

1 Secretary made where he did not affirm that, indeed, I had
2 connected them. And so let the Secretary know that I did,
3 indeed, do that.

4 Q So, to be clear, Secretary Pompeo knew that you had
5 connected Yermak to Rudy Giuliani?

6 A Correct.

7 Q When did you inform Pompeo of that? Was it
8 contemporaneous with the introduction?

9 A In -- I don't want to say same day, but we're
10 talking in the same time period.

11 Q So it's fair to say the Secretary was aware of what
12 Rudy Giuliani -- that the fact that at least Rudy Giuliani
13 was communicating directly with Andriy Yermak --

14 A Yes.

15 Q -- the adviser to Zelensky?

16 A Yes, he knew that. I'm -- please go ahead and keep
17 asking, but I can skip ahead to something here if you would
18 like.

19 Q Sure. Why don't you tell us what you would like to
20 tell us. I may have more questions, but I'll let you drive
21 for now.

22 A So, skipping ahead, so the date of these text
23 messages is Sunday, the 22nd of September. I had two missed
24 calls from Rudy on Friday, the 20th of September. These are
25 the dates that are wrong in my long-form testimony, by the

1 way. They're off by one day.

2 He tried to call twice on the 20th of September,
3 probably from the green room. I mean, he's constantly in the
4 media. You can't work out in the gym without seeing him on
5 TV. So I did not answer those calls, and I think that's
6 partly why I think he was frustrated.

7 I did speak the next day with Ulrich Brechbuhl, the
8 counselor of the State Department, to say that, you know,
9 Rudy's way out there. Ulrich called me to say: What's the
10 story here, what's the background? Remind me. Walk me
11 through this again. I had done it earlier in August, and he
12 just wanted to be refreshed. I did that.

13 Sunday morning, I get all these text messages, this long
14 stream of text messages from Rudy. Some are the first two
15 that you mentioned, and then he continues on saying that he's
16 going to let the Secretary know that he connected, which
17 fine.

18 And then he's forwarding old messages that I had sent to
19 him to demonstrate to me that he has these text messages,
20 which, of course, I know, he's got them on television. And I
21 did say: Thanks for your help, just the courtesy, you know,
22 of getting together with Andriy.

23 And then he says: Get out a statement that the State
24 Department connected me to Yermak, and I reported back to
25 State on my conversations. Yermak has talked about this to

1 press, so it's now public information. All I'm asking is to
2 tell the truth. I can send you text chain if you need to
3 check your recollection.

4 And, again, I didn't answer any of these at the time.

5 I spoke with Secretary Pompeo. Gordon Sondland was with
6 him. They were in New York at the UNGA meeting. I was in
7 Washington. Marik String, the acting legal adviser, was also
8 on that call. And I walked the Secretary through, again, you
9 know, the narrative so it was fresh in his mind. And he
10 said: Yeah, I know, I know.

11 Then he said that he had spoken with Rudy himself,
12 gotten a call or called him, I don't know which. I suppose
13 Rudy called him. And he said, what Rudy was concerned about
14 was that we were not affirming that we had connected Yermak
15 and him rather than him just doing it on his own.

16 And I said: Well, that's easy, because on August 22nd,
17 we put out a statement from the State Department saying that
18 Yermak had asked me, and I had put him in touch with Rudy,
19 because it had made media back then.

20 And so he said: Well, then that's great. So why don't
21 you call Rudy back, tell him that, and give him a copy of
22 what was handed out at the time. So I did that.

23 Q And that's what this final message is here?

24 A That's what that final thing is there. It was
25 handed at the State -- in the State Department. It was

1 not -- there was no briefing that day, I believe, or if it
2 was, this was not included in the briefing. But it was
3 prepared, it was cleared, and it was handed to Ken Vogel
4 (ph), who then tweeted it.

5 Q Were you aware that Secretary Pompeo was on the
6 July 25th call with President Trump and President Zelensky?

7 A I was not.

8 Q When did you first learn that?

9 A When he said so. I believe it was yesterday
10 morning.

11 Q So you never had any conversations with Pompeo
12 about that call?

13 A No.

14 Q Did you ever have any, aside from the ones that we
15 were just talking about, conversations with Secretary Pompeo
16 about Rudy Giuliani and what he was up to in the Ukraine?

17 A Yes, yes. I described my concern that he is
18 projecting a damaging or a negative image about Ukraine, and
19 that's reaching the President, and that I am trying to work
20 with Ukrainians to correct that messaging, correct that
21 impression.

22 Q What did Secretary Pompeo do?

23 A Said: I'm glad you're doing it.

24 Q Trying to correct it?

25 A Yes.

1 Q Did he ever say he took your concerns to the
2 President?

3 A He did not.

4 Q Do you know whether Rudy Giuliani and Secretary
5 Pompeo had any direct conversations, one-on-one
6 conversations?

7 A Only the one that I just mentioned, which was
8 around September 22nd.

9 Q I also want to just kind of put a marker down for
10 the record. When was the first time that you spoke with Rudy
11 Giuliani about anything having to do with Ukraine?

12 A Yes. It was in -- earlier in May.

13 Q Yeah. If you flip to page 6, there's a message
14 from May 11th, 2019.

15 A Yes, that would be it.

16 Q Okay. And I'll let you read that and refresh your
17 recollection. And my question is going to be, what was the
18 sum and substance of the conversation you had with Giuliani?

19 A So, on May 11th, I wrote to Mayor Giuliani saying:
20 Mr. Mayor -- hi, Mr. Mayor, Kurt Volker here. Good speaking
21 with you yesterday, which meant May 10th then I must have
22 spoken with him. Call any time up to about 4 p.m. today if
23 you want to follow up. We would like to brief you more about
24 the Zelensky discussion and also Russia-Ukraine dynamic.

25 So I had learned through the media that he was going to

1 go to Ukraine and he was intending to pursue these
2 allegations that Lutsenko had made, and he was going to go
3 investigate these things. And I reached out to him to brief
4 him, a couple of key points. Lutsenko is not credible.
5 Don't listen to what he is saying.

6 Q You told Rudy Giuliani that, that Lutsenko is not
7 credible?

8 A Yes. Yes, I did.

9 Q Okay.

10 A To say that I had met with Zelensky as a
11 Presidential candidate, and I believe he's the real deal, and
12 we should be trying to support him. And, third, I wanted to
13 talk to him about what's going on with Russia and Ukraine so
14 he's aware of that.

15 We spoke briefly on the 10th. It must have been -- I
16 don't have an exact time in mind, but I'm guessing it was 10
17 minutes, something like that. And he had to go. So I texted
18 him the next day, saying: I'm happy to follow up, because we
19 didn't have a full conversation, and he was going to go to
20 Ukraine.

21 And so I said: This number is good for text and cell
22 phone.

23 And he never got back to me, and he canceled his trip.
24 And that's when he announced also he was canceling the trip,
25 that President Zelensky is surrounded by enemies of the

1 United States, which I thought is --

2 Q Was that helpful for U.S. relations with Ukraine?

3 A Certainly not. So that conversation took place and
4 dropped then. Because he didn't go to Ukraine, there was no
5 point in pursuing it any further.

6 Q So, just to be clear, prior to this time, you had
7 not had any conversations, communications with Rudy Giuliani
8 about Ukraine --

9 A No.

10 Q -- prior to May 11th?

11 A No.

12 Q Or the conversation that you had on or about May
13 11th?

14 A No.

15 Q The phone conversation.

16 A This is it.

17 Q Okay. Were you aware, though, that Giuliani was
18 involved in Ukraine, so to speak, prior to this time?

19 A Not at the time. Even at this time, I wasn't aware
20 that he had as many Ukraine connections as it later became
21 apparent that he did.

22 Q Do you know anyone -- do you know somebody
23 associated with Giuliani named Lev Parnas?

24 A Yes.

25 Q Who is Lev Parnas?

1 A Lev Parnas is a Ukrainian-American businessman. I
2 believe he's based in Florida. And he attended the breakfast
3 that I had with Rudy Giuliani on May 20-whatever, 25th,
4 something like that.

5 Q And which breakfast was that, May 25th?

6 A No, no, no, I take it back. Not May 25th. July
7 19th.

8 Q Okay.

9 A I did not have a breakfast with him on May 25th.

10 Q This is the breakfast at the White House meeting

11 --

12 A I'm confusing the White House readout after the
13 inauguration as the date. July 19th is when I had breakfast
14 with Rudy, and Lev Parnas attended that breakfast.

15 Q Who is Lev Parnas? What's his relationship to
16 Giuliani?

17 A I don't know what their relationship is. They
18 appear to be friends. I assumed that Giuliani brought him
19 along to the meeting because he's Ukrainian-American and,
20 therefore, knows a lot about Ukraine.

21 Q Do you know if Lev Parnas was doing anything to
22 help Giuliani get introduced to Ukrainian officials?

23 A I don't know.

24 Q Do you know anything else about Lev Parnas? Had
25 you had any interactions with him prior to that breakfast

1 meeting?

2 A Never met him before or since.

3 Q Where did you have breakfast?

4 A At the Trump Hotel.

5 Q Why did you have breakfast at the Trump Hotel?

6 A Because I was guessing that's where Rudy was going
7 to be staying, so that would be the easiest thing to do.

8 Q When you met with Andriy Yermak when he was in
9 D.C., where did he stay?

10 A I believe he stayed at the Trump Hotel.

11 Q Do you know why he stayed at the Trump Hotel?

12 A I don't know why.

13 Q Did you ever have any conversations with the
14 Ukrainians about currying favor with President Trump by
15 staying at their property?

16 A I did not, no.

17 Q Did you have any discussions with the Ukrainians
18 about Lev Parnas?

19 A No, I didn't.

20 Q Do you know someone by the name of Igor Fruman?

21 A I read that name in press reports. I don't
22 remember. It's possible he was at the same breakfast, but I
23 honestly don't remember.

24 Q You said that maybe he -- Fruman may have been at
25 the breakfast?

1 A He may have been there.

2 Q How many people were at the breakfast?

3 A I recall Lev Parnas, Rudy Giuliani, and myself
4 sitting at a table. There were two other people at a
5 separate table. And that -- and one of them may have been
6 Igor Fruman or not. I don't know.

7 Q Did you ever have any conversations with Donald
8 Trump, Jr., about Ukraine?

9 A I've never met him.

10 Q Have you ever spoken to him?

11 A No.

12 Q What did Lev Parnas or the person that may have
13 been Igor Fruman, at least that you remember, say during that
14 breakfast meeting with Ukraine?

15 A Sure. I don't remember anything about Igor Fruman.
16 I'm not even sure if he was there. It's possible he was. I
17 just don't know.

18 Q How about Lev Parnas then?

19 A Lev Parnas, it was interesting, because I was
20 expecting to have a very negative view of Zelensky and to
21 have a very pro-supportive view of Lutsenko, the prosecutor
22 general. And as we were talking about things, I just kind of
23 like launched in and said: I think these guys are for real.
24 It's a good team. He's assembling some good people. He
25 campaigned on changing the country. I think he's the best

1 hope we've had. I think there's a 3- to 6-month window in
2 which the next 5 years of the Ukraine are going to be
3 determined. And he needs all our support.

4 And, to my surprise, both -- Parnas basically was very
5 knowledgeable about people in Ukraine and events, largely
6 agreed with that. I didn't expect him to agree with that.
7 But he said: Yeah, that's what I think too. He seems to be
8 trying to do all the right things.

9 And then we got to talking about Lutsenko, and I said
10 that: Don't believe what Lutsenko has been saying. I think
11 this is a self-serving narrative to preserve himself in power
12 and protect himself, possibly protect Poroshenko as well.

13 And, again, to my surprise, Rudy agreed with that and
14 said: Yes, I've come to that conclusion too.

15 So he initially believed Lutsenko, but I think had
16 distanced himself from that after that, maybe because
17 Lutsenko had then come out and disavowed his own allegations
18 from earlier in the year.

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1 [4:07 p.m.]

2 BY MR. NOBLE:

3 Q And we talked about that earlier.

4 A Yes.

5 Q All right. I think I want to switch gears a little
6 bit and ask you about some other messages. If you could turn
7 to page 26. And we're going to mark pages 26, 27, and 28 as
8 exhibit 10.

9 [Volker Exhibit No. 10
10 was marked for identification.]

11 BY MR. NOBLE:

12 Q And on page 26, I'd like to direct your attention
13 to the first entry for May 26, 2019.

14 A Yep.

15 Q So can you set the scene --

16 A Yes.

17 Q -- you know, as of May 26th?

18 A Yes.

19 Q What was going on?

20 A Very happy to. So our -- let's get the sequence
21 here. Our ambassador to Ukraine had departed post.

22 Q That's -- your ambassador, Ambassador Yovanovitch?

23 A Ambassador Yovanovitch. She had departed. I was
24 there for the presidential inauguration with the others that
25 we discussed. I had the meeting in the Oval Office with the

1 President. And I was concerned that we were not going to
2 have a serious senior diplomat on the ground in Ukraine once
3 Ambassador Yovanovitch had left. We were getting a brand-new
4 DCM later that week who had not served in Ukraine before, so
5 completely new, and I, therefore, thought it was important
6 that we get a seasoned diplomat in there. And I suggested
7 Bill Taylor because he had been ambassador there before, he
8 knew the country, he knew the players, he had a lot of
9 experience, and he could go on a temporary basis as a Charge
10 while we appointed a new ambassador.

11 So I discussed this with Bill. He was reluctant. I
12 don't want to -- I don't want to over-characterize his
13 reasons, but, you know, being on the outside and seeing the
14 administration, he was not sure if we would maintain as
15 robust a support for Ukraine as we had had for the past
16 2 years.

17 I had been fighting for this every day and we had, I
18 think, a very strong policy, but he was just worried it was
19 going to get undermined at some point.

20 Q What did -- did he say what he thought would
21 undermine?

22 A He didn't say specifically. It was more a generic
23 fear, but I think hanging over everyone's head on the expert
24 community is, is there some grand bargain with Russia where
25 we throw Ukraine under the bus.

1 And I kept assuring him, Bill, I've been at this, and
2 it's been the other way around. We have strengthened our
3 support for Ukraine. We have lift -- we have increased
4 sanctions, we have lifted the arms embargo. We did the
5 Pompeo declaration on nonrecognition of Crimea. We've been
6 more vocal about Russia's aggression. We are on track here,
7 and it's important that we have people in there fighting to
8 do that.

9 So that was the nature of our back-and-forth, talking
10 about whether he would agree to be a Charge.

11 Q How did -- just pausing for a second. How do you
12 reconcile that, the fact that all these measures were being
13 taken while you were special envoy to Ukraine to, as you say,
14 strengthen the relationship, strengthen Ukraine, build up
15 Ukraine so that it could defend itself against Russia, as you
16 say, with weapons that you believe they needed in order to
17 either deter an attack or fight the war that's ongoing?

