Ambassador, you're making this much more complicated than it has to be.

MR. VOLKER: I'm sorry.

THE CHAIRMAN: My question is very simple. You would agree that when Ukraine learned that the U.S. was withholding military assistance that it desperately needed, that the

President's request to investigate his opponent carried that much more weight and urgency?

MR. VOLKER: I can't say that. I don't -- I think that the sequence of events goes the other direction, that --

THE CHAIRMAN: Well, at some point, Ambassador, they learned that aid was being withheld, right?

MR. VOLKER: They did.

THE CHAIRMAN: And at the point at which they learned that aid was being withheld, that was after the President had made a request --

MR. VOLKER: That is correct.

THE CHAIRMAN: -- that they investigate the Bidens?

MR. VOLKER: That's correct.

THE CHAIRMAN: So we have the chronology correct.

MR. VOLKER: We have -- we have that.

THE CHAIRMAN: The request is made. And even though the suspension may have occurred earlier, the request is made to investigate the Bidens, and then Ukraine learns, for mysterious reasons, hundreds of millions in military support is being withheld.

Do I have the chronology correct?

MR. VOLKER: Yes.

THE CHAIRMAN: At the point they learned that, wouldn't that give them added urgency to meet the President's request on the Bidens?

MR. VOLKER: I don't know the answer to that. The --

THE CHAIRMAN: Ambassador --

MR. VOLKER: When that -- no --

THE CHAIRMAN: -- as a career diplomat, you can't venture --

MR. VOLKER: But, Congressman, this is why I'm trying to the say the context is different, because at the time they learned that, if we assume it's August 29th, they had just had a visit from the National Security Advisor, John Bolton. That's a high level meeting already.

He was recommending and working on scheduling the visit of President Zelensky to Washington. We were also working on a bilateral meeting to take place in Warsaw on the margins of a commemoration on the beginning of World War II.

And in that context, I think the Ukrainians felt like things are going the right direction, and they had not done anything on -- they had not done anything on an investigation, they had not done anything on a statement, and things were ramping up in terms of their engagement with the administration. So I think they were actually feeling pretty good by then.

THE CHAIRMAN: Ambassador, I find it remarkable as a career diplomat that you have difficulty acknowledging that when Ukraine learned that their aid had been suspended for unknown reasons, that this wouldn't add additional urgency to

a request by the President of the United States. I find that remarkable.

But let me yield to my colleague here.

BY MR. NOBLE:

Q So, Ambassador Volker, I want to make sure we get this straight. You're saying that the Ukrainians learned that the aid had been frozen on or about August 29th?

A That's what I -- we should check our timeline, but I believe that's when they texted me with this article with, you know, a -- I don't remember exactly how it was phrased, but a question mark saying, What is going on?

Q Around that time, did you have any conversation with Ambassador Sondland or with Bill Taylor about the fact that there was a quid pro quo, that security assistance and a White House meeting were being withheld --

A I don't --

Q -- until -- let me finish the question -- President Zelensky committed to investigating Joe Biden or Burisma, or the origins of the Manafort investigation or the interference with the 2016 U.S. election? Did you have any conversations around that time with your fellow diplomats?

A Let me check the record. I believe -- before I answer, let me just double-check.

Q Okay. I'll help you.

A Yeah. Because I think it's -- I think --

Q Can we turn to exhibit 2? It's page 39. And I'll point you to the entry at 9/1/19 at 12:08 p.m. Can you please just read what Bill Taylor wrote?

A Yes. Thank you.

Are we now saying that security assistance and White House meeting are conditioned on investigations?

Q And what did Ambassador Sondland respond?

A He said: Call me.

Q What conversations did you have with Ambassador Sondland and Bill Taylor around this time about the quid pro quo that the President had devised with President Zelensky that required foreign assistance from the U.S. and a White House visit to be dependent on President Zelensky's commitment to making a public announcement of investigations into Burisma or Joe Biden or Hunter Biden or Paul Manafort and the origins of the interference in the 2016 election? What conversations did you have with your fellow diplomats?

A Well, you asked what conversations did I have about that quid pro quo, et cetera. None, because I didn't know that there was a quid pro quo.

Q What -- Ambassador, with all due respect, Bill Taylor, your fellow diplomat here, is saying that there is a linkage between those two things.

A No, he's asking.

Q Okay. And what did you discuss in that regard?

A Well, I believe he was asking this based on the Politico article. And I discussed with him that there is no linkage here. I view this as an internal thing, and we are going to get it fixed.

There's no chance that -- as the Congressman said as well -- there's no chance, given the broad support for this in Washington, this will not go through. So I and others were communicating to the Ukrainians, We will get this taken care of.

Q If we could just back up a little bit. On 8/30/19 at 12:14, Bill Taylor wrote: Trip cancelled.

A Yes.

Q And then he asked the question: Was security assistance and White House meeting being conditioned on investigations?

A Yes.

Q What trip had been cancelled at that time?

A This was the President's trip to Warsaw as part of that World War II commemoration. That was when he cancelled because of the hurricane watch.

Q And was President Trump supposed to meet with President Zelensky during that summit?

A Yes.

[Volker Exhibit No. 5
Was marked for identification.]

BY MR. NOBLE:

Q I'd like to mark as exhibit 5 page 53 of your text. If you could turn to that.

Am I correct that this is a text message exchange with you, Ambassador Sondland, and Bill Taylor again?

A It looks it, yes.

Q Can you please start reading the fourth line down on September 8th, 2018, 11:20 a.m., what Ambassador Sondland wrote?

A Guys, multiple conversations with Zelensky, POTUS. Let's talk.

Q POTUS is Trump?

A Yes.

Q Continue.

A Bill Taylor: Now is fine with me.

Q What did you say?

A Kurt Volker: Try again. Could not hear.

Q Please just keep reading.

A 14 minutes later, Bill Taylor writes: Gordon and I just spoke. I can brief you if you and Gordon don't connect.

Bill Taylor an hour later -- or almost an hour later, 57 minutes later: The nightmare is they give the interview and don't get the security assistance. The Russians love it, and

I quit.

Q Okay. Let's just pause there.

What did you understand Bill Taylor to be saying --

A I didn't.

Q -- what this nightmare was?

A Yeah. I didn't. You will see the next text message from me in response to that: I'm not in the loop.

Q Do you know what interview he was referring to?

A I believe this is still the idea of a statement or interview by Zelensky talking about his commitment to fighting corruption and mentioning Burisma and the 2016 election interference.

Q So this is -- and he just said he had just had a conversation with Ambassador Sondland. Is that right?

A Yeah. He said, at 11:40, that he and Gordon had spoken.

Q So during that conversation, is it fair to infer that Bill Taylor and Ambassador Sondland discussed the possibility that Zelensky goes ahead, gives a public interview, releases a public statement saying that the Ukrainians are going to investigate Burisma and the 2016 elections, and then the U.S. and President Trump still don't release the security assistance? Is that right?

A That seems to be what he is asking.

Q And he said the Russians would love that?

A Yes, he did.

Q And then he said he would threaten -- he would quit if that happened?

A He said that.

Q Did you talk to him about this and what his concerns were?

A I --

Q Bill Taylor.

A Yeah. I suspect I did. I don't have any clear indicator here, but it would be normal for me to talk to him.

Q So what is your recollection of the conversation that you had with Bill Taylor regarding this nightmare?

A Well, my -- well, about the nightmare, again, I said there's no linkage here. We are working to get the security assistance lifted. We had a letter from several members of the Senate to OMB pushing to get that lifted, and I was confident that it would.

So one aspect is, don't get too concerned about this. It'll get fixed. I'm confident that it will get fixed.

The other is that, we need you in Ukraine. Like, don't give up. It's important that we have competent professional people staying on the job here.

Q Is it fair to say, though, Bill Taylor was concerned that there was a quid pro quo between President Trump and Zelensky?

A He was saying that there's a nightmare scenario here. They come out and they make a statement like this and then we still don't lift security assistance, and the Russians will see that and that will benefit Russia.

Q And, again, Bill Taylor was threatening that he would resign --

A He did.

Q -- if that were ever to occur?

A Well, he was saying if that nightmare scenario plays out, that he would quit.

Q Okay. Can we jump down to 9/9/19 at 12:31 and read what Bill Taylor wrote?

A Okay.

The message to the Ukrainians -- parenthesis -- (and Russians), we send with the decision on security assistance is key.

Let me read that again for meaning now that I understand it.

The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us; thus, my nightmare scenario.

Q Please continue.

A Bill Taylor continues: Counting on you to be right about this interview, Gordon.

Gordon Sondland: 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.

Q Please continue.

A Bill Taylor: As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

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

Bill Taylor: I agree.

Q So then you stopped texting about this concern that Bill Taylor raised?

A Yes.

Q Bill Taylor said: I think it's crazy to withhold security assistance for help with a political campaign.

A Yes.

Q Whose political campaign was he referring to?

A I could only interpret this as meaning President

Trump's political campaign and that he thought it would be crazy to withhold security assistance to help with that.

Q And when you testified earlier that you were unaware of this linkage that President Trump had made between the security assistance and the White House meeting and Ukraine starting these investigations, you were not on the July 25th call between President Trump and President Zelensky, correct?

A That is correct.

Q Who's Lisa Kenna (ph) and who is S?

A Yeah. Lisa Kenna (ph) is the executive secretary of the State Department and S refers to Secretary Pompeo.

Q Do you know whether Bill Taylor ever reached out to Secretary Pompeo about his concerns?

A I don't.

Q To your knowledge, did President Zelensky campaign on investigating Burisma or interference in the U.S. 2016 Presidential campaign?

A To my knowledge, no. His message was just broader in general about fighting corruption in Ukraine.

Q I'd like to go back to some more questions about the July 25th call between President Trump and President Zelensky.

Before that call, is it true -- is it accurate that you set up a meeting between Rudy Giuliani and Andriy Yermak,

President Zelensky's assistant.

A Yes, that's correct.

Q Why did you do that?

A I believed that Rudy Giuliani, as we saw in an earlier text message, he had been in touch with Prosecutor General Lutsenko. I believe he was getting bad information, and I believe that his negative messaging about Ukraine would be reinforcing the President's already negative position about Ukraine.

So I discussed this with President Zelensky when I saw him in Toronto on July 3rd, and I said I think this is a problem that we have Mayor Giuliani -- so I didn't discuss his meeting with Lutsenko then. That came later. I only learned about that later.

But I discussed even on July 3rd with President Zelensky that you have a problem with your message of being, you know, clean, reform, that we need to support you, is not getting -- or is getting countermanded or contradicted by a negative narrative about Ukraine, that it is still corrupt, there's still terrible people around you.

At this time, there was concern about his chief of presidential administration, Andriy Bohdan, who had been a lawyer for a very famous oligarch in Ukraine. And so I discussed this negative narrative about Ukraine that Mr. Giuliani seemed to be furthering with the President.

Q And, Ambassador Volker, just to be clear, in your opening statement, you referred to a problem that you had to deal with.

A Yes. This was the problem.

Q Rudy Giuliani was the problem?