18 How do you reconcile that with the decision to freeze
19 military assistance, hundreds of millions of dollars of
20 military assistance to Ukraine? Why did that not strike you
21 as highly problematic to U.S. national security, or to our
22 national security interests?

23 A It did strike me as problematic, and therefore, I
24 acted immediately to argue that this has to be reversed and
25 we have to keep the assistance going.

1 Q And I believe you testified that everyone in the
2 interagency from the NSC, to DoD, to the official State
3 Department position, everyone supported that funding going to
4 Ukraine, correct?

5 A That's correct. It was OMB that announced in the
6 interagency meeting that there was a hold --

7 Q Okay.

8 A -- or a review.

9 Q And I believe you said the first time you learned
10 about that was -- well, actually, it's in the text messages.
11 I believe it might have been Bill Taylor said there was a
12 SVTC.

13 A Yes.

14 Q A secure conference call from OMB announcing the
15 freeze in July?

16 A July 18.

17 Q July 18th. Oh. And do you know who at OMB was
18 responsible for the freeze, or for implementing the freeze,
19 or communicating the freeze to the interagency?

20 A Yeah, I don't know. I didn't attend the
21 interagency meetings. I typically did not.

22 And it was a sub PCC meeting, which is typically deputy
23 assistant secretary level.

24 Q Did you attend the sub PCC meeting?

25 A No.

1 Q Let's go back to your text messages, page 26. So
2 let's pick up where Bill Taylor says -- and I believe he's
3 talking about his decision whether or not to --

4 A Correct.

5 Q -- I guess --

6 A To accept the job.

7 Q -- to accept the job as ambassador to Ukraine. "I
8 am still struggling with the decision whether to go. Can
9 anyone hope to succeed with the Giuliani-Biden issue swirling
10 for the next 18 months? Can S," meaning Secretary Pompeo,
11 "offer any reassurance on this issue?"

12 What do you think he meant by the Giuliani-Biden issue?
13 And just to recall, we're talking -- we're talking about
14 May 26, 2019, which is approximately 2 months before
15 President Trump's phone call with President Zelensky when he
16 urged President Zelensky to investigate the Bidens. What was
17 Bill Taylor referring to here?

18 A He was referring to what he had seen in the media
19 about Giuliani talking about Hunter Biden and whether Vice
20 President Biden had acted inappropriately in attacking the
21 former Prosecutor General Shokin.

22 Bill was at this time not in the U.S. government. He
23 was working at USIP, so he's just referring to the -- what's
24 out there in the media swirl.

25 Q Did you have discussions with Bill Taylor about his

1 concerns about what Giuliani was saying in the media about
2 Ukraine needing to investigate the Bidens?

3 A Yes.

4 Q Aside from this text message?

5 A Yes. Aside from the -- yes, I did, because in
6 conversations about whether he would take the job, I would
7 reiterate, "Look, Giuliani does not represent the U.S.
8 government. Don't worry about that. We are actually
9 getting -- we have our policy in the right place, and we need
10 people in the U.S. government to actually be continuing to
11 push for the right policies."

12 Q And what did he ultimately decide, Bill Taylor?

13 A He did decide to take the job, after we had a
14 meeting with Secretary Pompeo and Ulrich Brechbuhl and Bill
15 and myself to discuss our policy. Bill wanted to be
16 reassured that the Secretary of State is saying the same
17 thing that I'm saying about where our policy is, that we are
18 robustly in support of Ukraine. And, of course, Secretary
19 Pompeo did that.

20 Q And later in this text message exchange, you tell
21 Bill Taylor, this is 5/26/19 at 11:23, "Let's see how it
22 looks on Tuesday. I don't know if there's much to do about
23 the Giuliani thing, but I do think the key thing is to do
24 what we can right now since the future of the country is in
25 play right now."

1 A Yes.

2 Q Which country were you referring to?

3 A Ukraine.

4 Q And what did you mean by this when you were telling
5 this to Bill Taylor?

6 A Yeah. So I say there's not much to do about the
7 Giuliani thing. He's going to be out there speaking publicly
8 and saying what he says no matter what. We can't fix that.
9 That's going to happen.

10 But we can right now -- you know, the key thing is what
11 we can do, meaning those of supporting United States and U.S.
12 interests, what we can do, since the future of Ukraine is in
13 play right now. We have a new president, there's going to be
14 a new parliament, a new government, and it's going to be a
15 dicey time. I was trying to encourage him to accept the
16 position.

17 Q But isn't there something that the Secretary of
18 State could have done about Giuliani? Are you telling us
19 that Secretary of State Pompeo was helpless to stop Giuliani
20 from interfering with official U.S. diplomacy in Ukraine?

21 A Honestly, yes. I'm sure he could have called Rudy
22 Giuliani, but would Rudy Giuliani stop doing what he's doing
23 because the Secretary of State calls him? I'd be surprised.

24 Q What if President Trump had called Giuliani and
25 said to knock it off?

1 A Because they had a different relationship, attorney
2 for the President, then perhaps.

3 Q Do you know whether Secretary Pompeo ever discussed
4 Rudy Giuliani with President Trump?

5 A I don't know.

6 Q Specifically, Giuliani's efforts in Ukraine?

7 A I don't know whether he did.

8 MR. SWALWELL: Just real quick. When you say "attorney
9 for the President," you mean attorney for Donald Trump,
10 right, not the Office of the President?

11 MR. VOLKER: Yes. Yes, that's what I mean.

12 MR. SWALWELL: Thanks.

13 MR. VOLKER: Personal attorney. Thank you.

14 BY MR. NOBLE:

15 Q And you mentioned a meeting that you had with
16 Secretary Pompeo and his counsel, Ulrich Brechbuhl, and Bill
17 Taylor?

18 A Yes.

19 Q You were discussing whether Bill Taylor --

20 A Yes.

21 Q -- should take the job. What, if anything, was
22 discussed about Rudy Giuliani in that meeting?

23 A I don't recall that that actually came up. I think
24 it was more about can we be sure that the policy will remain
25 the same, you know, sanctions, arms, et cetera.

1 Q So did the Bidens or an investigation of the Bidens
2 come up in that conversation?

3 A No, no.

4 Q So the Rudy Giuliani issue, as you call it,
5 didn't --

6 A Yeah.

7 Q -- come up at all?

8 A No. I don't recall that coming up at all.

9 And just reading on, so Bill is saying, "You're
10 absolutely right. We need somebody there. Why don't you be
11 Charge?"

12 Q To you, right?

13 A To me, right.

14 Q And did you want that job or no?

15 A I did not want that job.

16 Q Why didn't you want that job?

17 A Personal reasons. Part of it, as you know, I'm
18 getting married on Saturday, and I --

19 Q Congratulations again.

20 A -- and I wanted to be here. Thank you.

21 And also I felt I was more effective doing the special
22 envoy position, because there you can engage with the
23 interagency, you can engage with the allies, you can engage
24 with NATO, you can engage with the EU. It's a much broader
25 range of things that you can do from there, rather than being

1 on the ground in Ukraine.

2 Q Can we go to page 27, just hit this quickly?
3 There's a text message exchange on July 8, 2019, at about
4 9:14 a.m.

5 A I'm sorry. What page again?

6 Q Page 27.

7 A Yes. And --

8 Q 7/8/19 at 9:14.

9 A Yes.

10 Q And you say, "Zelensky was on board. Bohdan was
11 skeptical"?

12 A Uh-huh.

13 Q What were you talking about here?

14 A That refers to seeking to schedule a presidential
15 phone call.

16 Q Okay. "And worried that a call substitutes for a
17 visit. I pulled the two of them aside at the end and
18 explained the Giuliani factor."

19 A Yes.

20 Q What did you mean by "Giuliani factor," and who
21 were you explaining the Giuliani factor to?

22 A I explained it to President Zelensky and the Chief
23 of Presidential Administration, Andriy Bohdan, was standing
24 next to him. And I explained that I thought that there is a
25 negative narrative about Ukraine that is counteracting all

1 the good things that he is doing, and that we are officially
2 communicating back, and that this is being amplified by Rudy
3 Giuliani. So this is a negative factor for Ukraine's image
4 in the United States and our ability to advance the bilateral
5 relationship.

6 MR. SWALWELL: And, Ambassador, 17 days after you
7 explained that, we now know, you know, the phone call readout
8 from the White House of the call between President Trump and
9 President Zelensky.

10 How do you think President Zelensky reconciled what you
11 had told him about 17 days earlier and what he would hear
12 from the President, which was, in fact, the person -- one of
13 the persons you should follow up with is Rudy Giuliani? Was
14 that confusing?

15 MR. VOLKER: I don't know, yeah, because I was not aware
16 of the content of that phone call. President Zelensky and
17 Andrey Yermak never mentioned that to me, so I don't know.

18 MR. SWALWELL: But would that undermine what you're
19 telling President Zelensky just 17 days earlier, that he has
20 a more elevated role than what you are telling him?

21 MR. VOLKER: I actually -- I hadn't thought about it,
22 you know, in this context before, but as I think about it, it
23 was probably very helpful that I had told this to President
24 Zelensky when I did so that when he heard this from the
25 President, he was forewarned, right, there's a Giuliani

1 problem here.

2 MR. SWALWELL: Right. But with all due respect,
3 Ambassador, as you said earlier, any time the President of
4 the United States asks any other foreign leader, because of
5 the weight of the United States, whether you have forewarned
6 Zelensky about Giuliani or not, the fact that the United
7 States President is giving Mr. Giuliani this status, that
8 would be important for Mr. Zelensky, right?

9 MR. VOLKER: I suppose it would.

10 BY MR. NOBLE:

11 Q Going back to page 28, if you can flip to the
12 bottom portion on August 26, 2019, at 11:05 p.m. Do you see
13 that --

14 A Yes.

15 Q -- where Bill Taylor says, "When you briefed
16 Bolton, did you recommend he see Yermak?"

17 What was he asking about there? This is August 26th,
18 leading up to --

19 A Yes.

20 Q -- the summit in Warsaw -- or the World War II
21 Memorial --

22 A Yes, yes.

23 Q -- in Warsaw.

24 A So I had a phone call briefing with John Bolton
25 before his trip to Ukraine to just make sure he was

1 up-to-date, because he was going to be visiting there. And
2 Bill asked me if I recommended that he see Yermak.

3 Q While --

4 A While visiting Ukraine.

5 Q While Bolton was in Ukraine?

6 A Yes. He was going to see the President; he was
7 going to see Danylyuk, who was technically his counterpart.
8 Context: Danylyuk's star within the Zelensky orbit was
9 fading at this point, and he's since resigned, and Yermak's
10 star was up.

11 Q And just out of curiosity, do you know whether
12 Danylyuk resigned or was fired? Was he pushed out?

13 A I believe he resigned. I haven't spoken with him
14 since he resigned. He did -- he did send me a text message
15 before this testimony today to wish me well, but I haven't
16 spoken with him.

17 Q Okay.

18 A But my understanding is that he became very
19 uncomfortable with the visibility of this oligarch, Igor
20 Kolomoisky (ph), in recent months in Ukraine.

21 Q Who became uncomfortable?

22 A Danylyuk became uncomfortable with it, and did not
23 want to continue in his duties if he thought that this
24 individual is having too much freedom of maneuver in Ukraine.

25 Q Can you explain a little bit more about the nature

1 of his concerns about Kolomoisky?

2 A Yes. So Igor Kolomoisky is one of the handful of
3 very, very, very wealthy Ukrainians. Together, if you
4 include influence over state-owned industry as well as
5 privately owned things, they probably control at least
6 20 percent of the GDP, and it is all the GDP that matters; so
7 energy, energy distribution, infrastructure, defense
8 industries, coal and steel production, transportation, you
9 name it, media, especially, they have got it.

10 And Kolomoisky had a bank called Privat Bank (ph), and
11 that bank made a number of bad loans, \$5 billion worth, to --
12 it disappeared and -- basically to him and his other leaders
13 of the bank, and it was nationalized. And the Ukrainian
14 taxpayer officially is bailing out the bank for the money
15 that Kolomoisky stole.

16 Because the IMF provides budgetary support to Ukraine,
17 we actually ended up bailing out this bank.

18 And he was being pursued by President Poroshenko. He
19 was living in exile in Switzerland, and then moved to exile
20 in Israel.

21 He is subject to a civil suit in Delaware now over this
22 bank as well.

23 The courts in Ukraine -- just before the presidential
24 election, the courts in Ukraine had a finding that the
25 nationalization of the bank that had been done was not done

1 properly, and that opened the possibility of restoring the
2 bank to Mr. Kolomoisky, and possibly even paying
3 compensation.

4 Q Okay. I don't mean to cut you off. I mean, we
5 don't have -- I don't want to keep you here all night --

6 A Okay.

7 Q -- so I'd like to keep going on.

8 A But anyway, you get the nature --

9 Q Kolomoisky went back to Ukraine after Zelensky was
10 elected. Is that fair to say?

11 A Yes. After Zelensky was elected, he returned to
12 Ukraine, he visited some of his businesses, he gave media
13 interviews, he played a very visible public role. And the
14 Privat Bank issue has still not been definitively resolved.

15 And I think Danylyuk was becoming increasingly concerned
16 that this is giving the appearance -- also there's a
17 photograph of Kolomoisky meeting Zelensky in Zelensky's
18 office that was released by the presidential administration;
19 transparent, but still a bad sign. So Danylyuk, I think,
20 left for all of these reasons.

21 Q Okay. Back to your text messages.

22 A I'm sorry to get on a tangent.

23 Q That's okay.

24 Back to your text messages. 8/27/2019 at 7:34, Bill
25 Taylor wrote: "Bolton said he talked to you and Gordon

1 briefly." That's Ambassador Sondland. "Nothing specific.
2 What should they talk about? Tim says Bolton wants to stay
3 out of politics."

4 Tim, who is that?

5 A Tim is Tim Morrison, who is the Senior Director for
6 Europe at the National Security Council.

7 Q And what did you understand it to mean when Bolton
8 wanted to stay out of politics? Is that a reference to
9 the --

10 A Yeah.

11 Q Administration's -- or to Trump and Giuliani's
12 efforts to get Ukraine to open the investigations we've been
13 talking about?

14 A Yeah. It's not clear. I think it may have been
15 more about Giuliani's role generally.

16 Q Did you have any conversations with National
17 Security Advisor Bolton about Giuliani?

18 A I did back earlier in August.

19 Q And what did you say to him and he to you?

20 A Basically the same as with Secretary Pompeo: "I
21 want you to know Giuliani's out there spinning these
22 narratives. I'm concerned that this is affecting the
23 President's views of Ukraine."

24 I'm trying to work with Ukrainians, and they are trying
25 to communicate a message back to Bolton to convey that they

1 are actually a different crowd, not from 2016, not corrupt,
2 so that positive message gets back to the President. So I
3 explained all that to Bolton.

4 He did not engage on that, by the way.

5 Q He did not engage on that?

6 A He did not.

7 Secretary Pompeo, as I said, "Good. I'm glad you're
8 doing that."

9 Bolton just kind of said, "Okay."

10 Q Was Bolton on the July 25th call, do you know?

11 A I don't know.

12 Q At the end here -- so we're -- on September 1st is
13 when the meeting in Warsaw occurred, correct?

14 A With the vice president.

15 Q With the vice president. And I'll get to that, but
16 here at the very end, you wrote, Kurt -- or Bill Taylor wrote
17 to you, "Kurt, can you WhatsApp Defense Minister" -- oh,
18 wow -- Zagor --

19 A Zagorodnyuk.

20 Q "We just met to discuss the pause in security
21 assistance. He would like your advice and assistance."

22 So at this point, the Ukrainians were clearly aware --

23 A Right.

24 Q -- of the freeze. Is that right?

25 A That's right.

1 Q Okay. And did you have a conversation with the
2 Ukrainian defense minister about the freeze?

3 A Yes, I did.

4 Q What did you say to him and he to you?

5 A I said that everyone in Washington is trying to
6 figure this out and fix it: Pentagon, State Department, NSC,
7 and even in Congress. I had done some staff meetings with
8 the Armed Services Committee, Senate Armed Services
9 Committee.

10 And in terms of advice, I suggested that he called
11 Secretary of Defense Esper, that he's a brand-new defense
12 minister. He should establish a counterpart relationship,
13 and give a call and express his concern about this, and
14 empower Esper to raise this issue.

15 And I also suggested that he plan an early visit to
16 Washington when Congress is in session, so that he could meet
17 both with Esper, or if Esper's not in town, whoever is there
18 from the Pentagon, but also have a chance to meet with
19 Members of Congress.

20 Q And do you know whether he reached out to Secretary
21 Esper?

22 A He did.

23 Q He did? Do you know what they talked about or what
24 the conversation was about?

25 A I did not get a readout on the call. I'm not sure

1 when the call took place. I have a feeling it was after a
2 delay.

3 Also, somewhere in here I texted him a letter that
4 several Senators signed to Chief of Staff Mulvaney urging --
5 saying that they had heard that there was a hold, and urging
6 that there not be such a hold.

7 Q Do you know who else was on that letter?

8 A I believe it's in here somewhere. I know -- here
9 it is. Very good. Page 32 and 33. Senator Shaheen, Senator
10 Durbin, Senator Blumenthal, Senator Portman, and Senator
11 Johnson, and it was addressed to the Director of OMB, Mick
12 Mulvaney, in that capacity and copied to Secretary Pompeo and
13 Secretary Esper.

14 Q So I want to skip to page 56. And I think that is
15 a new exhibit I have to create. So this will be Exhibit 11,
16 and it will be pages 54 through 57.

17 [Volker Exhibit No. 11
18 was marked for identification.]

19 BY MR. NOBLE:

20 Q And, again, to page 56, I want to direct your
21 attention to August 29th, 2019.

22 A Yes.

23 Q The message starting at 5:02, where you write:
24 "Trump not going to Warsaw now. Pence going. I'm so sorry."
25 Who are you telling this to?

1 A This is Vadym Prystaiko, who was the diplomatic
2 advisor to President Zelensky. He had been ambassador to --
3 Ukraine's ambassador to NATO, was tapped to be diplomatic
4 advisor. He is currently the foreign minister.

5 Q Do you know why President Trump decided not to go
6 to Warsaw?

7 A The hurricane news. There was a possibility of a
8 hurricane hitting Florida, and he cancelled his trip for that
9 stated reason.

10 Q Do you know for a fact that's why he cancelled it
11 or was that the stated reason?

12 A That -- that's the only reason that's been given.

13 Q And President Trump was supposed to meet with
14 President Zelensky in Warsaw. Is that right?

15 A That's correct.

16 Q And had you been working leading up to that
17 meeting? Had you been working to arrange that meeting?

18 A I had been pushing for the two of them to get
19 together from May; that I sincerely believed that once
20 President Trump sat down with President Zelensky, he would
21 have the same conclusion that this is someone we can work
22 with, as I had when I met with him.

23 Q Did you attend the meeting in Warsaw?

24 A No.

25 MR. NOBLE: Is it time's up? Okay. I see. My time's

1 up, so I'll --

2 MR. VOLKER: Okay.

3 MR. CASTOR: Might be possible -- should we take a break
4 or keep going?

5 MR. SWALWELL: I prefer to keep going.

6 MR. VOLKER: I'm okay.

7 MR. CASTOR: Okay. Keep going?

8 Do you have any questions at this time?

9 MR. PERRY: I don't.

10 MR. MEADOWS: As long as we have at the end where we can
11 come back and do a round.

12 MR. SWALWELL: Sure.

13 MR. CASTOR: We might have couple of things here. I
14 don't think it's worth turning over.

15 MR. MEADOWS: He is getting married on Saturday.

16 MR. NOBLE: We won't be here on Saturday.

17 MR. VOLKER: Thank you.

18 BY MR. NOBLE:

19 Q So did -- I'm sorry. I think I was asking you, did
20 you attend the Warsaw meeting?

21 A And that's correct. And I did not.

22 Q You did not. Did you get a readout from that
23 meeting about the meeting between Vice-President Pence and
24 Zelensky?

25 A Not much of one, actually. Very, very sketchy. I

1 did not get much of a readout at all.

2 MR. SWALWELL: Ambassador, with respect to the Warsaw
3 meeting, with a high-level official like the Vice President
4 meeting with the President of Ukraine, is that a meeting you
5 would typically be in?

6 MR. VOLKER: Depends. I had just been traveling for
7 about a week prior to that, including to Ukraine, and I had
8 some scheduling conflicts. And with the Vice President going
9 there and not being part -- manifested on the delegation to
10 the Warsaw, whatever it is, anniversary of World War II, it
11 just wouldn't have been possible to attempt.

12 MR. SWALWELL: Did you prepare the Vice President for
13 that meeting?

14 MR. VOLKER: I did not.

15 MR. SWALWELL: Do you know who did prepare the Vice
16 President for that meeting?

17 MR. VOLKER: I assume his staff prepared him and the NSC
18 staff.

19 MR. SWALWELL: So are you aware of any State officials
20 who were a part of the preparation for that meeting?

21 MR. VOLKER: I'm not aware. I would think that there
22 would have been some contact with the State Department, but
23 I'm not aware of who would have done that.

24 MR. SWALWELL: Was Bill Taylor at that meeting?

25 MR. VOLKER: I don't believe so.

1 MR. SWALWELL: How about Ambassador Sondland?

2 MR. VOLKER: I believe he was, but I'm not sure.

3 MR. SWALWELL: Again, I guess, is it -- it strikes me as
4 unusual that you would not be -- and I understand the travel
5 issue, but, again --

6 MR. VOLKER: Yeah,

7 MR. SWALWELL: -- the Vice President of the United
8 States --

9 MR. VOLKER: I know.

10 MR. SWALWELL: -- standing in for the President, is it
11 unusual that you were not more a part of that meeting at
12 least in the preparation?

13 MR. VOLKER: In Munich, in February of -- I guess it was
14 February of this year, February 2019, Vice President Pence
15 led the administration delegation to the Munich Security
16 Conference, and I was there. I had asked to be included in
17 his meeting with President Poroshenko, and I was not included
18 in that meeting.

19 MR. SWALWELL: Whose decision was that?

20 MR. VOLKER: The Vice President's staff, the Vice
21 President or Vice President's staff.

22 MR. SWALWELL: Who informed you that you would not be --

23 MR. VOLKER: Someone working on his staff at the time.

24 MR. SWALWELL: Do you know who that was?

25 MR. VOLKER: Gabrielle. I don't remember the last name.

1 MR. SWALWELL: Okay. Sorry. Keep going.

2 MR. VOLKER: But in any event, I was not included in
3 that meeting. And I my understanding is that the Vice
4 President likes to keep his meetings very, very small.
5 So when it was the Vice President going, flying from the
6 U.S., I'm heading back -- or had just headed back to the
7 U.S., I didn't really push for it.

8 MR. SWALWELL: But would there typically be coordination
9 among State and the Vice President's office for a high-level
10 meeting like that --

11 MR. VOLKER: Yes.

12 MR. SWALWELL: -- what the priorities are?

13 MR. VOLKER: Typically there would be.

14 MR. SWALWELL: So you don't know who briefed the Vice
15 President on what the meeting should entail?

16 MR. VOLKER: I don't. I don't. I mean, it was a last
17 minute swap-in. It was going to have been the President.
18 The President declined, sent Pence instead.

19 MR. SWALWELL: Was there a readout of the meeting?

20 MR. VOLKER: As I said, I barely got any readout of the
21 meeting.

22 MR. SWALWELL: What readout did you get?

23 MR. VOLKER: Essentially that it went well, that
24 concerning security assistance, the Vice President did not
25 have an answer to lifting the hold. So he said, Whatever the

1 decision ultimately is, rest assured that we stand side by
2 side with Ukraine, we support you, and that he would advocate
3 for a meeting with the President when he got back.

4 MR. SWALWELL: Who gave you the readout?

5 MR. VOLKER: I don't honestly remember now. The logical
6 person would have been my assistant at the State Department,
7 Catherine Croft.

8 MR. SWALWELL: And do you know if it was orally or
9 electronically or --

10 MR. VOLKER: Yes, orally, orally.

11 MR. SWALWELL: And did you seek to obtain any more
12 information post readout just so you knew how to deal with
13 your Ukrainian counterparts?

14 MR. VOLKER: I didn't. I figured that that's about as
15 much as I needed to know. I know a lot more.

16 MR. SWALWELL: Let me go back to Mr. Noble.

17 BY MR. NOBLE:

18 Q And in terms of readouts, you got a readout --
19 that's the readout on the U.S. side, but in your text
20 messages, you seem to get a readout from the foreign minister
21 of Ukraine, Vadym?

22 A Yes. He repeated that same line of -- I don't --
23 maybe you know where it is in the timeline here.

24 Q Sure. So on September 1st, 2019, at 1:27. This is
25 page 56.

1 A Yes.

2 Q I'm just going to call him Vadym, if that's okay.

3 A Yes, yes. Vadym.

4 Q He writes: Have to recognize it was a good meet.
5 Nobody was rushing. Seems the chemistry was there. It could
6 easily be a very successful meeting with POTUS. However, on
7 assistance side, it did not become clear, quote, "regardless
8 of the decision, you have to know that the U.S. is staying
9 strong next to UA in its war against.."

10 So help interpret that for us.

11 A Right. So I texted Vadym -- thank you for
12 reminding me, because I had forgotten this -- How was Pence
13 meeting?

14 And Vadym Prystaiko, who is on the verge of being the
15 foreign minister, if not the foreign minister on this day,
16 says: "Have to recognize it was a good meet." So it was a
17 good meeting. "Nobody was rushing. Seems the chemistry was
18 there. It could easily be a very successful meeting with
19 POTUS," meaning that if we have a President Trump-President
20 Zelensky meeting, Vadym is convinced that would go well.

21 Q Okay. So just to set the table, at this point in
22 time, September 1st, 2019, the security assistance funds to
23 Ukraine was frozen. The Ukrainians were aware of it.

24 A Yes.

25 Q You were still, and the Ukrainians were still

1 pushing for a White House meeting.

2 A Yes.

3 Q And then they -- there's this meeting with Vice
4 President Pence --

5 A Yes.

6 Q -- and the President of Ukraine. And Vice
7 President Pence can't tell the Ukrainians why the funds are
8 being frozen?

9 A Right.

10 Q And can't commit to a White House meeting for
11 President Zelensky?

12 A He couldn't give a date for the meeting with
13 President Zelensky, but he undertook to support such a
14 meeting.

15 Q At this point in time, had the Ukrainians committed
16 to putting out the statement by President Zelensky about
17 Burisma and the 2016 elections?

18 A No.

19 Q So we had talked about that before, the statement
20 that we were going back -- you were going back and forth on.

21 A Yeah.

22 Q Whatever happened to that statement?

23 A It died. I mean, no one -- once we started seeing
24 a tempo of engagement with Ukraine, we had first the sense
25 that Rudy was not going to be convinced that it meant

1 anything, and, therefore, convey a positive message to the
2 President if it didn't say Burisma and 2016.

3 I agreed with the Ukrainians they shouldn't do it, and
4 in fact told them just drop it, wait till you have your own
5 prosecutor general in place. Let's work on substantive
6 issues like this, security assistance and all. Let's just do
7 that. So we dropped it.

8 And -- so by this time, there's -- I'm not actively
9 discussing that with anybody anymore.

10 Should we continue or --

11 Q Yeah. And then -- yeah. Just the next line, you
12 say, "Good grief."

13 A Yes.

14 Q "We need to get our side sorted out on the
15 assistance."

16 A That's much more -- that's much more like me than
17 saying, "Damn Date."

18 Q "We need to get our side sorted out on the
19 assistance," meaning the assistance to Ukraine that had been
20 frozen, correct?

21 A Yes.

22 Q "But glad the meeting was good overall. Still
23 working for the White House visit." Right?

24 A Yes.

25 Q Okay.

1 A I think that's clear.

2 Q And at this point in time, you still did not know
3 why the funds supporting Ukraine were being frozen?

4 A To this day, no reason has ever been given.

5 Q Can we go to page 54, at the very bottom? I just
6 want to ask you a couple more things about --

7 A Sure.

8 Q -- your messages with the foreign minister.

9 A At this time, diplomatic advisor to the President.

10 Q When did he -- just so I know going forward, when
11 did he become foreign minister?

12 A Around -- once the government -- so the parliament
13 had to be seated, which took place, I believe, on
14 September 1st. And then once the parliament was seated, then
15 they could vote in the ministers. And so somewhere around
16 1st, 2nd, 3rd, he would have been voted in.

17 Q Okay. And going back to the statement that you
18 said the Ukrainians dropped, did they do that because
19 Zelensky never got a date for a White House meeting?

20 A No. They did it because we agreed it just wasn't a
21 good idea, it's not productive.

22 Q So at the very bottom here, Vadym says, "Thank you.
23 It was important contact. I must admit, I felt that you
24 sugarcoated a message on a visit, or the message I got
25 earlier was not correct. The visit went well. He is fast

1 learner and adapts constantly. Frankly, this one was
2 expectedly easy and friendly. Will introduce him to tougher
3 ones gradually. What was your reading?"

4 Can you set the scene for us? This is July 4th, 2019.
5 What was going on?

6 A So I met with President Zelensky on the previous
7 day, July 3rd. This was in Toronto. There was a conference
8 hosted by the Canadians on supporting Ukrainian economic
9 reforms, and I led the U.S. delegation.