A The negative narrative about Ukraine which Mr. Giuliani was furthering was the problem. It was, in my view, it was impeding our ability to build the relationship the way we should be doing, in my -- as I understood it.

Q Do you know what Rudy Giuliani and Andriy Yermak discussed in advance of the call between President Trump and President Zelensky?

A So the sequence here is Andriy met with me on the 10th of July. I reached out to Rudy to see whether -- and Andriy asked me to connect him to Rudy. I reached out to Rudy to see whether he could get together so that I could ask him whether he wanted to be connected to Yermak. I wanted both parties to want to be connected to each other before doing anything.

And he -- we met on, I believe, the 19th of July. I then set up a phone call between the two of them on the 22nd of July. And it was just an introductory phone call so they could talk to each other and --

Q Were you on that call?

A I was on that call. And it was literally, you

know, let me introduce, you know, Mr. Giuliani, let me introduce Mr. Yermak. I wanted to put you in touch, blah, blah, blah.

And they agreed to meet in person. And Mr. Giuliani suggested he was going to be in Madrid the following week, or in the May 1 to 5 timeframe, and Mr. Yermak agreed to meet him there.

Q Was that -- do you mean August? I believe you said May.

A I am sorry. August, yeah. August.

Q Sure.

A Thank you.

Q What, if anything, did Rudy Giuliani say during that phone call with Andriy Yermak about the investigations that President Trump wanted into Burisma, Hunter Biden, and the 2016 election?

A Nothing in that phone call.

Q Nothing about wanting investigations?

A No, to the best of my recollection it was purely just an introductory phone call.

Q After that phone call, did Rudy Giuliani advocate for a telephone call between President Trump and President Zelensky?

A I don't know whether he did or not. I hoped that he would.

[Volker Exhibit No. 6
Was marked for identification.]

BY MR. NOBLE:

Q I'd like to mark as exhibit 6 pages 18, 19, and 20 of your text messages. And if you could turn to page 19, please.

And I'd like to start on July 25th, 2019, at 8:36 a.m. And if you can just read what you wrote.

And to set the scene, I believe this is after the July 25th call between Trump and Zelensky, correct?

A I'm not where you want me to be.

Q Oh, actually, maybe it's before. I'm sorry. Let's go back.

July 25th, 2019, at 8:36 a.m., do you see that, on page 19?

A Page 19. July 25th. And what time?

Q 8:36 a.m.

[1:07 p.m.]

MR. VOLKER: Thank you. Kurt Volker, good lunch. Thanks.

BY MR. NOBLE:

Q And here you're speaking to Andriy Yermak, to be clear, right?

A Yes, that is correct.

Q Okay.

A We had --

Q Please continue.

A It appears we had lunch. I know I had lunch with him that day. The timestamp is confusing, but --

Q Yeah. Because I believe you were in Ukraine at this time, correct?

A I was, yes.

Q Okay.

A So maybe the app is still reflecting of Washington time.

Q Okay. Can you just please continue the message?

A Good lunch. Thanks. Heard from White House. Assuming President Zelensky convinces Trump, he will investigate slash get to the bottom of what happened in 2016. We will nail down date for visit to Washington. Good luck. See you tomorrow.

Q Okay.

A This was in advance of the phone call between President Trump and President Zelensky.

Q Who did you hear from at the White House about this?

A The best of my recollection is I heard from Gordon, who spoke to someone at the White House. I don't believe I heard directly from the White House.

Q And you said Andriy Yermak was going to be on the call with President Zelensky and President Trump?

A Yes.

Q And is it fair to say you were sending a message to Mr. Yermak that he should convey to President Zelensky that he needed to convince President Trump that Zelensky would investigate slash, quote, get to the bottom of what happened in 2016, and then after that President Trump would be willing to, quote, nail down date for visit to Washington?

A Yes, that is correct.

Q So is that not -- is there no linkage there between a commitment from Zelensky to investigate the things President Trump wanted him to investigate and whether or not he was going to get a White House visit?

A The things that President Trump wanted to investigate I did not know, and this was before the call and well before I found out what was in the call.

In terms of getting to the bottom of what happened in

2016, remember, you had the allegation from the prosecutor general that there had been Ukrainians who had passed documents to try to influence the 2016 election. And so this is a reference to getting to the bottom of what happened. And my belief is that the prosecutor general was spinning a yarn here.

Q You did not believe there was any validity to the two allegations as we --

A No, I do not.

Q -- called them earlier, and yet, that's what President Trump wanted Zelensky to commit to investigating before he could get --

A Right.

Q -- a visit to the White House?

A Yes. It's a matter of President Zelensky being convincing that he is going to get to the bottom of what happened.

Q Okay. And then it looks like later that day Andriy Yermak reports back: Phone call went well. President Trump proposed to choose any convenient date.

So on that call it went well and President Trump asked President Zelensky to propose dates for a White House visit. Is that correct?

A That is correct.

Q Okay. And then at the end there it says: Please

remind Mr. Mayor -- that's Rudy Giuliani -- to share the Madrid dates.

A Right.

Q Is that right? And that was the upcoming meeting between Andriy Yermak and Rudy Giuliani in Madrid on or about August 2nd?

A That's correct.

Q If you can jump down to August 7th, 2019. So this is after the meeting between Giuliani and Yermak --

A Yes.

Q -- in Madrid.

Okay. I'm going to let my colleague, Dan Goldman, ask some questions on this.

BY MR. GOLDMAN:

Q Real briefly, because we only have a couple minutes, Ambassador Volker.

Whether or not you believed it was true, you relayed a message from the White House to President Zelensky that he needed to convince President Trump that he will get to the bottom of what happened in 2016 in order for there to be a White House meeting. Is that what that text message -- you understand that text message to say?

A I understand it to be get to the bottom of what happened in 2016, and we will nail down a visit for Washington. So, yes, that we need to do both.

Q Now, when one follows the other --
A Yes.
Q -- you would agree with me --
A Yes.
Q -- that that is linkage, correct?
A That it would be helpful. In other words, what I'm quibbling about is I believe we were still going to push for a White House visit anyway, whether or not Zelensky did, you know, a convincing job saying that I am committed to finding out if there was any effort in election interference, finding out what Lutsenko was talking about. But even if he didn't, we would still try to nail it down. But here is that if he is, you know, strong in this phone call, that will help.
Q Right. This was right before the phone call, correct?
A Correct.
Q Right? So you're relaying a message from the White House to President Zelensky as to what he should say on that phone call?
A Correct.
Q You didn't say, "Oh, if you can convince President Trump that you're going to root out corruption in Ukraine then we can set up a White House visit" --
A Correct.
A -- did you?

A Correct.

Q No, you directly referenced the investigations.

A Get to the bottom of what happened in 2016.

Q Right. So when you then say, as you are sitting here today, that you had no idea that President Trump was going to discuss investigations either related to Burisma or to 2016 on that call, that's not accurate according to this text message, is it?

A Get to the bottom of what happened in 2016 is a reference to the prosecutor general's claims that there was interference. That to be investigated I always thought was fine, because that is just a matter of, you know, we don't want anybody interfering in our elections and did it happen.

And my belief was that it didn't, and this is helping -- trying to help President Zelensky convey the right message in a phone call to build a relationship with the President that he needs to build just to have confidence in each other.

Q To say what the President wanted him to hear -- wanted to hear?

A To make sure he conveyed a message that would be convincing to the President.

Q Because that's what the President wanted to hear. You agree with that?

A Yeah.

MR. GOLDMAN: Okay. I think our time is up now. I

think we'll take a half-hour lunch break?

THE CHAIRMAN: Would you like to do that?

MR. VOLKER: Sure.

THE CHAIRMAN: Let's break for half an hour.

[Recess.]

[1:56 p.m.]

MR. SWALWELL: Okay. It's 1:55. Going back on the record, and it's minority, 45 minutes.

BY MR. CASTOR:

Q Welcome back, Ambassador. Thank you for coming back. We were talking -- last time we were asking you questions, the Republicans, about the President's skeptical, deep concerns about Ukraine prior to President Zelensky.

A Uh-huh.

Q And we talked about some of the issues that Mr. Giuliani brought to his attention. Are you aware of any other issues that, you know, the President may have held about Ukraine other than what Mr. Giuliani brought to his attention?

A Well, Ukraine, you know, leaving aside the President for a moment. I don't know what he would have been aware of or not. But Ukraine had for decades a reputation of being just a corrupt place. There are a handful of people who own a disproportionate amount of the economy. Oligarchs, they use corruption as kind of the coin of the realm to get what they want, including influencing the Parliament, the judiciary, the government, state-owned industries.

And so businessmen generally don't want to invest in Ukraine, even to this day, because they just fear that it's a horrible environment to be working in, and they don't want to

put -- expose themselves to that risk. I would have to believe that President Trump would be aware of that general climate.

Q So it wasn't just, you know, issues that Lutsenko and Shokin brought to the attention of Mr. Giuliani or John Solomon at The Hill?

A No. My view is that there's already a baseline of negative assessment and then this just reinforces.

Q And it's fair to say that the investigation, prosecution of Paul Manafort during -- either -- that too surely --

A Yeah, I would think so as well that there was a Ukraine connection in that somehow.

Q So Manafort used to work for Yanukovych?

A Right.

Q And then Poroshenko comes in as President.

A Yeah.

Q And so there's a belief, fair or not, that perhaps Poroshenko or his allies were feeding information to somebody to, you know, get Paul Manafort in trouble.

A I don't know about that. It's possible. There was something. In the investigations of Manafort's activities in Ukraine, there was a supposed ledger, and there's been in the media discussions, is this a valid ledger, is this a forgery ledger. And it was introduced publicly by an investigative

journalist who became a member of Parliament named Sergei Leshchenko, L-e-s-h-c-h-e-n-k-o, Sergei, S-e-r-g-e-i.

And he was believed incorrectly to be close to President Zelensky and even in Ukraine, because he was campaigning, you know, or speaking publicly on behalf of President Zelensky's campaign, but he was never really part of President Zelensky's inner circle.

Q Was he an ally of Poroshenko?

A At one point, yes, he was. Yeah. Enough. He's played a variety of roles from journalist to member of Parliament, supporting Poroshenko, opposing Poroshenko, supporting Zelensky, not supporting Zelensky's team.

Q Given the fact that we know about Manafort, maybe not facts that, you know, you know from a firsthand account, but isn't it reasonable to believe that the President, President Trump, may have felt that Poroshenko or somebody aligned with him was behind the effort to get Manafort as a proxy to get the President?

A I don't know whether he thought that or not.

Q But is that a reasonable thing to think?

A I could see why someone would think that. May I add also, I met with President Poroshenko, I don't know, a dozen times, perhaps 10 times, 12 times, and I believe that he did a very good job on introducing reforms in Ukraine but not enough, that he would go so far but -- and that was

because he had a very difficult, political environment in which to do things. He did not easily control a majority in Parliament.

And I also believe that he took office after the Maidan, and it was an optimistic time in Ukraine about change after Yovanovitch, and very quickly became a wartime President as Russia attacked and took Crimea and took eastern Ukraine.