10 And I had this meeting with President Zelensky. And
11 Prystaiko, I asked him what his take was on the meeting. He
12 said, "Thank you. It was important contact. I must admit, I
13 felt that you sugarcoated a message on a visit."

14 So I was not as negative about getting a White House
15 visit scheduled as Prystaiko believed I should have been. I
16 was saying, "Look, we're working it. We will get this done.
17 You know, it's -- sometimes it takes time, it's hard, but
18 we -- you know, we are here working this."

19 Prystaiko was more anxious about it. And I had probably
20 communicated with him, I can go back and look, but explaining
21 that, you know, we're getting nowhere here. We're trying,
22 but we're not getting any date out of the White House.

23 And he thought I maybe sugarcoated it when I should have
24 been more negative in my way of presenting it with President
25 Zelensky.

1 Q Is that because something -- a message was
2 communicated to him in Toronto, something that made him think
3 that you had kind of led them on that the White House meeting
4 would be occurring soon, or --

5 A Well --

6 Q Why does he think you sugarcoated it?

7 A Yeah. Just exactly what I just said, that in the
8 meeting with President Zelensky, I didn't say, this is a
9 problem in terms of getting a meeting. I said we are working
10 it, I'm confident we're going to get there, more like that.
11 And so I think he felt that was --

12 Q Sugarcoating it for President Zelensky?

13 A Sugarcoating it for President Zelensky, yes.

14 Q Okay. Let's go to the top of the next page. And
15 you wrote, "I wanted to make sure he knew we are supporting
16 him," meaning Zelensky, right?

17 A Yeah.

18 Q "and his stated commitment to reforms, and that
19 there are still concerns at the highest level he needs to
20 address proactively about Kolo" --

21 A Kolomoisky.

22 Q That is Kolomoisky that you're talking about
23 earlier?

24 A Yes.

25 Q -- "and whether he will really pursue reforms he

1 says. I talked to him privately about Giuliani and impact on
2 President."

3 A Yes.

4 Q Let's focus on that last part there. Who are
5 you -- which President were you referring to?

6 A President Trump.

7 Q Okay. And what did you communicate to President
8 Zelensky about Giuliani's impact on President Trump?

9 A I told him that he believes a lot of these negative
10 narratives about Ukraine; that there may be people around
11 Zelensky that are, as he said in his tweet -- or in his
12 press, enemies of the United States; and that he is
13 continuing to put out a negative narrative, and that that is
14 probably influencing President Trump's thinking.

15 So this is that discussion that I had on July 3rd with
16 President Zelensky that we talked about earlier.

17 This text message is my conveying to Vadym Prystaiko,
18 the diplomatic advisor, what I had told to President Zelensky
19 the day before.

20 Q Okay. Thank you. That answers my question on
21 that.

22 So I think I might be done with text messages. I'm not
23 making any promises, but we can set those aside for right
24 now.

25 MR. NOBLE: I'm going to let my colleague, Dan Goldman,

1 ask a few questions.

2 BY MR. GOLDMAN:

3 Q Ambassador Volker, I want to turn back for a moment
4 to the security assistance issue.

5 Let me direct your attention to Bates number 37 of your
6 text messages, if you have them there. It is one exhibit. I
7 don't know which one.

8 MR. CASTOR: Which one of the exhibits? 37?

9 MR. GOLDMAN: Yeah. 37. I'm not sure which one, but --
10 on July 18th --

11 MR. CASTOR: 2. It's exhibit 2, page 2.

12 MR. GOLDMAN: Thank you. Exhibit 2.

13 BY MR. GOLDMAN:

14 Q On July 18th at 10:19 in the morning, can you read
15 what Bill Taylor texted to you and Gordon Sondland?

16 A Yes. July 18th, Bill Taylor: "OMB" -- Office of
17 Management and Budget, on a SVTC, that's secure video
18 teleconference, it should be a C -- "just now said that all
19 security assistance to Ukraine is frozen per a conversation
20 with Mulvaney and POTUS. Over to you."

21 Q So at that point, you understood that the President
22 of the United States had issued the order to freeze the
23 Ukrainian aid. Is that right?

24 A That is what this says. I had not heard that from
25 my assistant or from others who were at the meeting, so I was

1 a little confused that this was true, but this is what Bill
2 said.

3 Q Did you subsequently learn whether that was true or
4 not?

5 A I believe it to be true. I don't know. I don't --
6 this -- I never got a clear explanation as to what happened.

7 Q Well, you know that it came from OMB?

8 A From OMB, which would be Mulvaney as the director.

9 Q Right. And also the acting chief of staff,
10 Mulvaney?

11 A Yes.

12 Q Right? And presumably he's acting at the direction
13 of the President?

14 A Presumably.

15 Q Okay. You don't have any reason to think that this
16 was not a directive from the President, do you?

17 A No, I don't.

18 Q In fact, none of the other agencies understood why
19 this was happening?

20 A Correct.

21 Q Right? So it was not coming from any of the other
22 interagencies that you were aware of?

23 A Correct.

24 Q So when -- and to your knowledge, up until it
25 became public at the end of August, you were -- you were not

1 aware that any Ukrainians knew about this hold, is that
2 right --

3 A That's correct.

4 Q -- on the security assistance?

5 A That's correct.

6 Q But they then became aware of it on, I believe you
7 said, August 29th?

8 A That's my recollection.

9 Q Okay. And then the next day, August 30th, was when
10 President Trump cancelled his trip to Warsaw. Is that right?

11 A I'm not sure what date that was cancelled. It
12 could be.

13 Q Okay. Well, the meeting in Warsaw with Vice
14 President Pence was September 1st.

15 A Yes.

16 Q Right? So President Trump obviously cancelled
17 before that?

18 A He had been in France at the G-7, and then I
19 believe he returned to the United States rather than do the
20 other stop.

21 Q And what did you understand, or what did you learn
22 subsequent to Vice President Pence's meeting with President
23 Zelensky in Warsaw that they discussed related to the
24 security assistance?

25 A It's exactly the message that we saw on the other

1 text.

2 Q You didn't learn anything more than what was
3 written in that message?

4 A No, no.

5 Q Okay. Now, Vice President Pence relayed to the
6 Ukrainians -- he did not relay an official explanation for
7 why the aid was being held. Is that right?

8 A That's my understanding, that's correct.

9 Q And you were not aware of any explanation for why
10 the aid was being held?

11 A No explanation was ever given.

12 Q And did you relay that to the Ukrainians as well?

13 A Yes, I did.

14 Q So from the Ukrainian perspective, they understood
15 from their American counterparts that, one, the aid was being
16 held, and two, no one had a reason why. Is that right?

17 A That is correct.

18 Q Okay.

19 A And three -- may I? Three, that we all thought
20 this is a mistake, and we're going to fix it.

21 Q Exactly. In addition, all the professionals who
22 focus on this area of the world thought it was a mistake?

23 A Yes.

24 Q Now, from July 18th up until September 1st, during
25 that period of time, you became aware of an effort by Rudy

1 Giuliani, at a minimum, to influence Ukrainian to open these
2 two particular investigations. Is that right?

3 A Yes, to have that included in a statement the
4 Ukrainians would make.

5 Q Well, it's not just to have it in a statement --

6 A Yeah.

7 Q They wanted --

8 A That if they stated they would do it.

9 Q -- them to begin the investigations, right?

10 A Yes.

11 Q It would be memorialized in a statement --

12 A Right.

13 Q -- but that's what Giuliani wanted.

14 A Yes.

15 Q And now in retrospect, you know from reading that
16 call record that Donald Trump wanted that as well, right?

17 A Yes. The call record, I think, kind of speaks for
18 itself as to what the President said. It's a little
19 different than saying Burisma and 2016, but the call record
20 is there.

21 Q Right. As part of your job as a special envoy to
22 Ukraine, do you read all of President Zelensky's press
23 releases?

24 A Do I read them all? No.

25 Q You don't read them all?

1 A No.

2 Q You don't want to know -- well, did you -- do you
3 think it would be part of your duties to read a readout of
4 President Zelensky related to a telephone call that he had
5 with Donald Trump --

6 A Yes.

7 Q -- the President of the United States?

8 A Yes. That, I probably saw.

9 Q And did you read that Ukrainian readout?

10 A I probably did. I'd have to see it to remember if
11 I did or not.

12 Q Okay. Well, I want to mark this as --

13 MR. SWALWELL: 12.

14 MR. GOLDMAN: Exhibit 12.

15 MR. CASTOR: We might need copies of this one.

16 MR. NOBLE: We have plenty of copies.

17 [Volker Exhibit No. 12

18 was marked for identification.]

19 BY MR. GOLDMAN:

20 Q Do you recognize this to be a readout from the
21 Ukrainians of a call between President Zelensky and President
22 Trump on July 25th?

23 A Yes, I do recognize this, and I did read it at the
24 time.

25 Q So you did read it at the time. Could you read the

1 second paragraph, please?

2 A "Donald Trump is convinced that the new Ukrainian
3 Government will be able to quickly improve image of Ukraine,
4 complete investigation of corruption cases, which inhibited
5 the interaction between Ukraine and the U.S.A."

6 Q Okay. When you read that at the time, what did you
7 think?

8 A I thought that's good; that that was the whole
9 idea, is for President Zelensky to convince President Trump
10 he is serious about fighting corruption, he's going to
11 prevent things from happening in the future.

12 We've had enormous issues of pressing Ukraine to fight
13 corruption under previous governments in Ukraine, getting an
14 anticorruption court established, setting up a special
15 prosecutor's office for corruption cases, special
16 investigatory office of corruption. It was a real struggle
17 to push Ukraine to fight corruption, and that had been an
18 impediment.

19 And so he's saying that, "I believe Zelensky is serious
20 about changing the direction of things." And he's saying
21 here that he believes that he convinced President Trump that
22 he is serious and will be able to do this, and that will help
23 to improve the U.S.-Ukraine relationship.

24 Q All right. Let's try this again in a different
25 way.

1 There was no readout from the office of the presidency
2 here. Is that right?

3 A You mean a readout --

4 Q There was no official readout from the White House
5 of this call.

6 A I don't believe so, no.

7 Q Right. Did that strike you as a little odd?

8 A Not really. I don't know if all calls are read
9 out, and if they are, they are just so perfunctory, you don't
10 learn anything from it anyway.

11 Q So that's a very nice gloss on the call and which
12 he read in this readout, but let me take you back to the text
13 message that you wrote to Andriy Yermak right before this
14 call where you said, "Heard from White House. Assuming
15 President Z convinces Trump he will investigate/'get to the
16 bottom of what happened' in 2016, we will nail down date for
17 visit to Washington."

18 So with that knowledge in hand, when you read this, you
19 did not think that what the Ukrainians were referring to was
20 the specific investigation that you told them to reference in
21 the call?

22 A What I said is -- well, two different things.
23 First off, what the actual statement says is "complete
24 investigation of corruption cases which inhibited the
25 interaction." So I take it to mean what it says.

1 Second, what I said concerning that message to Andriy
2 Yermak is, "convince the President," so be convincing, "and
3 get to the bottom of what happened in 2016."

4 So this is looking backward at whether there was any
5 election interference.

6 Q So you didn't say to Andriy Yermak: Convince
7 President Trump that you are really serious about rooting out
8 corruption in Ukraine, and then we can set a White House
9 visit, did you?

10 A No. You said -- No. It said -- I have it in front
11 of me here, but you know what it says.

12 Q Right.

13 A It says --

14 Q And given your conversations with Rudy Giuliani and
15 the fact that you had connected Rudy Giuliani to Andriy
16 Yermak shortly before this call, you also understood that
17 that was -- that those investigations were very important to,
18 at a minimum, Rudy Giuliani, right?

19 A The connection between Andriy Yermak and Rudy
20 Giuliani, I believe, is the 22nd of July.

21 Q And this call was the 25th?

22 A Right. And they did not have a detailed
23 conversation until August 2nd when they met in Madrid. So I
24 put them together and then had no follow-up from either of
25 them about that other than --

1 Q And just to be clear, they had planned that meeting
2 in Madrid prior to the President's call --

3 A Correct.

4 Q -- on July 25th?

5 A That is correct.

6 Q Do you know whether Rudy Giuliani had any role in
7 making that call happen between President Trump and President
8 Zelensky on July 25th?

9 A I don't know whether he did.

10 Q You don't know?

11 A No.

12 Q You didn't hear anything about it?

13 A No. He did not take credit for that. And I
14 believe he may have been helpful, but I don't know that.

15 Q Okay. So moving ahead now where we are with the
16 security assistance where I was before is, you were aware
17 that during that whole time from mid July until late August,
18 that the security assistance had been held --

19 A Uh-huh.

20 Q -- and that there was no official explanation for
21 it?

22 A Right.

23 Q And then that message was relayed to the Ukrainians
24 at the end of August, right?

25 A Which message?

1 Q That there was -- there was a hold on the security
2 assistance and that there was no explanation for why?

3 A Yes.

4 Q Okay.

5 A And that we were going to try to fix it.

6 Q And that you were going to try to fix it.

7 And that during this time while that was going on, Rudy
8 Giuliani, and now we know President Trump as well from this
9 call, was pushing Ukraine to initiate these investigations,
10 correct?

11 A That is true.

12 Q So, Ambassador Volker -- one moment.

13 Before I get to the next point, if we could go to 42,
14 which I don't believe is an exhibit. Actually, it is. We'll
15 get the exhibit. I'll find the exhibit.

16 Do you have it in front of you?

17 A I do.

18 Q Okay. Near the top of the page, 7/22 at 4:27 p.m.,
19 could you read what you texted to Gordon Sondland?

20 A 4:27 p.m.?

21 Q Yes.

22 A Kurt Volker: "Orchestrated a great phone call with
23 Rudy and Yermak. They are going to get together when Rudy
24 goes to Madrid in a couple of weeks."

25 Q Can you read the next one?

1 A "In the meantime, Rudy is now advocating for a
2 phone call."

3 Q And what did you understand that to mean?

4 A That he would support the President calling
5 Zelensky.

6 Q Well, you actually used the word "advocating."
7 That's different than "support," right?

8 A Yeah. Advocate for, support. That's the same
9 thing.

10 Q Well, "advocating" actually, doesn't that mean that
11 he's actually pushing for it rather than just supporting one?
12 He's affirmatively trying to make a phone call happen,
13 that's -- correct me if I'm wrong.

14 A Yeah. Is now advocating for a phone call, is now
15 supporting a phone -- I -- I take them to be the same, but,
16 okay; advocating for, urging that there be a phone call.

17 Q Okay. And if you read two lines down at 4:28:48.

18 A Now, to be clear, I never heard back from Rudy.
19 That's what he told me, but then I don't know whether he did
20 or not.