And he was forged by that, so he was really focused on, you know, fighting back, building the military, trying to stabilize the economy, really playing the role of a wartime President. And I personally did not see him as, you know, motivated by anything other than that.

Q You know, if the President, President Trump believed that these ledgers were falsified like some allegations --

A Uh-huh, there were allegations that they were. I believe that they were investigated and declared to be valid, but, nonetheless, this was in the public domain.

Q So, if President Trump had that belief --

A Yes.

Q -- whether you think it's reasonable or not, but if he held that belief, can you understand why he would want Ukraine to investigate why perhaps these ledgers were fabricated, if he held that belief?

A Yes.

Q Going back to exhibit 4, which is the --

A The transcript.

Q Right. Going back to the same page we were on, page four.

A Yes.

Q The second paragraph where President Zelensky is talking at the end, he relays to President Trump that: Her attitude towards me -- and this is Yovanovitch -- her attitude towards me was far from the best as she admired the previous President, and she was on his side. Do you know whether that is a widely held belief or true? It's the penultimate sentence of that paragraph and then the last sentence. Her attitude towards me --

A Yes. Yes.

Q Talking about Yovanovitch.

A Yes. Her attitude towards me was far from the best as she admired the previous President, and she was on his side. She would not accept me as a new President well enough.

Well, he's expressing his view, and I -- in my dealings with Masha, I found her trying to be impartial. I found her trying to navigate the election without taking sides on anyone.

Some of the context to this is that Zelensky kind of came up out of nowhere. He was not a candidate for all of

2018. There were other prominent candidates, so most of the focal point was Poroshenko or Yulia Tymoshenko, will he run, will he not run about a rock star named Sovavakochuk (ph), and Zelensky was not in the picture.

When he arose kind of meteorically, as an outside figure and a popular candidate, I think it did take everybody by surprise. And maybe he felt that she was not like on board, you know, communicating with him early enough, that that's possible, as he perceived it.

Q And if he perceived that Ambassador Yovanovitch wasn't on his side or may have supported the previous President, and he communicated that to U.S. officials, is it reasonable that perhaps the President would want to curtail her assignment?

A No. No, I don't think that's a good reason. What a foreign leader thinks of our ambassador shouldn't drive how we treat our ambassadors. I think it's the President's own judgment about our ambassadors that should matter.

Q You know, a lot has been made of the discussion of Biden on the call.

A Yep.

Q His name doesn't show up that much in the readout. And the passage we're reading this morning, on the same page, page four, it begins with a transitional phrase.

A Uh-huh.

Q The other thing --

A Yep.

Q -- meaning we're turning -- I mean, there's a lot of ambiguities in this document, and so it's very difficult to know for certain what's in the mind of the people that are recorded on the transcript. Is that a fair assessment?

A Yes. You have to really know the issues and the context to understand what they're talking about, because it was in a particular moment. They knew what they were discussing, but, you know, if you read it just cold and you don't know the context, I'm sure it's hard to figure out.

Q And that's the case with any call transcript of --

A Yes.

Q -- any President.

A Any conversation.

Q And so, at the end of page three and then the top of page four, they're talking, and then the transitional phrase comes up that says: The other thing. There's a lot of talk about Biden's son, that Biden stopped this prosecution, and a lot of people want to find out about that. So whatever you can do with the Attorney General would be great.

You know, one reading of this could be it's a throwaway statement.

A Uh-huh.

Q I mean, Biden doesn't show up a ton in this interview transcript. He says: The other thing. There's a lot of people talking about Biden's son, a lot of talk about Biden's son.

I mean, that's not "go investigate Joe Biden," right?

A Yeah. Well, what's interesting here to me is he says, "Whatever you can do with the Attorney General would be great," which means: Get it into an official communication, an official contact between Ukraine and the Attorney General.

And it's not specifically saying investigate, but I think, you know, this came out in September, September 25th, and there's been a lot of commentary about that. And I don't think you can make any other assumption than that it meant investigate, but it was at least saying, you know, work in an official, legal channel.

Q You'd agree Biden comes up in this paragraph, but that's pretty much the extent of it?

A I'm sorry.

Q I was just mentioning that Biden shows up in this paragraph, you know, the top of page four, but the call doesn't -- I mean, this call -- it wasn't a call about Joe Biden.

A Correct. Again, I want to reiterate: I was not on the call and didn't get a detailed readout at the time, so I'm only reading the same text as you are.

The purpose of the call is the very first thing the President says, which is: Congratulations on the great victory.

In addition to coming out of nowhere to win the Presidential election, President Zelensky built a political party out of nowhere and won an absolute majority in the Parliament, and congratulating him on that and reestablishing a relationship is the heart of the call.

Q When we were speaking in our morning hour, you mentioned you got a readout from the Ukraine, you got a readout from the State Department, and you didn't hear anything about Joe Biden.

A That is correct.

Q You've got this interview transcript here. This is five pages, right. And so Biden is mentioned, okay. He's mentioned.

A Yes.

Q But he's mentioned at the top of page four, so I just wanted to make sure that I wasn't underselling that.

A That's correct.

Could I also just draw your attention on the 27th of July, is a Saturday. I was back in Kyiv after visiting the conflict zone and gave an interview and was asked about the phone call and at that time reiterated the readouts that I was given at the time, so this did not come up.

Q I think it was maybe suggested that Biden is synonymous for Burisma or Burisma is synonymous for Biden. But there's an ambiguity there.

A Yeah.

Q And that interpretation could go both ways. I mean, the name Burisma may not have been on the tip of the President's tongue during the call. Isn't that a fair --

A No doubt. No doubt that he would not know or even know how to pronounce or be familiar with the name of a company like that.

Q So, if you try to get inside the President's head, I mean, he may have been searching for the name Burisma but couldn't grasp it so he spits out Biden?

A I wouldn't want to say that. I would not want to say that. What I would say, however, is that there are three separate things going on here: There is Burisma the company, which was notorious for having had a history of corruption and been investigated for money laundering; there is Vice President Biden and his son; and there is 2016 election interference that had been alleged by the prosecutor general of Ukraine. So there are three separate things that we're talking about, and sometimes they're getting conflated in the discussion here, but they are three distinct things.

Q Is anybody in Ukraine investigating Burisma or Hunter Biden?

A I don't believe so. I don't know the answer to that, but I have never heard that they are.

Q And certainly nobody's investigating Joe Biden?

A No. And, in fact, I think it would only be proper for Ukrainians to investigate Ukrainian citizens who violated Ukrainian law, which is what the middle of those, Burisma, is about.

Q The Ukrainian Ambassador to the U.S. is Valeri Chaliy?

A Yes.

Q Did I pronounce that right?

A Correct.

Q What is your relationship with Chaliy?

A Well, he was the Ukrainian Ambassador here for some time. And in my duties as the special representative I would meet with him, talk with him. We sometimes spoke together at public events. He -- how do I want to say this? He was a good interlocutor. He knew what was going on in Ukraine. He was able to convey that. I could get updates from him. I could tell him what I was doing.

But at the same time, my principal engagement was visiting Ukraine and meeting the President and staying in touch with the Foreign Minister and the diplomatic adviser to the President.

Q Are you familiar with an individual named Alexandra

Chalupa?

A That does ring a bell. Can you remind me what her position was?

Q She is a consultant that -- hired by the DNC during the 2016 election cycle, was paid $71,000.

A Yes, I heard about this. I read about --

Q Do you know anything about --

A No, I have no personal knowledge of any of it. I've read about it in the press.

Q So you don't know anything about her efforts to work with the Embassy here?

A I don't know anything about that.

Q So anything you know about Chalupa is just what you've read in the press --

A Exactly. Correct.

Q -- and you don't have any -- you did not have any discussions with State Department officials about Chalupa?

A No. No.

Q But you're aware of the general allegations that Chalupa is trying to --

A That she was looking for things for the benefit of the DNC and the election campaign.

Q And could harm President Trump's political prospects?

A Yeah. That's what the media reports are about.

Q And so that, in fact, may be another data point to the President's uncomfortable posture towards Ukraine prior to Zelensky's election?

A It's possible.

Q You mentioned Leshchenko earlier. Have you ever had any firsthand dealings with him?

A Yes, I have. I first met him in New York City. We happened to be booked on a radio interview at the same time about Ukraine, and so we were chatting there. He struck me as a very earnest and committed reformer at the time. He then attended a conference in Tbilisi, Georgia, and I met him and his new wife at that time. Again, came across well.

Then I did not see him again after that until I visited Ukraine for the U.S. Destroyer visit to Odessa, went up to Kyiv that evening, had a meeting with candidate Zelensky, and he was at that meeting along with a number of other people.

Q And any other meetings with him or --

A No.

Q Okay. So his involvement in the Manafort-related issues, you never had any firsthand --

A I never spoke -- I didn't know that he was involved in that until I later read about it in the media that he had a role with the ledger.

Q We were discussing on text message chain, I think it was exhibit 5, and Bill Taylor was, you know, mentioned he

might resign.

A Yes. Can you remind me the page number? Anyway, please continue.

Q Fifty-three I think it is. I just wanted to get your reaction. I mean, was Bill Taylor actually talking about resigning, or was he just sort of venting and maybe just upset by the situation?

A Well, I think if -- I think he was serious, to be honest. I think he was serious that, if we don't give Ukraine the security assistance, because we all believe this is critically important, then he would step down, and that would be beneficial to the Russians as well because if we can't get our policy right, then I don't think he wants to be there representing it.

Q But during the same time period, I mean, you had confidence the assistance --

A I was very confident that that hold would not stand.

Q Okay. And does that --

A And I was surprised that Bill was not confident. He has been around a long time too. And he should know that nobody in any of the policy agencies would sit still for suspending this.

Q Okay. And that it's fair to say there's -- sometimes this is a rocky road, there's ups, there's downs?

A Yes.

Q And that's consistent with foreign assistance, you know, at all times, all countries, all eras?

A Yes. I don't need to go into examples, but I've come across many in my experience for any number of reasons where there is a hold on assistance or a condition placed on assistance because they want a particular policy outcome.

The IMF does this all the time with conditionality on fiscal policy. Sometimes it's human rights related, so that we're trying to get a government to do -- you know, release a political prisoner or, you know, respect human rights better. So there's a lot of reasons why assistance gets held from time to time.

Q You had quite a deal of interactions with Mr. Giuliani --

A Yes.

Q -- for a certain period of time?

A Yes, about 2-month period.

Q Two-month period. From your text messages, we can see that you had coffee with him, breakfast?

A Yeah. We had one meeting, one breakfast, and the rest was just by text or by phone.

Q And so, for this 2-month period, is there anything in your communications with Mr. Giuliani that you didn't feel was, you know, towards advancing the interest of the United

States?

A Not at all, quite the opposite. The reason I assisted the Ukrainians in contacting him was precisely to advance the interests of the U.S. because I wanted the information that the President would be getting to reflect a better understanding of who this new President, who his new team are.

Q So any assertion or claim that it was improper to be bringing Rudy Giuliani into that process, you would rebut that, right?