21 Q Okay. If you could read --

22 A Two lines down. "I can tell Bolton and you can
23 tell Mick" -- that is Mulvaney, the OMB Director, that Gordon
24 knows -- "that Rudy agrees on the call if that helps."

25 Q And then 3 days later, the call occurred, right?

1 A Yes.

2 Q And this was a phone call that you had been trying
3 to get --

4 A Yes.

5 Q -- for a couple months, right?

6 A Yes.

7 Q Now, Ambassador Volker, given the pressure that
8 Rudy Giuliani was putting on the Ukrainian administration to
9 initiate these investigations, do you not think that the
10 Ukrainians would not have understood that the actual
11 explanation for the security assistance being held up was the
12 fact that they did not issue that statement, or they had not
13 initiated those investigations if there was no official
14 explanation?

15 A That -- I see why you're asking this question.

16 Q Because it makes sense?

17 A But even my own understanding of this is back to
18 the meeting I had in the Oval Office with the others and the
19 President in May.

20 His views on Ukraine were so sharply negative, and
21 reinforced in a negative understanding, that it makes more
22 sense to me, it's more direct that this is happening
23 independently; that he sees that we are about to launch a
24 notification of millions of dollars to Ukraine. Wait a
25 second. You know, are they -- can we work with these guys?

1 Are they corrupt still? Why should we be giving them
2 American money? Why aren't the Germans doing this?

3 That's what I interpreted at the time what the issue is.
4 And I don't know whether I said it that explicitly to the
5 Ukrainians, but I think it's reasonable to see this as
6 something happening on its own.

7 Q Right. Now, you said in one text that you were out
8 of the loop, you had only two phone conversations with Donald
9 Trump, you were not privy to Rudy Giuliani's conversations
10 with the Ukrainians. Is that right?

11 A Yes.

12 Q And, in fact, you weren't even present for Mike
13 Pence's meeting with Zelensky?

14 A That's correct.

15 Q So you don't really have firsthand knowledge as to
16 what messages were relayed to the Ukrainians. Is that right?

17 A In those meetings, yes, that's correct.

18 Q Yes. That's right.

19 The -- did you -- you reviewed the call record of the
20 July 25th call --

21 A Yes.

22 Q -- closely?

23 A Yes.

24 Q Did you see anywhere where President Trump mentions
25 the word "corruption"?

1 A I'd have to go back and read it. I'm suspecting
2 you know the answer. (Pause-referring).

3 Okay. I do not see the word "corruption." I see a few
4 things that infer corruption, but I do not see the word
5 "corruption."

6 Q In fact, in your conversation with the President in
7 May, the stated reasons why he had a deeply rooted distrust
8 or dislike of the Ukrainians was because of what he perceived
9 to be their role in the 2016 election and/or the Paul
10 Manaforte case. Is that right?

11 A That was mentioned, but it was a long -- longer
12 statement that "they are all corrupt, they are all terrible
13 people, and," you know, "I don't want to spend any time with
14 that." That was -- it was a broader statement. And he also
15 said, "and they tried to take me down."

16 Q So he didn't have any specific examples other than
17 the fact that they tried to take him down?

18 A He did not give any other specific examples.

19 Q Right. And, in fact, in this call, he does
20 specifically reference an investigation related to the 2016
21 election and an investigation related to Joe Biden, right?

22 A He does.

23 Q Okay. So you don't really, sitting here, believe,
24 do you, that the President or Rudy Giuliani needed some
25 assurance that President Zelensky was actually against

1 corruption? That's not what they were really concerned
2 about. You understand that, right?

3 A Yeah. No, I do believe that. We have to
4 differentiate between the President and Rudy Giuliani.

5 What I heard from President Trump in the meeting in the
6 oval office was blanket, like, "this -- these are terrible
7 people, this is a corrupt country," you know, "I don't
8 believe it."

9 I made the argument that President Zelensky is the real
10 deal, he is going to try to fix things, and, you know, he
11 just did not believe it. He waved it off. So there's a
12 general issue there.

13 He did not mention investigations to me in that meeting,
14 or call for investigations. I was not aware that he did so
15 in the July 25th call later.

16 His attitude towards Ukraine was just general and
17 negative.

18 Rudy Giuliani, as we know from a lot of his public
19 commentary, talks about this all the time. He's interested
20 in that, but that doesn't mean that the President is as
21 focused on that as Rudy is, and so I would -- I would
22 differentiate there.

23 And I think the target as I saw it, is to make sure the
24 President is not being reinforced in such a negative view,
25 and gets on with a bilateral relationship with the new

1 president.

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1 [5:05 p.m.]

2 BY MR. GOLDMAN:

3 Q Are you aware of President Trump expressing
4 publicly any concerns about corruption in any other
5 countries?

6 A Well, Russia. I've heard him mention, you know --

7 Q You have?

8 A -- corruption in Russia, in the same conversation,
9 like they're all terrible. I can't say that I've been --

10 Q Do you recall -- just on the topic of Russia, do
11 you recall when President Trump in Helsinki said that he
12 believed Vladimir Putin over his intelligence agencies?

13 A I do remember that press conference.

14 Q Okay.

15 A But we're talking about corruption, and I think
16 we're talking really, you know, business climate there.

17 MR. NOBLE: But President Trump took multiple meetings
18 with President Putin but would not meet with President
19 Zelensky, right? To this day he's not met with President
20 Zelensky in the Oval Office, but he would take meetings with
21 President Putin. So if he's truly concerned about
22 corruption, why meet with Putin but not meet with Zelensky?

23 MR. VOLKER: Yeah. I can't answer other than that I
24 think it's important that both take place. You know, it's
25 important to fight corruption. It's important that the

1 President meet with Zelensky and support him. It's also
2 important that the President meet with President Putin
3 because we can't have a risk of conflict with Russia either.

4 BY MR. GOLDMAN:

5 Q Ambassador Volker, we understand that you are in a
6 difficult position, and I don't think anyone here has any
7 doubt that you were singularly focused on promoting the
8 bilateral relationship between the United States and Ukraine
9 and supporting Ukraine in their efforts to promote democracy
10 and in their best interest, which I take it you understand is
11 also in our best interest.

12 A Yes.

13 Q Is that right?

14 But you don't live under a rock. And for you to sit
15 here and say that you don't think that through all of your
16 efforts to persuade Rudy Giuliani, through all of the
17 Ukrainian efforts to communicate and coordinate with Rudy
18 Giuliani that he's acting alone as a rogue actor without any
19 connection to Donald Trump, who is his client.

20 And part of the reason that we know that and that you
21 know that sitting here is that both Rudy Giuliani and
22 President Trump have admitted as much. So I'm struggling to
23 understand why you are still trying to tell us that they were
24 not interested in pursuing these investigations and that that
25 had nothing to do with the President's views on Ukraine?

1 A Well, there's a difference between understanding at
2 the time and what we have in public domain today. So at the
3 time, neither President Trump nor Rudy Giuliani, after that
4 first breakfast meeting that I had with him, ever brought up
5 Joe Biden.

6 I had pushed back on that and separated it, and said,
7 one thing about corruption in Ukraine, whether Ukrainian
8 officials may have done improper things, Burisma, or
9 otherwise, and that -- and so every time that came up after
10 that I felt I had already put up that marker.

11 Q Okay. Now, understanding that you've been
12 testifying today primarily to what you knew at the time,
13 let's just take a step back and look back with hindsight that
14 is 20/20, because you know this area very well. You're an
15 expert in this area.

16 Now, looking back, as you see it today, understanding
17 that you are not privy to a lot of this information, do you
18 recognize the concerns -- or the Ukrainian -- do you
19 recognize that the Ukrainians may very well have perceived
20 that the security assistance hold related to Rudy Giuliani's
21 efforts to influence them to initiate these investigations?

22 A Right. Is it possible that they believe that, yes,
23 it's possible. I had conversations with them about this
24 after August 29, and for about a week and they never raised
25 that with me.

1 Q Understood.

2 Mr. Noble, do you want to go through a couple of the
3 other meetings?

4 BY MR. NOBLE:

5 Q Sure. And I wanted to go back to a point of
6 clarification. When we were talking about the statement that
7 was being drafted in August of 2018, I believe you testified
8 it was never issued.

9 A Right.

10 Q The Ukrainians dropped it. But they continued to
11 talk about a possible interview --

12 A Yes.

13 Q -- that President Zelensky was going to do,
14 correct?

15 A Yes. I was not involved in that. I heard about
16 that from Gordon Sondland that he had been in touch with
17 Ukraine, and there was talk about Zelensky giving an
18 interview in which he would talk about his commitment to
19 investigating things that happened in the past. I don't know
20 the details of those conversations, and I don't believe any
21 such interview happened.

22 Q And was the plan for that interview for President
23 Zelensky to specifically mention Burisma and the 2016
24 elections?

25 A I don't know.

1 Q So I would like to go through and talk about some
2 of the other conversations between U.S. officials and
3 Ukrainians, and I'm going to do this in chronological order.
4 So I'd like to go back in time to April 21 of 2019 when
5 President Zelensky was elected. And there was, I understand,
6 a congratulatory call --

7 A Yeah.

8 Q -- between President Trump and President Zelensky.
9 Is that correct?

10 A That is correct.

11 Q Did you participate in that call?

12 A I did not.

13 Q Okay. Did you get a readout about the call?

14 A Just that it was a good congratulatory phone call.
15 That's all.

16 Q Do you know how long the call lasted?

17 A I don't.

18 Q You do not?

19 A No.

20 Q Okay. Do you know who else participated in the
21 call?

22 A I don't.

23 Q Okay. And do you know what in sum and substance
24 was said by President Trump and President Zelensky during the
25 call?

1 A No. My understanding is that it was just a
2 congratulatory phone call on his election victory.

3 Q Do you know whether they discussed Joe Biden or
4 Hunter Biden?

5 A I don't.

6 Q Do you know whether they discussed Burisma?

7 A I do not.

8 Q Do you know whether they discussed Paul Manafort?

9 A I don't.

10 Q Do you know whether they discussed a White House
11 visit?

12 A I don't.

13 Q Do you know whether there's a transcript or a
14 summary or a memo or notes of that call?

15 A I don't know that either.

16 Q You never saw such notes?

17 A No. No.

18 Q Did you ever discuss the call with Secretary Pompeo
19 or anyone else at the State Department?

20 A Just the fact of a congratulatory phone call, no
21 more than that.

22 Q Did anyone ever express any concerns about the
23 April 21st call?

24 A Not that I heard.

25 Q So I'd like to now turn to the May 20, 2019, the

1 U.S. delegation to the inauguration of President Zelensky in
2 Kyiv.

3 A Yes.

4 Q It's our understanding that the White House had put
5 the inauguration for President Zelensky on Vice President
6 Pence's calendar, but at some point President Trump
7 instructed Vice President Pence not to attend the
8 inauguration. Were you aware of that at the time?

9 A I was aware that we were trying to get Vice
10 President Pence to lead the delegation, and in the end he
11 wasn't able to do so. Given that this was put together over
12 the course of a couple days, I'm not surprised -- I wasn't
13 surprised at the time that the Vice President couldn't do it.

14 Q Do you know the reason why President Trump directed
15 Vice President Pence not to go to the inauguration?

16 A I was not aware that it was at the direction of
17 President Trump, and I assumed it was just a matter of
18 scheduling.

19 Q Who led the U.S. delegation?

20 A Secretary of Energy Rick Perry.

21 Q Why was that?

22 A Cabinet level, so that we were at least, if we
23 weren't getting the vice president, it was still important to
24 have someone at a cabinet level, and because we have a lot of
25 issues with Ukraine on energy. He has an interest in

1 Ukraine, so I think he was very happy to take on the
2 assignment.

3 Q To what extent had Secretary Perry been involved in
4 U.S.-Ukraine relations up to that point?

5 A He and I had not really intersected up to that
6 point on Ukraine. I had known him years past, but nothing
7 concerning Ukraine in a contemporary time space until we went
8 there together.

9 Q Who are the three amigos?

10 A That refers -- I don't use that phrase either
11 because I think of three other people as the three amigos.

12 Q Fair enough.

13 A But that refers -- Gordon Sondland usually uses
14 that, and he was referring to himself and to Rick Perry and
15 to me.

16 Q Why didn't Secretary Pompeo lead the delegation?
17 Wouldn't he have been more appropriate?

18 A He would have been a great choice. I don't know
19 why, probably also scheduling.

20 Q Okay. Who else was in the U.S. delegation besides
21 Secretary Perry?

22 A Senator Ron Johnson was there as well and our
23 Charge d'affaires at the time Joe Pennington.

24 Q Joe Pennington?

25 A Yeah.

1 Q Was Ambassador Sondland there?

2 A Yes, he was one of the ones in the delegation.

3 Q Okay. And you were there as well?

4 A Yes.

5 Q Okay. Do you know who they met with in Kyiv during
6 the inauguration, which Ukrainian officials?

7 A I have to think back. We met with President
8 Zelensky. Several advisers were with him in that meeting.
9 We met with the speaker of the parliament, the then-speaker
10 of the parliament because it was before the parliamentary
11 election. Yeah, I'd have to think back who else we may have
12 met with.

13 Q Okay. During the meeting with Zelensky, was there
14 any discussion about Rudy Giuliani or the investigations --

15 A No.

16 Q -- that we've been talking about?

17 A No. That did not come up.

18 Q Do you know whether President Trump directed anyone
19 in the U.S. delegation to deliver a message to Zelensky about
20 the investigations?

21 A No.

22 Q You don't know one way or the other?

23 A I don't know one way or the other. I don't believe
24 anything's happened, but I don't know.

25 Q Do you know whether Ambassador Sondland delivered

1 any message to President Zelensky or any of his advisers?

2 A I don't believe so. I don't know.

3 Q Do you know whether Ambassador Sondland had any
4 one-on-one meetings or meetings that you did not attend while
5 you were in Kyiv for the inauguration?

6 A For the inauguration, I believe we did everything
7 together.

8 MR. CASTOR: I think we've got the 45 minutes is up.

9 MR. NOBLE: Okay. We have more, but we'll turn it over
10 to you.

11 MR. CASTOR: Okay. Anybody need a break?

12 MR. VOLKER: Yeah, maybe a quick break.

13 MR. NOBLE: 5-minute break?

14 MR. VOLKER: Yeah.

15 [Recess.]

16 MR. BITAR: We'll return on the record. It's 5:27 for
17 the minority.

18 MR. NUNES: Welcome, Ambassador. My name is Devon
19 Nunes. I'm from California. I just wanted to welcome you to
20 the committee.

21 MR. VOLKER: Thank you.

22 MR. NUNES: I was a little surprised that this was still
23 going, so I'm sure you're exhausted. But from what I
24 understand, you're answering the questions, sticking to the
25 facts, and I appreciate your willingness to come in on your

1 own and testify before the committee here.

2 MR. VOLKER: Thank you, Congressman.

3 MR. NUNES: And I don't think we have very many
4 questions left, if any, but we may have just a couple.

5 BY MR. CASTOR:

6 Q Yeah. Just a few. We're very respectful of your
7 time. These all-day interviews can be a challenge, so we
8 would like -- we wish you could get home by, you know, 6:00
9 or at some reasonable hour, so we'll try not to stand in the
10 way of that.

11 A Thank you.

12 Q Appreciate you sticking to the facts that you have
13 firsthand knowledge about. In the last round there was some
14 questions that present some ambiguous facts --

15 A Uh-huh.

16 Q -- you know, for what reason Vice President Pence
17 didn't lead the delegation. You know, that's what
18 investigations do. They look for evidence and proof. And,
19 you know, you were asked whether Vice President Pence didn't
20 travel because of, you know, the aid issue or there wasn't an
21 investigation into Joe Biden and so forth. And you testified
22 that you didn't have any firsthand knowledge on that and, in
23 fact, you said it was probably his schedule.

24 A That was my assumption. It is difficult to get
25 things on the President or Vice President's calendar.

1 Q And you mentioned that it happened on short notice?

2 A It was a very short notice announcement of when the
3 inauguration would be, so I think, as a -- you know, anybody
4 in the world only had like 4 days' notice, and putting
5 together a presidential delegation in that short space of
6 time is tough.

7 Q But the delegation did include some key players,
8 Senator Johnson?

9 A Yes.

10 Q Secretary Perry?

11 A Yes.

12 Q And Ambassador Sondland?

13 A Sondland.

14 Q So that was a very reasonable size delegation?

15 A It was a very -- it was the largest delegation from
16 any country there, and it was a high-level one.

17 Q Okay. So there's no reason to suggest that the
18 roster of officials on the delegation was anything less than
19 what you'd expect?

20 A Right. It would have been nice to have the Vice
21 President, but, you know, you can't always -- yeah.

22 Q Or the Secretary?

23 A Yeah.

24 Q You were asked whether there's any mention of
25 corruption on the call, going back to Exhibit 4, the readout

1 of the telephone conversation. I'm not certain the word
2 "corruption" appears, but, you know, if you turn to page
3 three at the bottom --

4 A Yes.

5 Q -- the President says some very bad people.

6 A Yes.

7 Q You know, I don't know if that's an ambiguous
8 statement or not, but, you know, reasonable people could
9 equate very bad people --

10 A Right.

11 Q -- to corruption.

12 A Yes. So the question that I answered was whether
13 the word "corruption" appears and does the President say it.
14 And I said, no. I said, there are some things that you can
15 infer, and that was what I was looking at is, he talks about
16 a prosecutor who was very good getting shut down, says that's
17 really unfair. He says, they shut down -- you had some very
18 bad people involved. So that's an inference even if it's not
19 using the word "corruption."

20 Q At various points today we've talked about the
21 President's deep-seated concern about Ukraine, the business
22 culture there. And we've gone through several reasons why
23 the President may have had that view, whether it was related
24 to his prior business experience --

25 A Possibly.

1 Q -- whether it was related to the business
2 experience of his colleagues in the business community --

3 A Possibly.

4 Q -- whether it related to Paul Manafort --

5 A Possibly.

6 Q -- whether it related to, you know, this allegation
7 of Ms. Chalupa. But among all of those things, you would
8 testify that indeed the President had a very genuine --

9 A Yes.

10 Q -- deep-seated concern about Ukraine and
11 corruption, for whatever reason, a variety of reasons?

12 A Yes.

13 Q Is that true?

14 A That is true, and that was crystal clear to me.

15 Q And you have been with the President and you've had
16 readouts about his concerns about Ukraine.

17 A Uh-huh.

18 Q And so is it fair to say that this wasn't a
19 pretext --

20 A Right.

21 Q -- for all things Biden?

22 A Correct.

23 Q Okay.

24 A Correct.

25 Q Exhibit 12 was the Ukrainians' readout from the

1 call.

2 A Say that again?

3 Q Exhibit 12 earlier was the --

4 A Oh, yes, the statement from the President's Office
5 of Ukraine, yes.

6 Q Right. And, you know, at various points today
7 we've talked about, you had a readout from the State
8 Department after the call happened?

9 A Uh-huh.

10 Q Nobody told you anything about that?

11 A Right.

12 Q You had a readout from your Ukrainian folks --

13 A Right.

14 Q -- that you have a rather sophisticated
15 relationship with --

16 A Yes.

17 Q I mean, you're in constant contact with these
18 Ukrainian officials?

19 A Yes.

20 Q You have trust. They trust you?

21 A Yes.

22 Q And they never mentioned anything about Joe Biden
23 to you?

24 A That's correct.

25 Q And then on this readout I don't see the word

1 "Biden, Burisma, Hunter Biden," anything, right?

2 A That is correct.

3 Q Okay. So this is like another data point, a piece
4 of evidence about the call that, you know, if you're looking
5 to characterize what happened on the call, this is another
6 piece of evidence?

7 A Right.

8 Q This morning we spoke in some detail about the
9 delay in the assistance funds.

10 A Yes.

11 Q And you testified that these delays happen.

12 A They do.

13 Q There are complicated facts. There's different
14 power centers on any type of assistance to a foreign nation.
15 Is that correct?

16 A In general, yes, that's true.

17 Q Okay. But you believed all along that these
18 assistance funds would be released?

19 A Yes.

20 Q And the United States commitment --

21 A Yes.

22 Q -- to stepping up the aid to Ukraine, and
23 especially the types of aid, the more lethal and helping them
24 with some, you know, anti-weapons systems, was it in the
25 United States interest?

1 A Yes.

2 Q Was it in the interest of Ukraine?

3 A Yes.

4 Q And you expressed confidence, you know, that this
5 aid would be released?

6 A Yes, I did.

7 Q And you also testified that you tried to convey
8 that to the Ukrainians?

9 A Yes, I did.

10 Q And you tried to convey that to the other U.S.
11 officials?

12 A Yes.

13 Q So to the extent there were some, you know,
14 hair-on-fire moments, for lack of a better word, that this
15 wasn't going to happen, you stayed the course, you stayed
16 confident, and indeed, in the end, the assistance funds
17 were --

18 A That is exactly right.

19 Q There was some discussion about whether President
20 Trump has met with Rudy Giuliani in the Oval Office. Are you
21 aware of any such things?

22 A I have no knowledge of that.

23 Q President Trump has met with -- I'm sorry, with
24 Vladimir Putin in the Oval Office?

25 A Is that a question?

1 Q Yeah. Do you know if --

2 A I don't know. I'd have to go back and check. I
3 know he's had meetings with Putin. I don't know whether he's
4 met him in the Oval Office.

5 Q Most of these meetings have occurred in
6 international locations, haven't they?

7 A That's my understanding, yeah.

8 Q But I believe there was a suggestion that Putin had
9 been invited to the Oval Office and Zelensky hadn't -- in one
10 of the earlier rounds?

11 A Yeah. There have been meetings with President
12 Putin.

13 Q Right.

14 A And there had been no -- it had been difficult
15 scheduling a meeting with President Zelensky. That being
16 said, we had a meeting with President Poroshenko in 2017.
17 President Zelensky was elected in May of 2019, and we had a
18 meeting in September of 2019. So it took a lot of work, but
19 we got there.

20 Q But since President Trump has been in office,
21 you're not aware of any meeting with Vladimir Putin in the
22 Oval Office, are you?

23 A No.

24 Q In New York the President did meet with Zelensky?

25 A Yes.

1 Q And so the President has met with Zelensky at
2 international meetings, this one happened to be in New York,
3 just like the President has met with Vladimir Putin at
4 international meetings, correct?

5 A That is correct.

6 Q Okay. I think that's all we have for -- Mr. Perry,
7 I'm sorry.

8 MR. PERRY: Thank you.

9 Ambassador, in the last series there was a lot of time
10 spent on the fact that the funds weren't forthcoming and you
11 didn't know why, nobody seemed to know why, but you were
12 going to have to address the officials in the Ukrainian
13 Government in your normal course of your business.

14 And it was implied that surely they knew because of
15 Mr. Giuliani's statements, things in the press, that there
16 could only be one thing, right. We don't have the money.
17 The money is not forthcoming yet. You can't tell me the
18 reason why. So the only reason that can be is because these
19 investigations are or are not involved. That was kind of the
20 implication.

21 Now, previously in another round you had talked to me
22 about the trust that the same officials from Ukraine had in
23 you personally.

24 MR. VOLKER: Yes.

25 MR. PERRY: And you had conversations with them about

1 the fact --

2 MR. VOLKER: Yes.

3 MR. PERRY: -- that the money was not forthcoming and
4 you didn't know why.

5 MR. VOLKER: Yes.

6 MR. PERRY: And not once did they imply, ask, infer that
7 you know of that it had anything to do with investigation?

8 MR. VOLKER: That is true.

9 MR. PERRY: And you're confident that if that was
10 something they were concerned about, that they were worried
11 that that was -- there was a connection, a nexus, that they
12 would have asked you or brought that up as a possibility?

13 MR. VOLKER: It never came up in conversation with them,
14 and I believe they had trust in me that they would have asked
15 if that was really what they were worried about.

16 MR. PERRY: Okay. I yield.

17 MR. CASTOR: That's all we have for now.

18 MR. SWALWELL: Ambassador, with respect to the security
19 assistance, am I correct that that was appropriated by
20 Congress in 2018? Is that right?

21 MR. VOLKER: I believe that's right.

22 MR. SWALWELL: Okay. And so the second that's
23 appropriated and the President signs into law, the Ukrainians
24 have an expectation that it's coming. Is that right?

25 MR. VOLKER: That is correct.

1 MR. SWALWELL: Okay. So whether they learned about the
2 hold in August or before, every day that goes by after it's
3 appropriated and they don't receive it, as far as they're
4 concerned, it's binary. They don't have it. Is that right?

5 MR. VOLKER: Yes, I think that's fair.

6 MR. SWALWELL: Okay. I'll turn it over to Mr. Noble.

7 BY MR. NOBLE:

8 Q In the text messaging exchange on September 8 or
9 September 9 with Bill Taylor, where he says that he believes
10 that the aid was being held up and the White House visit was
11 being withheld because of the investigations, do you know why
12 he had that concern or what basis he had for believing that?

13 A No, I don't. I believe, and I'd have to go back
14 and read it again, but I believe it was the Politico article
15 that suggested that. And we, Gordon Sondland and I, both
16 spoke with Bill and said, I don't think that's it, and don't
17 panic over this. We are working to get this fixed.

18 Q But Bill Taylor was threatening to resign if that
19 turned out to be the case, that that was U.S. policy?

20 A No, I think the way I read his note, if we actually
21 did not deliver the security assistance, that would be a
22 major change in U.S. policy and that would cause him to
23 resign.

24 Q I'd like to ask you about Secretary Perry. After
25 the May 20 delegation to Kyiv, did he have a continuing role

1 going forward in dealing with Ukraine?

2 A He did. We tried to work as a team, that group
3 that had been part of the presidential delegation, at least
4 Gordon and Rick Perry and myself and with Bill Taylor, in
5 order to try to keep momentum, keep Ukraine on the front
6 burner, build a bilateral relationship, get the White House
7 visit, and so forth. And he had some particular issues in
8 the energy sector that he was very keen on working with the
9 Ukrainians, and so he was very active on that.

10 Q Okay. So he continued to communicate with the
11 Ukrainians at that point -- from that point?

12 A Yes. Yes, I'm sure he did.

13 Q Okay. I want to ask you about the May 23, 2019,
14 Oval Office meeting.

15 A Yes.

16 Q I think we talked a little about that at the
17 beginning. But could you just remind us, who all was present
18 for that meeting?

19 A Yes. To recap, we had the delegation that had been
20 the presidential delegation, Rick Perry, myself, Gordon
21 Sondland, and Senator Johnson. I believe Mr. Kupperman, the
22 deputy national security adviser was there, I believe
23 Mr. Mulvaney was there, but I'm not sure about that. Our
24 Charge at the time in Kyiv, Joe Pennington, was not there.

25 Q Okay. And approximately how long did the meeting

1 last?

2 A I would suspect about a half an hour.

3 Q And can you describe the discussion --

4 A Yes.

5 Q -- that occurred?

6 A Yes. The President started the meeting and started
7 with kind of a negative assessment of the Ukraine. As I've
8 said earlier --

9 Q Yep.

10 A -- it's a terrible place, all corrupt, terrible
11 people, just dumping on Ukraine.

12 Q And they were out to get me in 2016.

13 A And they were out to get -- and they tried to take
14 me down.

15 Q In 2016?

16 A Yes. And each of us took turns from this
17 delegation giving our point of view, which was that this is a
18 new crowd, it's a new President, he is committed to doing the
19 right things. I believe I said, he agrees with you. That's
20 why he got elected. It is a terrible place, and he
21 campaigned on cleaning it up, and that's why the Ukrainian
22 people supported him.

23 So, you know, we strongly encouraged him to engage with
24 this new President because he's committed to fighting all of
25 those things that President Trump was complaining about.

1 Q And how did the President react?

2 A He just didn't believe it. He was skeptical. And
3 he also said, that's not what I hear. I hear, you know, he's
4 got some terrible people around him. And he referenced that
5 he hears from Mr. Giuliani as part of that.

6 Q Can you explain a little bit more about what the
7 President said about Rudy Giuliani in that meeting?

8 A He said that's not what I hear. I hear a whole
9 bunch of other things. And I don't know how he phrased it
10 with Rudy, but it was -- I think he said, not as an
11 instruction but just as a comment, talk to Rudy, you know.
12 He knows all of these things, and they've got some bad people
13 around him. And that was the nature of it.

14 It was clear that he also had other sources. It wasn't
15 only Rudy Giuliani. I don't know who those might be, but
16 he -- or at least he said, I hear from people.

17 Q Okay. Did anyone else come into the Oval Office
18 during the meeting that you can recall?

19 A Not that I can recall. It's possible, but -- I was
20 sitting facing the desk, and he was sitting facing us, and I
21 couldn't see what was happening behind me.

22 Q He being the President?

23 A Yeah, the President sitting at his desk, the
24 delegation facing him, and I could not see what was happening
25 behind.

1 Q Okay. Do you know whether Rudy Giuliani was at the
2 White House that day?

3 A I don't.

4 Q He was not in the meeting?

5 A He was not in the meeting.

6 Q And what was the outcome of that meeting? What was
7 the conclusion, the takeaways?

8 A The outcome was that the President agreed to sign a
9 congratulatory letter to President Zelensky and invite him to
10 the White House.

11 Q And that's the letter we talked about earlier?

12 A And that's the letter we have.

13 Q Okay. So I'd like to move on, ask you quickly
14 about a June 4, 2019 meeting between Jared Kushner and
15 President Zelensky at the U.S. mission to the EU's
16 Independence Day celebration. Are you aware of that meeting?