A I would disagree with that. I believe it's part of my job to try to advance the relationship between the U.S. and Ukraine, to advance U.S. interests with Ukraine, foreign policy, national security interests, to strengthen Ukraine as a democracy.

And I -- as the special representative, there's a lot of public role with that, and so you meet with a lot of people, you communicate with a lot of people, you try to bridge-build, and problem-solve.

And I didn't view -- let me put it this way: I didn't think it improper to contact Mr. Giuliani much as I would, you know, not think it improper to contact anybody. You know, I've had meetings with businessmen who have invested in Ukraine. I've had meetings with clergy. I've had meetings with American citizens who have had problems in Ukraine and

that wanted to tell me about them, you know, all kinds of things.

Q And that essentially was part of your job --

A Exactly.

Q -- was fielding these calls, connecting some people, not connecting others, making decisions to plug in, say, Rudy Giuliani with Yermak?

A Correct.

Q And there were probably, you know, some individuals you decided not to do that with. Is that fair to say?

A Probably, yes. I can't imagine just even as a matter of time that I would have done that, but the focal point here, again, as you already stated, was how do we advance the U.S. interests here and the relationship between the United States and Ukraine.

Q You had a tricky job. I mean, the U.S.-Ukrainian relations have its own set of issues.

A Uh-huh.

Q The Ukrainian-Russia relations is its own problem.

A Yes.

Q And your job was essentially to, in a nuanced fashion, try to make everything work?

A That's correct. To elaborate on that point, it was clear to me after, say, the spring of 2018 that the Russians were not going to move out of eastern Ukraine; they were

content to keep the war going. We had had some exploratory discussions late 2017, early 2018, that I thought might have some promise. But by the time we hit the middle of 2018, it was clear they had made a conclusion to just keep the war going.

As a result of that, I concluded that the only thing we can really do is strengthen Ukraine. If we want Russia to negotiate a way out, the only way they're going to do that is if they are convinced that it's pointless to stay.

And so helping Ukraine militarily, economically, security, reform, fighting corruption, and demonstrating a critically strong U.S. relationship is all part of demonstrating to the Russians that this is an expensive, wasted effort to keep this war going in eastern Ukraine.

MR. CASTOR: I want to make sure that I give time to our members if they have questions.

MR. PERRY: Thank you, Ambassador.

I want to start out with this skepticism that the President had -- that you talked about that the President had for Ukraine. And would you assess that, based on your dealings with him and the situation as it is that he has held them for some time, or did they just start --

MR. VOLKER: No.

MR. PERRY: -- fairly recently?

MR. VOLKER: My assessment was that these were

longstanding.

MR. PERRY: Longstanding. So you would say that they -- I don't want to put words in your mouth. Would you say that he had these skepticism or some level of skepticism before his personal attorney Giuliani may have imparted some of his opinions?

MR. VOLKER: Well, what I can say is that when I briefed the President and then participated in his meeting with President Poroshenko in September 2017, it was already clear then that he had a very skeptical view of Ukraine.

MR. PERRY: Okay. Thank you. I just want to -- most of my questions are just clarifying.

In the last round, you were asked to read a portion of the conversation between the President of the United States and that of Ukraine on page four.

MR. VOLKER: Yes.

MR. PERRY: And I'll read it this time: The other thing, there's a lot of talk about by Biden's son, that Biden stopped the prosecution, and a lot of people want to find out about that, so whatever you can do with the Attorney General would be great.

Would you assess that that's the President looking backward to things that already occurred or looking forward to things that might occur?

MR. VOLKER: Definitely looking backward.

MR. PERRY: Okay. And that's how I took it too, but it wasn't necessarily clear.

Let me ask you this: We talked a little bit about some of the agreements that we have with Ukraine, and I know that you're not intimately familiar with them, but we do have a treaty or an agreement regarding shared information, law enforcement, et cetera, in that context.

MR. VOLKER: Yeah. Mutual legal assistance treaty.

MR. PERRY: Is it normal -- because I'm not in the Foreign Service, but is it normal when such agreements are present for heads of state to discuss potential collaboration on investigations that might cross shores and involve both countries?

MR. VOLKER: Yes and no.

MR. PERRY: Okay.

MR. VOLKER: Yes, and no. Typically, leaders do not talk about the specifics of investigations. They leave that to the law enforcement community, the Attorney General, prosecutor general, things like that. But on the need for cooperation as a general matter, then, yes, I've heard that raised in other phone calls in previous administrations.

MR. PERRY: In this context, since the President of Ukraine is new, and, quite honestly, new to politics and new to elected office, as I understand, would it be appropriate -- because he talks very specifically about the

Attorney General. Of course, he's referring to -- the President is referring to Attorney General Barr.

In that context, is it appropriate to say -- have the conversation, based on our shared interest and under the agreement we have, this is my Attorney General. I'm making an entree to kind of set the table, set the stage, open the window. Is that reasonable?

MR. VOLKER: Yes. In terms of process to say work with the Attorney General, that's the right process.

MR. PERRY: In the last round, there was a conversation you had with Chairman Schiff that I just want to kind of clarify. First of all, the folks that you dealt with in Ukraine at the very highest level, I don't know, but I'm going to ask, do you feel like they had a fair amount of trust in you?

MR. VOLKER: Absolutely.

MR. PERRY: And I assess that too from the conversation that we had. So they would confide things in you if they had a question?

MR. VOLKER: They would confide things. They would ask questions. They would ask for help. We had a very candid relationship.

MR. PERRY: So you had said that you get the readout from the call that was basically congratulations, fighting corruptions, and then initiation to a White House visit, so

to speak. That was the assessment.

MR. VOLKER: That is what I was briefed as the content of the call.

MR. PERRY: But in your conversation with Representative Schiff, he kind of implied and wanted you to intimate that there was an agreement based on that conversation that: If you do the investigation, then you can have a meeting and maybe we'll consider this military aid.

If that were the case from the call, do you feel, because they had some trust in you, that they would have come to you and said, "Hey, how do we handle this? Is this what the President of the United States is asking?" Would they confide -- would they ask you that?

MR. VOLKER: Yes, they would have asked me exactly that, you know: How do we handle this?

And, in fact, we had conversations, and some of them are in these text streams here, where they wanted to make a statement to show that they are serious about investigating the past and fighting corruption and turn a new page in Ukraine. And we engaged over what to say, what not to say.

MR. PERRY: And so they did not ask you that particular question?

MR. VOLKER: No.

MR. PERRY: Not at all, okay.

I think I just have two more. I'm turning to page 53.

Your text transcript, 9/9/19, 5:19 a.m., from Gordon Sondland: Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear, no quid pro quos of any kind.

Would Gordon Sondland -- would he make that up?

MR. VOLKER: No. No. Gordon and I and, you know, Bill and other -- were in frequent contact. And Gordon was repeating here what we all understood.

MR. PERRY: Okay. And my final question is, in the last round you were questioned a few times regarding the acceptability of a President seeking the assistance of a foreign government regarding our electoral process. And I think -- I don't want to paraphrase or put any words in your mouth -- but you agreed with Representative Schiff that that would be wrong?

MR. VOLKER: That would be.

MR. PERRY: So would you assess that it would be acceptable or unacceptable for Members of Congress to seek that same foreign assistance?

MR. VOLKER: The same. The same.

MR. PERRY: It would be wrong?

MR. VOLKER: My view -- just an American citizen here; it doesn't have anything to do with being a special representative to Ukraine -- but my view is that we do not want foreign countries interfering in American elections,

period.

MR. PERRY: Thank you.

I yield the balance.

MR. MEADOWS: Mr. Ambassador, it's Mark Meadows from North Carolina, and I'm not going to ask questions because the majority has indicated that they don't want members to do that. But I want to go on the record and in three different ways.

I'm going on the record to indicate to the majority that we need to make sure that we clarify the rules, and members should be allowed to ask questions. And I can tell you that, from my standpoint, it is critically important that we establish this going forward.

And I wish Chairman Schiff were here. And I'm not asking you to comment. This is for the record, and I can tell you that I object to the way that this deposition -- transcribed interview has been conducted in terms of the overall rules.

Mr. Ambassador, I want to go further, because I want to say thank you. On behalf of the American people, it is a great loss that you are going back to your passion. I can tell that you have done an incredible job of representing our country.

You've represented the State Department and our Foreign Service personnel in such a gracious way today that I just

want to say thank you. And your testimony here today has given me such great encouragement that, regardless of the outcome of what you believe or didn't believe, you've come across in an unbelievably transparent and authentic way, and I just want to thank you for that.

MR. SWALWELL: Mr. Meadows, I just want to clarify --

MR. MEADOWS: It's my time. I didn't interrupt you.

MR. SWALWELL: I just want to clarify, you can ask questions. You said that you're not allowed to. We are affording you the opportunity. So --

MR. MEADOWS: At the very beginning --

MR. SWALWELL: You have 6 minutes.

MR. MEADOWS: -- what I would love for us to do is, going forward on these transcribed interviews, is let's set out what -- because at the very beginning, we were saying: We discourage members from asking questions.

MR. SWALWELL: I'm telling you, you can ask questions, so --

MR. MEADOWS: I appreciate that. And when I hear it from the chairman --

MR. SWALWELL: I'm acting as the chairman for the rest of the day, so you can ask questions. You've got 5 minutes.

MR. MEADOWS: Well, I appreciate it. And so I assume that that's going to be the way for every transcribed interview? Are you on the record as saying every transcribed

interview members can ask questions as many as they want?

MR. SWALWELL: We've got the witness here. You can ask questions, so --

MR. MEADOWS: I'm asking going forward because that's why I put it on the record, Mr. Swalwell. You know. Listen, this is not your first rodeo, nor mine. So are you saying, going forward, members are going to be allowed to ask questions, as the acting chairman?

MR. SWALWELL: Today, you can ask questions. I'm not going to speak for the chairman for tomorrow.

MR. MEADOWS: Yeah. Well, when Chairman Schiff gets back, we'll ask someone who is really in Charge.

MR. SWALWELL: Okay. You've got 4 minutes.

MR. MEADOWS: And so here is the last thing I would say: You've done a great job of answering as a fact witness, and I think that that's critically important, that in the context of all of this for the record is, when there's a fact, you have answered those to the best of your ability.

Now, I would say my friends opposite have tried to lead you down a road where you're supposed to get in the mind of everybody else that was on a text message and have you opine on what they thought. And if we were in a court, it would be thrown out immediately. And I think all the counselors around here realize that it would be leading the witness.

But I want to say thank you for sticking to the facts

and allowing us and, more importantly, the American people to see exactly the kind of career diplomats that we have servicing and sacrificially serving our country. And I want to just say thank you for the record, Ambassador.

And I'll give it back to Steve.

MR. VOLKER: Thank you, Congressman.

It's very kind of you. And I do find it a pleasure to be here. I wanted to do this testimony. I believe it's important to bring the facts out.

MR. ZELDIN: Picking up where Congressman Perry just left off with regards to Members of Congress requesting a foreign government to interfere in critical elections here in the United States, are you familiar with a May 2018 letter of three Democratic Senators sent to Lutsenko demanding his assistance in the Mueller probe?

MR. VOLKER: No, I was not aware of that letter.

MR. ZELDIN: Okay. Well, there was a letter that was submitted by three Democratic Senators to Lutsenko demanding his assistance with regards to the Mueller probe. So you haven't had any conversations then, I guess, with Ukrainian officials with regards to that letter? You're not familiar with --

MR. VOLKER: No. No, I did not. As I told you earlier, I had my own views about Lutsenko and what the value of that engagement would be, but I was not aware of that and didn't

engage in that.

MR. ZELDIN: Okay. Senators Menendez, Murphy, have they directly reached out to you with regards to demanding assistance of the Ukrainian Government with Oregards to the Mueller probe?

MR. VOLKER: No, they have not.

MR. ZELDIN: And just to clarify, up to this point of today's transcribed interview, has anything been stated that you would say classified?

MR. VOLKER: No.

MR. ZELDIN: Everything is unclassified up to this point?

MR. VOLKER: In my mind, all of this is unclassified. As I said, there are a few sensitive exchanges that I think would be detrimental if made public, but those are not classified information.

MR. ZELDIN: Okay.

MR. CASTRO: Thank you. Our round is up.

MR. SWALWELL: If you have any followup questions, go ahead.

MR. CASTRO: No. I'm good.

MR. SWALWELL: Are you sure?

Ambassador, I'm inclined to keep going, unless you want another break.

MR. VOLKER: No.

MR. SWALWELL: Okay. We'll start our 45-minute block.

Ambassador, you said that it was not inappropriate for you to work with Mr. Giuliani in the way that you did. Have you ever seen though in your years of service, in the Foreign Service, any person like Mr. Giuliani hold a role like he held for Mr. Trump?

MR. VOLKER: I can't say that I have, no.

MR. SWALWELL: To your knowledge, did Mr. Giuliani have a security clearance?

MR. VOLKER: I don't know.

MR. SWALWELL: Did you ever discuss classified information with him?

MR. VOLKER: No.

MR. SWALWELL: You testified earlier that a problem in the past for Ukraine was its leaders investigating political rivals. Is that right?

MR. VOLKER: Yes.

MR. SWALWELL: Do you believe it's okay for a United States President to ask a United States Attorney General to investigate a political rival?

MR. VOLKER: That's just getting my opinion on domestic things.

MR. SWALWELL: So I guess, as an American citizen, do you think that that's okay?

MR. VOLKER: As an American citizen, I believe that no

one is above the law.

MR. SWALWELL: Do you believe that it's okay for a U.S. President to ask a foreign country to investigate a political rival?

MR. VOLKER: I think it's inappropriate.

MR. SWALWELL: You mentioned that President Trump had expressed skepticism about Ukraine as long as you had known President Trump's views on Ukraine. Do you know what informed his views about Ukraine, like the source of that?

MR. VOLKER: Can you repeat that question again?

MR. SWALWELL: You had said that, as long as you had known Mr. Trump had a view on Ukraine, you believed he had skepticism about Ukraine.

MR. VOLKER: Yes.

MR. SWALWELL: Do you know the source of his views on Ukraine?

MR. VOLKER: Well, only my interactions with him. There were two. There was the meeting with President Poroshenko in September 2017, and then there was the Oval Office meeting on May 23rd of this year. And it was remarkably negative going back even to September.

If you look at President Trump's bio, he had visited Ukraine, I believe, Miss America or Miss Universe Pageant, something like that. I know he was always looking at business investments. And I don't believe he ever invested

in Ukraine. And like a lot of businesspeople, I think he just recoiled at the corrupt environment.

MR. SWALWELL: Do you know if --

MR. VOLKER: I don't know any of that as a fact.

MR. SWALWELL: Sure.

MR. VOLKER: It's just -- it is my interpretation.

MR. SWALWELL: Do you know if President Putin informed President Trump's views on Ukraine?

MR. VOLKER: I don't know.

MR. SWALWELL: Would you say that Russia is as corrupt as Ukraine?

MR. VOLKER: Yes.

MR. SWALWELL: And President Trump has invested in Russia, to your knowledge?

MR. VOLKER: I don't know if that happened or not. I read about --

MR. SWALWELL: Well, he had the Miss Universe contest there.

MR. VOLKER: Oh, they did. Okay.

MR. SWALWELL: Has President Trump ever expressed concerns about corruption in any other country besides Ukraine to you?

MR. VOLKER: To me, no.

MR. SWALWELL: You mentioned that, I think to Mr. Perry, that it is not unusual for countries to have an investigation

cooperation agreement, you know, as far as law enforcement goes, but you said it would be unusual to discuss specific investigations. Have you ever heard a U.S. President, from any call readouts you've seen or conversations you observed, a prior U.S. President reference a specific investigation?

MR. VOLKER: I can think of one, and it would be a classified conversation. And there may be more, but I can certainly think of one.

MR. SWALWELL: I'm going to turn it over to Mr. Noble.

MR. NOBLE: I'm going to turn it over to Mr. Bitar.

MR. BITAR: Hi. Ambassador Volker, my name is Maher Bitar. I'm the general counsel for the Intelligence Committee. I'd just like to level set in light of many of the questions you received today.

I, like you, was a senior State Department official in a prior life. I've also worked on the National Security Council staff. I've been on innumerable diplomatic trips. I've prepared Presidents for meetings and phone calls. I've prepared packages for their meetings. I've consulted with them before and after those phone calls and meetings. I've traveled with Secretaries of State across the world.

I have to say, the evidentiary record that has emerged, in part those text messages that you have provided, as well as the phone call record that the White House produced, is abnormal, highly unusual, and raises profound concern, at

least among many Members of Congress as well as staff, that the use of the Office of the President -- that the Office of the President may have been used to advance personal political interests of Mr. Donald Trump rather than the national interest.

I just want to level set here because I think, like you, I've seen how diplomacy works, and having seen that in action, it's possible to also identify when it deviates significantly. And when even the most laudable goals of trying to advance national interests can get ensnared and enmeshed with efforts to advance personal political interests.

So I'm going to turn it over to my colleagues now. We're going to go in more depth into specific text messages exchanges that you have had as well as the broader timeline, because I think it's time to step back as well and look at the broader timeline and put all the pieces together.

And I think what will emerge is a very troubling story where you have -- you did your best, it looks like, in a very difficult situation to try and protect and preserve the bilateral relationships despite efforts by Mr. Donald Trump and his personal agent, Rudy Giuliani, to advance separate parallel interests. And I think it's going to be an important thing to clarify for the rest of this interview.

So if I can turn to my colleague, Dan Noble. Thank you.

BY MR. NOBLE:

Q I'd like to go back to what my colleague on the minority asked you about. He said that, during the July 25th call, and I'll point you to page four of the transcript again, where the President tells President Zelensky: There's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of people want to find out about that, so whatever you can do with the acting -- with the Attorney General would be great.

My colleague suggested that when the President said Biden no less than three times in the portion of the transcript I just read, he actually meant to say Burisma. You agree that's ridiculous, right?

A I do not agree he meant to say Burisma. I think he meant to say Biden.

Q In that paragraph, and I'll let you take the time you need to look at it, the President actually never mentions the name of any company, does he?

A I don't believe that he does.

Q Okay. But in the next paragraph, President Zelensky understands what President Trump is referring to, correct? He says, the next prosecutor general will be 100 percent my person, my candidate who will be approved by the Parliament and will start as a new prosecutor in September. He or she will look into the situation,

specifically to the company that you mentioned in this issue.

So the company is Burisma, correct?

A Yes.

Q So it's fair to say Burisma or President Zelensky understood President Trump to be referring to both Burisma and Biden when President Trump said Biden, correct?

A I think what I read in this is that President Zelensky understood that there's a linkage here, and he is not responding to President Trump about Biden, and he is instead saying: We'll investigate the company.

Q So it's fair to say, by referring to the company or to Burisma, President Zelensky avoided saying that he was going to investigate the former Vice President of the United States or his son?

A That is my reading of it.

Q I'd now like to go back to some of your text messages. If you could turn to page 42, and this is going to be marked, I believe, as a new exhibit, Exhibit 6.

MR. CASTOR: Exhibit 7.

MR. NOBLE: Exhibit 7. And exhibit 7, for the record, is pages 42, 43, and 44.

Do you have page 42 in front of you?

[Volker Exhibit No. 7
was marked for identification.]

[2:50 p.m.]

BY MR. NOBLE:

A Yes, I do.

Q Okay. I'd like to go to kind of the bottom third, picking up at August 9th, 2019, at 5:35 p.m., where Ambassador Sondland writes: Morrison ready to get dates as soon as Yermak confirms.

A Okay.

Q What was Ambassador Sondland saying there?

A Morrison ready to get dates as soon as Yermak confirms. And I believe this referred to Yermak confirming that President Zelensky was going to make a statement along the lines that we had discussed in that other exchange.

Q A statement about the investigation?

A A statement about Ukraine's commitment to fighting corruption and investigating things that happened in the past, and that was where we had this question that we discussed earlier about whether it would specifically mention Burisma and 2016 or not. That's the statement in reference.

Q Okay. If you can just continue to read the next few lines.

A I said: Excellent. How did you sway him? Because -- and shall I explain it or just keep reading?

Q Sure, go ahead and explain what you meant there.

A Okay. So I was very pleased that Morrison was

going to get dates for a visit, because we had been trying and trying and trying and not getting anywhere.

Q And by this point, it had been since the end of May?

A Yeah.

Q Over 2 months?

A Yes.

Q Okay. And go ahead and continue what Ambassador Sondland said.

A Gordon Sondland: Not sure I did. I think POTUS really wants the deliverable, meaning the statement.

Q And what -- yeah, what did you understand what the President wanted by deliverable?

A That statement that had been under conversation.

Q That was the deliverable from Zelensky that the President wanted before he would commit to --

A He wanted to see that they're going to come out publicly and commit to reform, investigate the past, et cetera.

Q Before President Trump agreed to host President Zelensky at the White House?

A Yes, that's what Gordon is saying.

And I said: But does he know that -- meaning Morrison -- does Morrison know that the President is looking for that? The reason I asked this question is because there

is a -- to me, anyway, it appeared that the flow of information to the President up and down from the National Security Council staff was not working very well.

Q And if you can skip down to August 9th, 2019, at 5:51 p.m., and just read what Ambassador Sondland said.

A I'm sorry. Yes.

Q I believe it says: To avoid --

A 8/9/19. Yeah. Right.

So to avoid misunderstandings, it might be helpful to have Andriy -- to ask Andriy for a draft statement -- that's the one we're talking about -- embargoed -- that he can see exactly what they propose to cover. Even though Zelensky does a live presser, they can still summarize in a brief statement. Thoughts?

And I said: I agree.

Q And then on the next, I guess the next day, August 10th, 2019, Ambassador Sondland says he briefed Ulrich. That's Pompeo's counselor, correct?

A Correct, yes.

Q And then what did you say?