17 A I am aware of President Zelensky going to U.S. --
18 or to the European Union, and I believe there was a dinner
19 that Gordon Sondland was at with him or maybe Gordon even
20 hosted. I'm not sure who else was there.

21 Q Did you attend the meeting?

22 A I did not.

23 Q Okay. Did you prep the meeting?

24 A No, I did not.

25 Q Okay. Did you get a readout from the meeting?

1 A I did not really get a readout either, other than
2 Gordon told me that Jay Leno was there. And that was --

3 Q Why was Jay Leno there?

4 A I have no idea.

5 Q And who else -- Secretary Perry was there, correct?

6 A I don't know. I don't know the answer to that.

7 Q Oh, you don't know.

8 A I don't know.

9 Q You don't know the participants on the U.S. side?

10 A No, I don't.

11 Q Do you know anything else about the June 4 meeting?

12 A I don't. I was not really plugged into that.

13 Q All right. So I want to move to -- jump to the
14 July 10th meeting.

15 A Yes.

16 Q This is with the Ukrainians.

17 A Yes.

18 Q Danylyuk and Yermak at the White House?

19 A Yes. Yes. With John Bolton.

20 Q Can you just describe kind of the course of events
21 for the Ukrainians visit to Washington, D.C., who they met
22 with, the sequence of meetings that you participated in, just
23 give us the lay of the land.

24 A Yeah. To the best of my recollection, Danylyuk was
25 coming in his official capacity as the chairman of the

1 National Security and Defense Council for a meeting with
2 Bolton as a counterpart, so starting up that relationship. I
3 had drinks with him the night before.

4 Andriy Yermak was also in town at the same time. This
5 was not fully coordinated between the two of them. And there
6 was some obvious, I don't want to call it tension, but a
7 little sense of Danylyuk assuming the official role when
8 Yermak feels that he's the one closer to President Zelensky,
9 so it just created a little bit of a dynamic between them
10 that you could see. I met with -- so I said I met with
11 Danylyuk for drinks in the evening before.

12 Q Where did you have drinks?

13 A At the Metropolitan Club. And the next morning I
14 met with Yermak for coffee.

15 Q And where was that?

16 A And that was at the Trump Hotel. And then I saw
17 both of them at the meeting with John Bolton.

18 Q At the White House?

19 A At the White House.

20 Q Okay. And remind us who the other participants
21 were.

22 A I believe it was Rick Perry, Gordon Sondland,
23 myself, an NSC staffer, I'm not sure who it was now, somebody
24 from the National Security Council staff, John Bolton
25 himself.

1 Q What was discussed at the meeting, sum and
2 substance?

3 A Yeah. It was --

4 Q Is this the one you were telling us about earlier
5 where Danylyuk was getting way too bureaucratic?

6 A Exactly, yes. It was talking about legislation to
7 reform the security services, legislation to reform the
8 defense establishment, and really getting down into the
9 bureaucratic weeds, and not conveying a top-level message, a
10 strategic message.

11 And Yermak didn't say a word in the meeting. It was
12 only Danylyuk doing his presentation and talking because he
13 was -- Yermak was respecting Danylyuk's role of making this
14 presentation. And the meeting was just kind of flat, and I
15 thought it was a missed opportunity.

16 Q Did you have a goal for the meeting, something that
17 was supposed to happen with Bolton?

18 A Well, two things: One of them, I wasn't involved
19 in scheduling the meeting. It was just a normal, you know,
20 he's coming as a new counterpart, but I was hoping that
21 Danylyuk would give Bolton more of a political sense about
22 what's going on in Ukraine, who the new team is, who Zelensky
23 is, and he didn't talk about that. So I thought that was the
24 missed opportunity. He did not convey what's really
25 happening.

1 And I was also hoping that with that John Bolton would
2 become more activated in trying to get the date for the
3 White House visit for Zelensky, and that didn't happen.

4 Q Which had been promised by President Trump in that
5 letter?

6 A Yes.

7 Q At the end of May?

8 A Yes. And that's why I texted Bill Taylor that this
9 was not good.

10 Q Was there any discussion during that meeting about
11 Giuliani's --

12 A No.

13 Q -- activities in Ukraine?

14 A No.

15 Q Okay. Anything about the investigations that we've
16 been talking about?

17 A No.

18 Q Was there any discussion about possible U.S.
19 sanctions on a Russian oil pipeline?

20 A That's possible. I don't remember, but it is
21 possible that that was a topic.

22 Q Was there a discussion of possible Trump-Zelensky
23 Oval Office meeting at that meeting?

24 A Yes. Yes. I'm sure --

25 Q What was discussed in that about that?

1 A It was just do we have a date for a visit yet, and
2 John Bolton saying, no, we don't have a date.

3 Q Did he give an explanation why?

4 A I believe it was just scheduling. You know, it's
5 tough to schedule. The President's got a lot of things
6 stacked up on his calendar looking forward, not giving a
7 substantive reason but a scheduling reason.

8 Q That's what Bolton gave?

9 A Yes.

10 Q Okay. Were there any other meetings between the
11 Ukrainians and U.S. Government officials on that visit to
12 D.C.?

13 A Probably. I don't know. Well, I do know. I take
14 that back. I do know that Andriy met with Members of
15 Congress.

16 Q Do you know who Andriy met with?

17 A I don't. But he told --

18 Q Did you ever get a readout of who --

19 A No. No. He told me subsequently and it was
20 probably -- we're probably looking at least a month later, we
21 were talking, and he mentioned that not only was he there for
22 the Bolton meeting but he had other meetings with Members of
23 Congress as well, bipartisan.

24 Q I want to jump forward to July 26, 2019. That's
25 the day after the Trump Zelensky call.

1 A Yes.

2 Q You had a meeting in Kyiv along with Ambassador
3 Sondland and Ukrainian officials, correct?

4 A Yes.

5 Q Who did you meet with?

6 A So on the 25th I had a series of meetings with a
7 variety of people. I wanted to meet with the heads of each
8 of the different parties that had been elected to the
9 parliament. So new parliament, new people in town.

10 So that would include Poroshenko, who has his own party;
11 Tymoshenko, who has her own party; Slava Vakarchuk (ph), who
12 has a new party called The Voice; a representative of the
13 United Opposition Block, which tends to be more Russian
14 leaning, that was Boyko.

15 And I'm sure there are a few others. I think I had a
16 breakfast with humanitarian organizations working in the
17 Donbas, maybe a civil society group as well that are dealing
18 with the anticorruption issues. The next day -- I had lunch
19 with Yermak that day as well, on the 25th.

20 Q On the 25th?

21 A On the 25th.

22 On the 26th I had -- I guess that's when I had the
23 breakfast with the humanitarian organizations. We had a
24 meeting with President Zelensky. Bill Taylor was at that
25 meeting as well, along with other staff from the embassy.

1 And then we went out to visit the conflict zone.

2 Q Okay. Did you discuss with the Ukrainians after
3 President Trump and President Zelensky's call about the call,
4 having any discussions --

5 A Just very briefly as we discussed before, just top
6 lines. They were pleased that the call had taken place. It
7 was a congratulatory call. They thought it went well. And
8 they were encouraged again because the President had asked
9 them to pick dates for coming to the White House.

10 Can I also add --

11 Q Sure.

12 A -- the principle topic of the meeting with Zelensky
13 at the time was what was going on in Stanitsa Luhanska with
14 the disengagement of Ukrainian forces, what the Russians were
15 doing, and how the Ukrainians now saw the next steps of how
16 to improve the ceasefire, work towards Minsk implementation.

17 This was the first time that Zelensky really seemed to
18 have a command of those issues and was doing things. And so
19 we had a -- I'd say, at least two-thirds of the conversation,
20 if not more, was just about that.

21 Q Okay. I want to fast forward to September 9 of
22 2019.

23 A Yep.

24 Q Were you aware on that date that the Intelligence
25 Committee, the Committee on Oversight and Reform, and the

1 Foreign Affairs Committee launched an investigation into Rudy
2 Giuliani's activities in Ukraine, the withholding of -- or
3 the freeze of military assistance to Ukraine? Were you aware
4 that that investigation had been launched?

5 A Yeah. There are two letters -- there were two
6 letters sent from the three committees to Secretary Pompeo,
7 one seeking this transcribed testimony and another one
8 seeking documents. You're now referring to those two?

9 Q No. I'm referring to September 9.

10 A Yeah. I don't remember that.

11 Q To the State Department.

12 MR. GOLDMAN: Yeah. There was a September 9th document
13 request to the State Department. That was the -- and as well
14 as the White House.

15 MR. VOLKER: Do you mind if I check the timeline that we
16 have here to see what I was doing at that time?

17 BY MR. NOBLE:

18 Q Sure. Sure.

19 A No, I was not aware of that. I was hosting a
20 conference in Tbilisi for the McCain Institute.

21 Q Did there come a time when you learned about the
22 investigation?

23 A Just now.

24 Q You weren't aware that Congress had launched an
25 investigation on September 9 --

1 A No.

2 Q -- in the --

3 A No.

4 Q So I can take it, you didn't have discussions about
5 that investigation --

6 A No.

7 Q -- with anyone at the State Department?

8 A No. Sorry.

9 Q Okay. No. Just asking. Just checking.

10 Okay.

11 MR. SWALWELL: But let me, Ambassador --

12 MR. VOLKER: Yes.

13 MR. SWALWELL: -- you became aware, I'm sure, through
14 public reporting in early September that there was a
15 whistleblower complaint and news outlets were reporting that
16 that complaint related --

17 MR. VOLKER: Yes.

18 MR. SWALWELL: -- to Ukraine?

19 MR. VOLKER: Yes.

20 MR. SWALWELL: You were aware?

21 MR. VOLKER: When the news media broke the story about
22 there being a whistleblower who was -- the initial news
23 reports were that the President made an inappropriate promise
24 in a phone call with a foreign leader. And I remember
25 hearing that.

1 And then I believe it was about 2 days later it emerged
2 that it was about Ukraine. And then, you know, the cycle
3 just escalated from there, and I followed those media reports
4 and then I saw the transcript released and then I saw the
5 whistleblower report released.

6 MR. SWALWELL: Thanks.

7 BY MR. NOBLE:

8 Q Okay. So going to jump forward to September 17.
9 We understand there was a call between Secretary Pompeo and
10 the Ukrainian foreign minister. Are you aware of that call,
11 September 17?

12 A That rings a bell. September 17. We don't have
13 any more information -- that rings a bell. I believe that
14 took place.

15 Q Okay. So did you help prepare the Secretary for
16 that call?

17 A In the sense that I would meet with the Secretary
18 periodically to update him on what I was doing and things
19 with Ukraine. I think I had met with him on -- I had just
20 made a note as I was going through some of these messages
21 that are in here. I know that I met with him on August 19.

22 Q With Secretary Pompeo, August 19?

23 A With Secretary Pompeo. Then we had the national
24 day things, then we had Bolton's visit, then we had Labor
25 Day, and then I was traveling. And so I did not speak to the

1 Secretary specifically before that phone call in a narrow
2 time window, but I was pretty sure he was up to speed on
3 things happening with Ukraine.

4 Q Did you get a readout from that call?

5 A No, I didn't. I believe that it was a first phone
6 call, you know, that it's, I'm the new foreign minister.
7 I've just been appointed. Happy to work with you. That is
8 my understanding.

9 Q Okay. And we understand that on September 18 Vice
10 President Pence had a call with President Zelensky? Are you
11 aware of that?

12 A Say that again. September 18?

13 Q September 18, the next day, a call between Vice
14 President Pence and President Zelensky?

15 A That I'm not sure I did know about.

16 Q So you don't know anything about that particular
17 call?

18 A Yeah. I'm just trying to think. Yes. Wait. Yes,
19 I do. Yes, I do. I take it back.

20 Q This is leading up to UNGA.

21 A Yeah. This was a followup. He had met with
22 President Zelensky in Warsaw. Remember, he had no
23 information to give about security assistance, and he was
24 going to advocate for a White House meeting. And I believe
25 that this phone call was the Vice President getting back to

1 President Zelensky to follow up on those things, saying
2 security assistance is moving, and we are moving ahead with a
3 White House visit -- with a bilateral meeting.

4 Q And you said you believe that. Why do you believe
5 that?

6 A I'm just trying to remember conversations I had
7 with Bill Taylor who told me about it.

8 Q Okay. Bill Taylor told you about the September 18
9 call?

10 A Yes.

11 Q So then I want to jump to the meetings on the
12 sidelines of the United Nations General Assembly --

13 A Yes.

14 Q -- between President Trump and President Zelensky
15 on September 25. You attended UNGA, didn't you?

16 A I did.

17 Q Did you help prepare for that meeting?

18 A Yes.

19 Q Between the Presidents?

20 A I did not prepare the Presidents specifically. I
21 did have these conversations with Secretary Pompeo in advance
22 of the UNGA meetings.

23 Q What did you discuss with Secretary Pompeo about
24 the meeting?

25 A Well, that it's great that we can schedule it.

1 important to get the two leaders together. By this time it
2 was all well in the public domain about Rudy Giuliani, about
3 text messages, about, you know, investigations and so forth.

4 And, you know, I had several things that -- one of them
5 is, Ukrainians, if you're going to release the transcript of
6 the call, the Ukrainians want to see it first. They would
7 also like to have the meeting first and talk before releasing
8 a transcript. That did not happen.

9 Q Who made that request to you from the Ukrainian
10 side?

11 A Yermak, Andriy Yermak.

12 Q And do you know why he wanted to see the transcript
13 first or have the meeting about it?

14 A So they could prepare their own messaging and
15 prepare the President. And also there's -- in their minds
16 this is also a little bit of respect, that if -- you know,
17 they first off, don't want a transcript involving their
18 leader to be released, but if it's going to be released, at
19 least do the courtesy of sharing it and talking about it
20 first so that it can be seen to be something that they agreed
21 on rather than just letting it go.

22 Q And to your knowledge, did the White House or
23 anyone else consult with the Ukrainians as they requested
24 about the release of the transcript?

25 A I believe that Secretary Pompeo spoke with

1 President Zelensky and informed him that we felt we had no
2 choice but to release the transcript.

3 Q Did Secretary Pompeo say why he had no choice but
4 to release the transcript?

5 A I think it was just the public buildup of, you
6 know, expectation from the whistleblower report or from the
7 knowledge of the whistleblower report -- it wasn't released
8 yet -- but from the knowledge of the whistleblower report,
9 we've got to release this phone call transcript.

10 Q And after the transcript was publicly released, did
11 you have conversations with any Ukrainian officials about its
12 contents?

13 A I'm sure I did, but nothing really to say. I mean,
14 the transcript was what it was. We didn't really go over it.
15 It was something that then was being managed at pretty high
16 levels.