A I said: This came in from Andriy. I suggested we talk at 10 a.m., his 5 p.m. tomorrow.

Q And then is the next line the message that you received from Andriy Yermak?

A Yes.

Q Okay. And can you read what your message --

A So I forwarded to Gordon this text message from Andriy Yermak: Hi, Kurt, please let me know when you can talk. 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 and our expectations and our guarantees for future visit. Let's discuss it.

Q Okay. Can you describe the call that you had with Mr. Yermak that he refers to in this message?

A Yes. So I discussed with him their making a generic statement. And we talked about fighting corruption. We talked about reform. We talked about making sure that there is no effort to interfere in U.S. elections and that if there was anything in the past it should never happen again. Very much what he drafted and sent to me.

Q Okay. Let's go to that. If you could turn to page 19, and I believe this is already marked as part of exhibit 6.

A Okay.

Q And if you could jump down to kind of the bottom quarter of the page, August 10th, 2019, at 4:56 p.m., from Mr. Yermak.

A Uh-huh.

Q Can you read what he wrote?

A Yeah. It's the same --

Q The same thing?

A The same message.

Q And that's the message you forwarded to Ambassador Sondland?

A That's the message that I forwarded to Gordon, correct.

Q Sorry to talk over you. All right.

And then if you could skip down to August 10th, 2019, the same day, at 5:42 p.m., what Mr. Yermak wrote.

A Right. Andriy Yermak: Once we have a date, we'll call for a press briefing announcing upcoming visit and outlining vision for the reboot of U.S.-Ukraine relationship, including, among other things, Burisma and election meddling in investigations.

Q Why did Mr. Yermak add the fact that he was going to include in the statement Burisma and election meddling in investigation?

A That is -- I'd have to check the timeline here. That is clearly what he heard from either Rudy or from Gordon, that those were important additions.

Q Are those the only two people he may have heard that from, Rudy Giuliani and Ambassador Sondland?

A I may have been on a call with all of them at the same time. I don't know. Because I have to check the

timeline, because if you remember, Rudy discussed, Rudy Giuliani and Gordon and I, what it is they are looking for. And I shared that with Andriy.

And then Andriy came back to me and said: We don't think it's a good idea. So that was obviously before Andriy came back and said: We don't want to do that.

Q Okay. We're going to go through the various versions of the statement in a moment.

But sticking to this message, is it fair to say that Andriy Yermak and presumably President Zelensky had linked doing this press briefing and making the statement about the investigation to whether or not they were going to get the White House visit? And you appear to be arguing or having some disagreement about which came first, it's a chicken and the egg problem.

A Yes, that is correct.

Q Can you just explain that a little bit?

A Sure. And, again -- well, let me explain first. So the Ukrainians were saying that just coming out of the blue and making a statement didn't make any sense to them. If they're invited to come to the White House in a specific date for President Zelensky's visit, then it would make sense for President Zelensky to come out and say something, and it would be a much broader statement about a reboot of U.S.-Ukraine relations, not just on we're investigating these

things.

Q All right. So let's go to the next page, page 20, and at the top there, on August 12th, 2019, Mr. Yermak sends -- I presume this is Ukrainian?

A I presume it's Ukrainian.

Q With a translation below?

A With a translation below.

Q And what is this? Is this a draft of the statement that they, the Ukrainians, intend to release?

A Yes, a portion of it that relates to it.

Q Can you read what it says?

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

Q And there's no mention of Burisma or the 2016 election meddling in there, is there?

A There is not.

[Volker Exhibit No. 8
Was marked for identification.]

BY MR. NOBLE:

Q Let's go to page 23, which we're going to mark as a new exhibit, exhibit 8.

This appears to be a text message group with Mr. Yermak, Ambassador Sondland, and yourself, correct?

A Yes.

Q Can you just read this message, all the messages, starting with the third one down, on August 9th, 2019, at 2:24 p.m.?

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

Gordon Sondland: I have a call scheduled at 3 p.m. eastern for the three of us. Ops will call.

Kurt: Hi, Andriy. We spoke with Rudy. When is good to call you? Because he hadn't answered.

13th, Andriy Yermak: Hi, Kurt.

Q I'm sorry, you can stop there.

Let's talk about that call with Rudy. Were you on that call?

A Yes.

Q Who else was on that call?

A Gordon Sondland.

Q And what did you discuss with Rudy Giuliani?

A We discussed the Ukrainians' intention to make that

statement.

Q Did you discuss the specifics of the statement?

A Yes.

Q What did Rudy want in the statement?

A He wanted to hear that Burisma and 2016 elections were included.

Q All right. Let's jump down to the last two messages, August 13, 2019, at 12:11 p.m. What did you write to Mr. Yermak?

A I said: Hi, Andriy, good talking. Following is text with insert at the end for the two key items. We will work on official request.

Q What did you mean by the two key items?

A That is Burisma and 2016 elections.

Q And that's what Rudy Giuliani wanted to be in the statement from --

A That's right.

Q -- the President of Ukraine?

A That's correct. And when I say we will work on official request, Andriy asked whether any request had ever been made by the U.S. to investigate election interference in 2016.

Q A request from the U.S. Department of Justice?

A Yes.

Q Were you aware at that time whether or not the

Department of Justice had requested an investigation into either Burisma or election meddling in 2016?

A No. That's why I said I will work on that, because I didn't know what the answer was.

Q All right. Can you just read the statement that -- I assume this is the version that Rudy Giuliani wanted Mr. Yermak to pass on to President Zelensky?

A This is a version, yes, that includes -- well, let's be clear. This is a version that inserted Burisma and 2016 U.S. elections into the text that Andriy had provided, and it was meant to reflect the conversation with Rudy that we had just talked about, so that he could see what it was that we were talking about.

Q Why did Rudy Giuliani want Burisma specifically to be mentioned in President Zelensky's statement?

A He said that if they did not mention Burisma and 2016 elections that he did not feel such a statement would have any credibility, that there's still no commitment to finding out what happened in the past.

Q In your mind, though, you knew --

A And it would, therefore, be no different from the previous Ukraine governments.

Q You knew Burisma was referring to Hunter Biden, though, at this time, right?

A Well, I was aware that he had been a board member,

yes.

Q And so by calling for an investigation in Burisma, it was essentially calling for an investigation of Biden?

A No. In my mind, those are three separate things. There is Bidens; there is Burisma as a company, which has a long history; and there is 2016 elections. And part of what I was doing was making sure -- and why I wanted to make sure I was in this conversation -- that we are not getting the Ukrainians into a position about talking about anything other than their own citizens, their own company, or whether their own citizens had done anything in 2016.

Q So that was your interpretation, correct?

A Yes.

Q You don't know what Rudy Giuliani meant by that?

A I don't know what Rudy Giuliani meant by that.

Q Or why exactly he wanted Burisma in there?

A We can speculate now in hindsight, but --

Q And in your conversations with the Ukrainians, did they link Burisma with the Bidens?

A They never mentioned Biden to me.

Q But when President Trump told President Zelensky he wanted President Zelensky to start an investigation of the Bidens, President Trump -- or President Zelensky understood that to also be referring to Burisma. He said, the company.

A Well, as I said earlier, I think what he was doing

was exactly what I was doing, was differentiating. President Trump asked about investigating Biden, said work with the Attorney General concerning Biden, and President Zelensky responded by saying, we will look into the company.

Q Is that because, in your mind and in presumably President Zelensky's mind, it would be highly inappropriate for President Zelensky to announce that he was investigating the Bidens?

A Yes. I'm sure he would not want to have said that or do that.

Q Because that would be essentially interfering in U.S. domestic politics?

A Correct. I'm not even sure if he thought that far ahead. I think he would have thought this was a former Vice President of the United States, it would be highly political, a politicized thing, it would just be seen that way.

Q I'd like to turn to page -- go back to page 43 of your text messages, and I believe that's exhibit 7.

So on August 13th, 2019, at 10:26 a.m., you write again that same statement that includes Burisma and the 2016 U.S. elections. Is that right?

A Yes.

Q This is the message -- you're sending this -- this is the statement and you're sending it to Ambassador Sondland?

A That's correct. I wanted to go over it with Gordon, make sure we understood the same thing before I discussed it with -- I assume the timing backs that up, I have to check it -- but before discussing it with Andriy.

Q Okay. And Ambassador Sondland, how does he respond when you send him the version of the statement with Burisma and the elections in it?

A He says: Perfect, let's send to Andriy after our call.

Q Do you know whether Ambassador Sondland had one-on-one phone calls with President Trump during this timeframe?

A I believe he had one or two. I don't know any of the details of that.

Q Do you know if he had one-on-one conversations with Rudy Giuliani?

A That's a good question. I don't know the answer to that.

Q Skipping down to a couple days later, August 15th, 2019, the message at 7:26 a.m., Ambassador Sondland writes: Hi -- to you -- did you connect with Andriy? And then how did you respond?

A I'm sorry, I missed this. The 26th?

Q August 15th.

A Oh, 15th.

Q Sorry. The first -- I just read the first message on August 15th.

A Hi, did you connect with Andriy? Yeah.

Q And then what did you say?

A Not yet. Will talk with Bill and then call him later today. Want to know our status on asking them to investigate.

Q Okay. What did you mean by "our status on asking them to investigate"?

A Whether we had ever made an official request from the Department of Justice.

Q And then skipping down later, you say: Hi -- this is August 17th, 2019, at 3:02 -- Hi, I've got nothing. Bill -- meaning Bill Taylor, correct?

A Yes.

Q Had no info on requesting an investigation. Calling a friend at DOJ, Bruce Schwartz (ph).

Who is Bruce Schwartz (ph)?

A Bruce Schwartz is a senior official in the Department of Justice responsible for international affairs, someone I've known for many years.

Q Did you reach out to Mr. Schwartz (ph) about mentioning these investigations or whether -- I'm sorry, strike that.

Did you reach out to Mr. Schwartz (ph) about whether the

U.S. had ever requested an official investigation in Ukraine about these two issues that we've been talking about?

A I reached out to him and we did not connect.

Q So you never spoke with Bruce Schwartz (ph)?

A At this -- not at this -- not in -- well --

Q Not in this context?

A Not in this context and not since then.

Q Did you speak with anyone at DOJ about whether the U.S. had requested an official investigation?

A No, I did not. I did ask -- I did ask our Charge to also check. And I later understood that we never had. And because of that was another factor in my advising the Ukrainians then don't put it in now.

Q You told the Ukrainians don't put it in the specific investigation?

A Yes, yes.

Q Did you speak with the Ukrainians about whether or not the U.S. had ever requested an official investigation?

A It came up in this conversation with Andriy about the statement, and he asked whether we ever had. I didn't know the answer. That's why I wanted to go back and find out. As I found out the answer that we had not, I said, well, let's just not go there.

Q So Mr. Yermak wanted to know whether the U.S. DOJ --

A Yes.

Q -- had ever made an official request?

A Yes. He said, I think quite appropriately, that if they are responding to an official request, that's one thing. If there's no official request, that's different. And I agree with that.

Q And then Ambassador Sondland then asked: Do we still want Zelensky to give us an unequivocal draft with 2016 and Burisma?

A Yes.

Q And you responded how?

A I said: That's the clear message so far.

Q That's the clear message from whom?

A From Giuliani and what we had discussed with Gordon. That's the clear message so far.

Q That was the message from the White House?

A No.

Q That was the message from Giuliani and Sondland?

A Yeah, from our conversations.

Q Who have direct one-on-one conversations with President Trump?

A I don't know if they occurred during this timeframe. I know he did speak with him occasionally.

Q Skipping down to August 19th --

A And when I say that's the clear message so far, I

just literally mean that.

Q And then -- sorry. I do want to ask you about the next line that you wrote. You wrote: I'm hoping we can get -- can put something out there that causes him to respond with that.

What did you mean by that?

A Yeah. When I said that's the clear message so far, that means that I have not made up in my mind that this is where we want to go, okay. And then when I say I'm hoping we can put something out there that causes him to respond with that, meaning that we actually have an official request. And if we have an official request through appropriate channels, then it's a reasonable thing for them to respond to. And if we don't have that, then obviously they wouldn't.

Q And, to your knowledge, there never was an official United States Department of Justice request?

A To my knowledge, there never was. And about this time, I stopped pursuing it as well, because I was becoming now here convinced this is going down the wrong road.

Q Got it. And on August 19th, 2019, at 8:56, Ambassador Sondland wrote: Drove the, quote, larger issue home with Yermak.

A Yes.

Q What did he -- do you have an understanding of what that meant?

A Yes. It's what we've talked about earlier. It is the level of trust that the President has with President Zelensky. He has this general negative assumption about everything Ukraine, and that's the larger issue.

BY MR. BITAR:

Q I'm sorry, Mr. -- Ambassador Volker?

A Yes?

Q I have a question. You said you were concerned that it would go down the wrong road --

A Yes.

Q -- if there was not an official Department of Justice request, although even if you didn't know there had been an official request from President Trump to President Zelensky. What do you mean by wrong road?

A First off, I didn't know anything about the Presidential conversation which was referencing Vice President Biden. What we're talking about here is pushing the Ukrainians or asking the Ukrainians to include Burisma and 2016 in a statement that they would make.

And when it came to saying investigate 2016 elections, you know, was there an effort to interfere, it was rattling in my mind, you know, we've had a number of inquiries about 2016 elections and foreign interference, Russia, China, potentially others. And so I thought, you know, before going down this road with the Ukrainians, I should check to see

whether there has ever been an official request about that.

And when I discovered that there had not been, then I thought, oh, then we should not be going further than what we have done in official channels.

Q Just to be clear, because you were unaware of the phone call or the substance of the phone call, when you say there had not been an official request, you mean you were not aware that there had been, for example, through law enforcement channels an official request?

A Yeah. When I say official request, I mean law enforcement channels, Department of Justice to law enforcement in Ukraine, please investigate was there any effort to interfere in the U.S. elections.

Q Okay. So just one more thing. So in this context, you also mentioned that Yermak had raised concerns that there had not been an official request. So is that correct?

A No. He asked whether there had ever been, and I didn't know the answer.

Q Okay. Because it seems that in this context, although the President made a personal request, it appears that Rudy Giuliani is personally involved in crafting and ensuring that this public statement by the Ukrainians has the right words in them that refer back to what the President said, which includes Biden, because I think one thing that you've distinguished, which the record doesn't really

support, is that Burisma and Biden are somehow different. They're actually the same in the record.

That it was actually your caution, perhaps, as well as the Ukrainians' caution, that may not have led to the immediate issuance of a statement, despite the President's effort and Giuliani's effort to get a statement?

A Definitely the latter, that their caution and my advising and agreeing with that caution I think led them to never make a statement.

Q But in this August -- mid-August timeframe specifically, because there's obviously another effort to get a statement out in September once the military aid has become a public matter, but we'll get to that later.

A Okay.

Q Thank you.

A There's something in the first part of your question, though, that I wanted to comment on.

Do you remember what it was?

MR. VOLKER: Can you read back the beginning of that question?

I remember what it was now, so no need to read back now, but thank you.

One of the things that I said in that breakfast that I had with Mr. Giuliani, the only time Vice President Biden was ever discussed with me, and he was repeating -- he wasn't

making an accusation and he wasn't seeking an investigation -- but he was repeating all of the things that were in the media that we talked about earlier about, you know, firing the prosecutor general and his son being on the company and all that.

And I said to Rudy in that breakfast the first time we sat down to talk that it is simply not credible to me that Joe Biden would be influenced in his duties as Vice President by money or things for his son or anything like that. I've known him a long time, he's a person of integrity, and that's not credible.

On the other hand, whether Ukrainians may have sought to influence our elections or sought to buy influence, that's entirely plausible.

BY MR. BITAR:

Q Just on that point, one last thing. When Giuliani described the Bidens and the company, did he clarify Burisma?

A In that conversation he had them -- you know, he had the whole narrative that was in the media.

Q Right. And so, therefore, Biden and Biden's son are intimately linked in that narrative to Burisma, correct?

A Yeah, in -- yes, that's right.

Q Okay, thank you. I just want to make that clear.

BY MR. GOLDMAN:

Q Ambassador Volker, I want to take a step back for a

quick second.

A May I just finish answering that question? I'm sorry, there's one more point. I apologize for interrupting.

Q Go ahead.

A Yes is the answer to your question. That is -- that linkage is there in Mr. Giuliani's mind.

In my understanding, as I said, I'm separating the two, that there's one thing about the Bidens, there's another thing about Ukrainians trying to do bad things, and it's appropriate to investigate the second.

Q Did you have any reason to think that in 2019 Burisma was doing anything wrong?

A I didn't know enough. I had no reason. I knew they had a track record of a company that had a lot of problems.

Q But you knew all their problems were several years ago that were in the media?

A Yes.

Q So why did you separate them out as if there was some reason that you knew of for Burisma to be investigated?

A Well, this is investigating what happened then, not what's happening now.

Q I see.

All right. I want to take a step back, because I think you testified earlier that President Zelensky was, in your

mind, the best hope in 20 years to root out corruption in Ukraine. Is that right?

A Correct, correct.

Q And he ran on a platform of anticorruption. Is that correct?

A Correct.

Q And that was his primary core message. Is that right?

A That -- he had two. That was one, and the other one was peace, that he was going to be, you know, redoubling efforts, doing anything he could to bring peace to eastern Ukraine.

Q Right. And so it was your view that he was a legitimate anticorruption President?

A Absolutely.

Q Did Bill Taylor share that view with you?

A Yes.

Q Did the other Ukrainian diplomats in the State Department -- not Ukrainian, the other diplomats who focused on Ukraine share that view as well?

A Yes. I'd say to varying degrees. I think some have just been around Ukraine so long, they are just skeptical of everybody. But I'd say for the vast majority of diplomats, especially those in the Embassy who were there soaking up the environment, they were certainly of that point

of view.

Q So the official message coming from the State Department about Zelensky was that he was a legitimate anticorruption --

A Yes.

Q -- President. Is that right?

A That is correct.

Q Okay.

A May I also add, importantly, from the Presidential delegation at the inauguration, because we viewed ourselves as having been empowered as a Presidential delegation to go there, meet, make an assessment, and report, and that's exactly what we reported.

Q And that's a very good point. And on that delegation was Secretary Perry. Is that right?

A Correct, yes.

Q And Gordon Sondland?

A Yes.

Q And they shared that view --

A Yes.

Q -- of President Zelensky?

A Yes.

Q So this notion that I think you said earlier, that Rudy Giuliani required mentions of Burisma and the 2016 elections, I think what you said is in order to put some

credibility on the message?

A Yes.

Q That flies in the face of official -- the official diplomatic State Department view of Zelensky, right?

A That's exactly the problem.

Q And, in fact, wouldn't you agree that if President Zelensky actually undertook those two investigations at the behest of President Trump, that that would actually undermine his message of anticorruption?

A I don't agree with that.

Q Why not?

A If things happened in the past that were corrupt or illegal, then President Zelensky is quite appropriately investigating them. If nothing happened in the past, then you don't turn up anything and there's no problem. So I don't see that that is actually undermining him. And, indeed, it was the Ukrainians' own message that they want to clean up Ukraine, find out if anything happened, make sure it doesn't happen again.

Q Right. But you may have distinguished Burisma and Biden, but you already testified that Giuliani linked the two and the Ukrainians linked the two, right?

A That Giuliani linked the two, yes, as we discussed. I think the Ukrainians were doing the same thing I was doing, is drawing a distinction. Our own company and whether they

were trying to influence the U.S. in an inappropriate way, we can look into that. Looking into what Hunter Biden or Joe Biden's relationships were, different issue.

Q Well, isn't it true that because of these potential investigations, Bill Taylor, for one, told the Ukrainians to stay out of the U.S. politics?

A Yes.

Q Right. Did you send that message as well?

A Yes, I did.

Q And what did you mean by that?

A I mean that, for example, although we didn't discuss Vice President Biden, but that is an example of if they had done something like that, that would have been seen very politically and that would have had a ripple effect. So don't do things that are going to play into our elections. Stay out.

Q Okay. But you're trying to draw a very fine line here. The message that Giuliani was sending to change the statement was so that they would include an announcement of an investigation into Hunter Biden and Joe Biden. That's what he was trying to do, right?

A That's not what it says. I know that may be what's in his mind, I understand that, that may be what's in his mind, but by saying Burisma and 2016, that is a legitimate thing for the Ukrainians to check out.

Q But you said you have no reason to believe that there was anything that should have been investigated with Burisma?

A No, I didn't say that. Whether any Ukrainians had done anything improper -- and this was a company that had a history of improper things -- that's legitimate for them to investigate.

Q Well, why did you counsel Andriy Yermak that Ukraine should not issue the statement that Giuliani wanted to with those two additions?

A Because it was the 2016 one that concerned me even more, because we had not made an official request. And so now we're going down the road in talking about a statement of asking them to investigate something or them saying they will investigate something where we have not made such an official request.

Q Would you agree that Rudy Giuliani's requests to investigate Burisma and the 2016 U.S. elections were to serve either his or Donald Trump's political interests?

A As I understood it at the time, we were all convinced, Rudy -- not Rudy -- Gordon Sondland, myself, Rick Perry, Bill Taylor, that this is someone we very much need to support in Ukraine. His government is going to move in the right direction.

Rudy Giuliani was not convinced of that and was no

doubt, therefore, continuing to convey a negative assessment to the President through his own contacts with the President. So I'm trying to figure out what would be convincing to you, Rudy, so that he would be conveying a more positive message to the President.

Q I understand what you were trying to do and I understand you're trying to protect yourself. What I'm asking is, is it clear to you, as it appears to be here, that Rudy Giuliani was pushing for these two investigations to serve Donald Trump's political interests and not the national interests, not what you were doing, what Rudy Giuliani was doing?

A Yeah. In retrospect, when you see the transcript of the phone call and you hear what Rudy Giuliani has now said on television, that's clear.

Q But you understand he was tweeting about that and saying that long before the phone call in July and this statement in early August, right?

A He was -- he was saying that that is his view. It was not clear to me that he was seeking investigations of that specifically by Ukraine.

Q I understand, but that was his view. Then when he asks for those specific investigations, they're part and parcel of the same thing, right?

A Well, that's where I'm trying to differentiate and

saying, no, don't get out there. And eventually --

Q You're trying to differentiate with Ukraine?

A With Rudy and with Ukraine, and saying to the Ukrainians, you know, investigating your own people for what things may have happened in the past is reasonable, but the further we talked about it the more I became convinced that even this is not a good idea.

Q And it's not a good idea because you understood that it was to serve Donald Trump's political interests, not the national interests of either the United States or Ukraine?

A That it would be seen politically here, and that wouldn't be in Ukraine's interests.

MR. NOBLE: And Rudy Giuliani publicly tweeted on June 21st, 2019, well before the events -- most of the events we've been talking today, quote: New Pres of Ukraine still silent on investigation of the Ukrainian interference in 2016 election and alleged Biden bribery of President Poroshenko. Time for leadership and investigate both if you want to purge how Ukraine was abused by Hillary and Obama people.

It was publicly known, was it not, that Rudy Giuliani wanted the Ukrainians to investigate Biden to serve the political interests of President Donald Trump?

MR. VOLKER: If that tweet was -- I'm not familiar with the tweet, but yes, then that would have been in public.

MR. SWALWELL: And finally, Ambassador, I understand your belief that it's okay to look in the past at corruption if that's what the Ukrainians were going to do, but you would agree that Burisma associated with Biden. Biden is a candidate in 2020. You knew that at the time, right?

MR. VOLKER: Yes.

MR. SWALWELL: Okay. That's the time, so I think a 5-minute bathroom break, if that works for you.

[Recess.]

MR. GOLDMAN: If we're ready, we'll go back on the record. It's 3:38, and it is the minority's 45-minute round.

MR. ZELDIN: Ambassador Volker, thanks for your patience.

MR. VOLKER: Yes.

MR. ZELDIN: Several hours in today answering a lot of questions, much appreciated. Would you say that President Trump in the phone call -- and you've read the transcript and you're familiar with all the parties -- was asking President Zelensky to manufacture dirt on the Bidens?

MR. VOLKER: No. And I've seen that phrase thrown around a lot. And I think there's a difference between the manufacture or dig up dirt versus finding out did anything happen in the 2016 campaign or did anything happen with Burisma. I think -- or even if he's asking them to investigate the Bidens, it is to find out what facts there

may be rather than to manufacture something.

MR. ZELDIN: It is not an accurate statement of what the President was asking Ukraine to sum it up as saying that President Trump was asking Ukraine to manufacture dirt?

MR. VOLKER: Yeah, I agree with that. May I add one point, based on the previous round of questioning, if it's all right to take some of your time? I apologize.

MR. CASTRO: Please.

MR. VOLKER: But I just wanted to reiterate, when I had that breakfast with Rudy Giuliani in May, I pushed back on his discussing the Bidens just as they had been in the media, I pushed back on that. And I made that differentiation then, the first time we sat down together, to say: I don't put any credibility in this at all. Whether Ukrainians may have wanted to buy influence in some way, that's another matter, or whether this company was doing anything, that's another matter.

After that conversation, he never brought up Biden or Bidens with me again. And so, when we talked or heard Burisma, I literally meant Burisma and that, not the conflation of that with the Bidens.

So I know that as we look in hindsight, we can see what he's saying and thinking, but I drew from the beginning a very clear distinction. And that is something that I think is important to understand when we're talking about Burisma

later on in August what I'm talking about and what I understood us to be talking about together.

MR. ZELDIN: Earlier, you referenced the term "readout" --

MR. VOLKER: Yes.

MR. ZELDIN: -- or what you received after the phone call. Did you receive readouts from both the United States and Ukraine?

MR. VOLKER: Yes.

MR. ZELDIN: In what form do you receive those readouts? Is this informal? Is it formal?

MR. VOLKER: Completely informal conversation. Conversation with Andriy Yermak on the Ukrainian side and an overall readout, overall briefing from Charge Bill Taylor, and from my assistant in the State Department who was traveling to Ukraine with me at the time. And she, I believe, had been in touch with NSC staff to get a cursory readout of the call.

MR. ZELDIN: And in no way, shape, or form in either the readouts from the United States or Ukraine did you receive any indication whatsoever for anything that resembles a quid pro quo?

MR. VOLKER: Correct.

BY MR. CASTOR:

Q Any idea why Hunter Biden was able to get this

position with Burisma?

A I don't know any facts in this. I know -- I believe that because Burisma had a reputation for corruption and money laundering that they were trying to spruce up their image, and one way that a company might do that is to put, you know, names on their board that would make it appear, okay, we've cleaned ourselves up.

Q Was Hunter Biden well-known for being an anticorruption leader, businessman?

A No.

Q Do you know if he spoke the relevant languages?

A I don't know. I never met him. I don't know really much about him.

Q Do you know --

A I don't know.

Q It's been reported --

A I'd say that I don't know much about him at all.

Q It's been reported that he was drawing a monthly salary of 50,000 or more. You would agree that that raises some questions, right?

A It's a lot of money.

Q And so the average American and the Americans that all our Members represent, you know, wonder, you know, what were his qualifications? Why, other than the fact that his father is a prominent U.S. official, does he get the

opportunity to draw this type of --

A Right.

Q -- fantastic salary. I mean, over the years, it's millions of dollars if you add it up. So you can understand why --

A Of course.

Q -- people would have questions?

A Of course.

Q And if, in fact, he was not performing very many duties for Burisma, if he did not speak the language, if he did not provide any value to the company other than the fact that his father is the U.S. Vice President, that would be evidence of something worthy of investigating, right?

A No, this is what I was referring to is that I don't believe that Vice President Biden would be corrupted in the way that he would carry out his duties as Vice President at all. But whether Ukrainians may have sought to buy influence or to believe that they were buying influence, that's quite possible.

Q Do you think it's worthy of evaluating like why would -- you know, if somebody takes a no-show job and essentially gets paid for nothing, is that worthy of investigating?

A I don't know the answer to that. I'm sure there are lots of examples of things like that where famous names

get paid just for their name.

Q I mean, this isn't -- you know, this isn't, you know, appointing former Senator Mitchell to somebody's board. You know, Senator Mitchell has experience in good governance and corporate governance issues, correct?

A Yes.

Q So, to your knowledge, Hunter Biden doesn't have a reputation for corporate governance excellence, does he?

A I don't know anything about his background.

Q Do you know anything about Christopher Heinz?

A That came up earlier, and I was reminded that he was also associated with Hunter Biden and Burisma in some way. I just read that in the media. That's all.

Q And then the fellow named Devon Archer (ph)?

A I don't know that name.

Q You never heard that name before?

A If it was in the same media reports, I probably just skimmed right over it.

Q Is it common from your experience in the Ukraine that these companies hire U.S. officials in the wake of this, you know, anticorruption reform era?

A Yeah. It is -- it's a way of trying to demonstrate cleanliness and credibility, getting some international people on your board because Ukraine has such a bad reputation of its own.

Q We should help you get one of those jobs.
A No, thank you.
Q I am going to leave it there for now.
A Okay, thank you.
Q Thank you. And flip it back to the Democrats.
MR. SWALWELL: Thank you, Ambassador. We're going to have Mr. Noble continue.
BY MR. NOBLE:
Q Ambassador Volker, I appreciate your patience --
A Of course.
Q -- with us, but we do have some more questions.
A Of course.
Q I want to go back to your text messages, and I'd like to turn to the text messages with Rudy Giuliani.
MR. NOBLE: And I'm going to mark as the next exhibit, exhibit 9, pages 2 through 9, 2 through 9.
[Volker Exhibit No. 9
Was marked for identification.]
BY MR. NOBLE:
Q But I really only -- I think we've covered a lot of the ground regarding how you introduced Mr. Giuliani to Mr. Yermak. I believe that was in July of 2019, correct?
A That is correct.
Q I kind of want to just turn to the end of these, this message chain, to page 7. And if I can direct your

attention just to the bottom of the page there, that's a text message on September 22nd, 2019, and I believe this is from Mr. Giuliani to you. Is that correct?

A Yes.

Q At the very bottom. And it says: Kurt, thanks for the support. All I need is for you to tell the truth. You called me about Yermak, and I reported back to you and Sondland, e.g., a conference call on August 11th, three others before. Really, this is not hard. Just fair to affirm truth. Rudy.

And then, in the next message, he says: Also, Secretary seems not to know you put us together. Straighten him out.

I presume he's referring to Secretary Pompeo?

A I do too.

Q Okay. Let's go back to the first part of the message. What did you understand Rudy Giuliani to mean when he asked you to tell the truth? What was going on at this time? Let's set the scene.

A Well, yes, the scene is that, in the days prior, Rudy Giuliani went very public on television, talking about my connecting him with Andriy Yermak, and he was I think -- well, let me not speculate on that, but he was asserting that he was doing these conversations and having these meetings at the request of the State Department and reporting back, and he was being directed by the State Department, so he's not

just off out there on his own.

That's what he was asserting in media appearances. And he was very, very public, you know, and I think, you know, cell phones held up on camera and, you know, text messages tweeted out and feeding these out there. And I was not responding to any of that. And I think he was getting frustrated that I was not responding to any of that because I'm not backing up that story. And so I think he, with a bit of irony, says: Thanks for the support.

Q Okay. So he was joking there?

A That's the way I took it.

Q That's how you took it, okay.

A And all I need is for you to tell the truth, which is I called him about Yermak, and I reported back to you and Sondland, et cetera, conference calls. And that is actually accurate. So I did put him in touch with Andriy. They met. He called after the meeting. We had a couple of conversations. That's all true.

Q But what was it about what you were saying that led Rudy Giuliani to believe that you weren't fully backing him up?

A Well, he was saying that we were directing him and that he was acting on the behest of the State Department to do things. And --

Q And if that was the truth, why did he ask you to

tell the truth?

A Well, it's not the truth.

Q Rudy Giuliani was not telling the truth when he was saying that he was acting at the direction of --

A Correct.

Q -- the U.S. State Department?

A Correct. And, again, we went over this earlier, but Andriy asked me to introduce him to Rudy. I asked Rudy if he wanted to be connected to Andriy. And my thought was he's going to get much better information than he's getting from Lutsenko. And he said he did want to be connected, so I facilitated that. But I wasn't giving any direction to him in any way. He did call and report back.

So what he says here, "You called me about, I reported back," et cetera, that's true, but that is not what he was saying in the media, not only that that he was saying in the media. He was saying many, many more things.

Q And the second message from Giuliani: Also, Secretary seems not to know you put us together. Straighten him out. What did you interpret that to mean?

A Well, I'm not sure what it means, because I had spoken with the Secretary and I knew the Secretary knew that I had connected them. So, when he says the Secretary seems not to know, I don't know what he's referring to.

It may be that there was a media appearance that the