17 Q What do you mean by that?

18 A Well, I'm not -- having read the transcript, it's a
19 lot of information that I wasn't aware of. And the public
20 commentary about this was coming from the President, so I'm
21 not really engaging in trying to discuss it.

22 Q Okay. Did the Ukrainians express any concerns to
23 you about the contents of the call?

24 A They didn't express concern about the content.
25 They did express concern about the fact of its release.

1 Q And what was their concern about the fact of the
2 release?

3 A That it had not been well coordinated with them.
4 They felt that they were being a little bit -- that their
5 interests were being disregarded or subordinated to U.S.
6 domestic political activity.

7 Q In advance of President Trump and President
8 Zelensky's press conference at UNGA, do you know whether
9 President Zelensky or any of his advisers spoke to any of
10 the -- to the President or to any of his advisers?

11 A In advance of that?

12 Q Yeah.

13 A I spoke with Andriy Yermak in advance, and we were
14 talking more about -- one of them he was raising a concern
15 about the release of the transcript. I said I would see what
16 I could do, and I conveyed that message to Secretary Pompeo
17 and through an intermediary, through the executive secretary.

18 And then we talked about what some of the substance and
19 followup of the meeting could be, how do we build on this,
20 and that was the conversation I had with Andriy the night
21 before.

22 Q At any point during UNGA or leading up to UNGA, was
23 the subject of the investigations that President Trump and
24 Rudy Giuliani had been pressing the Ukrainians to commence
25 raised, the issue of the investigations?

1 A No, not with me and not in any of my conversations.

2 Q Do you know whether there was any discussion
3 between the Ukrainians and U.S. officials about the security
4 aid during UNGA?

5 A No, because by that point it had been lifted, and
6 so it was all moving, and I think there was a satisfaction
7 that that's behind us.

8 Q Do you know why it was lifted, the freeze?

9 A I believe that the letter from the Senators, the
10 one that I shared with the defense minister in a text
11 message, I believe that had an impact on the White House.

12 Q Are you aware that the freeze was lifted after
13 Congress announced that it was investigating the freeze and
14 the President's efforts to get Ukraine to investigate Joe
15 Biden?

16 A Yeah, I heard -- no, I wasn't aware of that. I
17 heard something different. I heard that there was a threat
18 to withhold funding for other things from Congress if this
19 funding did not go forward. And that may have had an impact.

20 Q But to be clear, you don't know the reason why the
21 funding -- the freeze was actually lifted?

22 A No, I don't know why it was put in place and I
23 don't know why it was lifted. We can try to infer about just
24 the President's general attitude, but I believe the reason it
25 was lifted overall was just as I had anticipated from the

1 beginning, everybody who knows Ukraine and knows the policy
2 thinks this is a good idea.

3 There was also timelines involved, and the Pentagon was
4 very clear in communicating with me, and I assume therefore
5 also communicating with the White House, that they were going
6 to have to move some of this anyway because they were going
7 to comply with the law.

8 Q During UNGA, was there any discussion between U.S.
9 officials and Ukrainian officials about a visit to the
10 White House for President Zelensky?

11 A Repeat that question again.

12 Q During UNGA --

13 A During UNGA.

14 Q -- during that week or leading up to it, was there
15 any discussion of the visit?

16 A Yes. Yes, it's on camera. President Zelensky and
17 President Trump did about the first 30 minutes of their
18 bilateral meeting on camera in order to show that they're
19 sitting there and working together and answering questions.

20 And President Zelensky made a joke about it. It didn't
21 come across in English as funny as it probably seemed to him
22 in Ukrainian, but I could tell that it was him --

23 Q What was the joke?

24 A Well, it was that -- thank you for inviting me to
25 the White House. I'm really looking forward to coming, but I

1 think you forgot to tell me the date.

2 Q So this date, has the White House visit for
3 President Zelensky been scheduled, to your knowledge?

4 A To my knowledge -- well, I shouldn't answer it that
5 way, because I'm now out of the information loop, so I don't
6 know whether one has been scheduled. As of when I resigned,
7 it had not been scheduled.

8 MR. SWALWELL: You included Dan Hoffman in your
9 production, and I want to know why?

10 MR. VOLKER: Yeah. Yeah. Dan Hoffman is a former CIA
11 station chief in a couple of different places. The
12 Ukrainians were in the midst of reforming their security
13 structures, and they were concerned about personnel, and they
14 were concerned about getting the structure right.

15 So I know Dan Hoffman, and so I offered to both
16 Danylyuk, as the head of the National Security Defense
17 Council, and also Yermak, he's going to Ukraine. If you
18 would like to meet with him, I'll put you in touch.

19 MR. SWALWELL: Do you know if they met?

20 MR. VOLKER: I don't know actually. I never heard back.
21 I know they got in contact or both of them said they wanted
22 to meet, but then I don't know what the followup was.

23 MR. SWALWELL: And Mr. Hoffman is a private citizen who
24 sits on the President's Intelligence Advisory Board today.
25 Is that right?

1 MR. VOLKER: Yes, that's correct.

2 MR. SWALWELL: Was he involved at all in this discussion
3 with the Ukrainians around Mr. Giuliani?

4 MR. VOLKER: I have no reason to think that he would
5 have been involved in that at all.

6 MR. SWALWELL: These text messages, are they your
7 personal phone or are they --

8 MR. VOLKER: Yes.

9 MR. SWALWELL: -- government phone?

10 MR. VOLKER: Yes.

11 MR. SWALWELL: Your personal phone?

12 MR. VOLKER: Yes.

13 MR. SWALWELL: Were you provided with a government
14 phone?

15 MR. VOLKER: I was provided with a government phone.

16 MR. SWALWELL: Are there text messages on your
17 government phone as well?

18 MR. VOLKER: I don't believe so. I couldn't figure out
19 how to do that. The password on the government phone always
20 seemed to drop, and I couldn't get into it.

21 MR. SWALWELL: Why WhatsApp?

22 MR. VOLKER: WhatsApp is what the Ukrainians prefer to
23 use, less ability to be listened into by foreign intelligence
24 than WhatsApp.

25 MR. SWALWELL: I think there may be a few more questions

1 about the phone. I just want to ask, you know, going through
2 your biography and your service to our country and the fact
3 that you stepped up here to serve for free, as you said,
4 sacrifice to your family, sacrifice to the McCain Institute,
5 and you had, I think as Mr. Goldman said, very good
6 intentions as far as executing U.S. policy.

7 Now that you have the benefit of hindsight and you're
8 able to look at the other track that was being run by
9 Mr. Giuliani and even the President involving Mr. Giuliani,
10 how does it make you feel that you were doing all of this
11 work and you were not read into this other track, which the
12 Ukrainians certainly knew was going on?

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1 [6:11 p.m.]

2 MR. VOLKER: How did it make me feel?

3 MR. SWALWELL: I mean, isn't it embarrassing as a
4 diplomat? That you are the diplomat. You have the
5 experience, you're charged with doing this. Mr. Giuliani is
6 not a diplomat. He's not a U.S. Government employee. He
7 doesn't have a security clearance. And he's not sharing with
8 you and the President is not sharing with you this other
9 track.

10 MR. VOLKER: Yeah. What I would say is it makes me feel
11 that it's very, very unfortunate, because we had done such
12 good work on policy with Ukraine, pushing back Russia,
13 supporting them, democratic transition. Things are going
14 great. And this separate track, as you refer to it, ends up
15 overshadowing the work that we've done and the need to
16 continue that work going forward.

17 MR. SWALWELL: Thank you. Mr. Goldman.

18 BY MR. GOLDMAN:

19 Q Ambassador Volker, on that topic, you mentioned
20 earlier that the first 6 months of President Zelensky's
21 Presidency were very important. What did you mean by that?

22 A I meant that they won an absolute majority in
23 parliament, 254 out of 450 seats. So they would be able to
24 pass legislation on day one. But that majority is going to
25 erode. He's going to have defectors from his party who are

1 either bought off by corruption or supporting Kolomoisky or
2 unwilling to stick with the legislation. And he also has
3 this dynamic of Mr. Kolomoisky showing up and being quite
4 visible in Ukraine.

5 And he's got a limited window in which to seize the
6 reins of power, get real legislation passed, and push through
7 a fundamental reform of all the different systems in the
8 country and to fight corruption. And if he doesn't get that
9 through in the first 3 to 6 months, he will probably lose his
10 parliamentary majority and probably be unable to accomplish
11 much after that. So there's a critical window here for him
12 to be successful.

13 Q And how important is his success tied to the United
14 States' political or diplomatic support?

15 A I believe it's very important that he has that.

16 Q Why is that?

17 A It is seen by others in Ukraine as validating and
18 will convince them to stick with him if he has U.S. support.

19 Q And what is the significance to President
20 Zelensky's reputation and performance in Ukraine of a White
21 House visit?

22 A It enhances his stature, that he is accepted, that
23 he is seen at the highest level. The imagery you get from
24 being at the White House is the best in the world, in terms
25 of how it enhances someone's image.

1 Q And you've also testified today about the military
2 and security assistance that the United States provides to
3 Ukraine?

4 A Right.

5 Q How important is that to Ukraine?

6 A It's also critically important. It's essential
7 that we continue to provide it for a variety of reasons, for
8 the substantive reason of reforming and improving their
9 defense capabilities, deterring further Russian aggression, a
10 symbol of U.S. support, and strengthening a negotiating
11 position to cause Russia to eventually want to settle the
12 war.

13 Q So the success of President Zelensky within his
14 first 3 to 6 months, how much do you think that that depends
15 on the political, diplomatic, and military assistance that
16 the United States provides?

17 A I think that it -- how do you want to say this? It
18 is critically important that we do everything we can as
19 quickly as we can. That was my operating assumption, that
20 this is now the moment.

21 Q A couple rounds ago, you answered some questions
22 about this Burisma investigation. I just wanted to circle
23 back to it for one second, because I think you testified that
24 it was important to find out what the facts might be about
25 Burisma. Were you referring to the allegations of a few

1 years ago I believe that you described about Burisma's money
2 laundering or some other corrupt or criminal conduct by the
3 company itself?

4 A I was referring to that and anything else that
5 might have involved corrupt activity from the company.

6 Q And I believe you said that -- you testified
7 earlier that there's no doubt in your mind that Vice
8 President Biden was acting completely on the -- I'm
9 paraphrasing, but on the up and up, in terms of his
10 recommendation to get rid of Prosecutor General Shokin. Is
11 that right?

12 A Correct. He was executing U.S. policy at the time
13 and what was widely understood internationally to be the
14 right policy, right.

15 Q And so the allegations that there may have been
16 some improper conduct by Vice President Biden at the time
17 have been debunked, correct, and there is actually no
18 evidence that that is the case. Is that your understanding?

19 A I'm not sure I follow the question. I'm sorry, I
20 don't mean to be --

21 Q No, I just mean you're familiar I think with what
22 you said in your meeting that you had with Mr. Giuliani about
23 how he was explaining to you what Biden, Vice President
24 Biden's role was and Prosecutor General Shokin. You're not
25 aware of any evidence that Vice President Biden did anything

1 improper in his --

2 A Correct.

3 Q -- relations with Ukraine; correct?

4 A Yes, that's right.

5 Q So when Rudy Giuliani, or now, you have the benefit
6 of the call record where President Trump talks about Burisma
7 or Biden, you understand that -- or talks about Burisma,
8 rather, let's just -- Rudy Giuliani talks about Burisma. You
9 understand he doesn't actually care whether the Ukrainian
10 Government investigates a Ukrainian company for corruption,
11 correct?

12 A What Rudy said to me once was, all I want is for
13 Ukraine to apply its own laws, and investigate and apply its
14 own laws, no political interference in investigation.

15 Q So is it your testimony that you understood that
16 Rudy Giuliani's desire for the Ukrainian Government to
17 investigate Burisma had to do with potential money laundering
18 or other criminal conduct by the company itself, and not in
19 connection to either Joe or Hunter Biden?

20 A No. I believe that Giuliani was interested in
21 Biden, Vice President Biden's son Biden, and I had pushed
22 back on that, and I was maintaining that distinction.

23 Q So you were maintaining that distinction, because
24 you understood that that whole theory had been debunked and
25 there was no evidence to support it, right?

1 A Yes. That it was not --

2 Q So if that is the case, yes, that is the case, then
3 if he insists on Ukraine opening an investigation, why is
4 that not manufacturing an investigation when there is no
5 evidence there?

6 A Well, I'm not sure that anything ever had been
7 investigated. We did have allegations made by the Prosecutor
8 General in Ukraine, which he later retracted, Lutsenko.

9 Q Okay. So he made them and retracted them?

10 A So what I think would have been very useful would
11 be for Ukraine to clarify what's all this about, i.e.
12 nothing. Lutsenko said this, he retracted it. There's
13 nothing there.

14 Q But that's not an investigation, right?

15 A Well, in order to say that, you would presumably
16 want to investigate.

17 Q Okay. But you'd want to investigate something that
18 they had already established there was no evidence to
19 investigate?

20 A Right. If there's no evidence, then that's what
21 you can say.

22 MR. GOLDMAN: Yeah, Mr. Noble.

23 BY MR. NOBLE:

24 Q Just some quick questions to kind of test your
25 scope of knowledge. Not test. I'm not trying to test you.

1 Are you aware of a Skype conversation between --

2 A I was always did best in geography when it came to
3 Trivial Pursuit.

4 Q In spelling Ukrainian.

5 Are you aware of a Skype conversation between Rudy
6 Giuliani and former Prosecutor General Victor Shokin in late
7 2018?

8 A No.

9 Q Are you aware of a meeting in late January 2019
10 between Rudy Giuliani and then-Prosecutor General, January
11 2019, Yuriy Lutsenko in New York?

12 A I've heard that meeting took place.

13 Q Do you have any personal knowledge of that meeting?

14 A I have no personal knowledge of the meeting. I
15 just heard that it took place.

16 Q How about a meeting between Giuliani and Lutsenko
17 on the sidelines of the Middle East Conference in Warsaw,
18 Poland, in February 2019?

19 A I have not heard about that.

20 Q Were you aware then in March 2019, the month after
21 he met with Giuliani, Lutsenko announced that he was
22 reopening the investigations into Burisma and Manafort?

23 A I think I knew that. I don't know if he did that
24 or not, but I think I heard that he had said that.

25 Q How did you hear that?

1 A Just press.

2 Q You didn't have any conversation with Lutsenko
3 about that?

4 A No, no, no.

5 Q Did you have any conversations with Ukrainian
6 officials about the reopening of those investigations?

7 A No, no.

8 Q And then he later closed those investigations in, I
9 believe, May of 2019. Is that correct?

10 A I think that's right.

11 Q In April of 2019, before the final round of the
12 Ukrainian Presidential election, we understand that Ukrainian
13 Interior Minister Arsen Avakov traveled to Washington, D.C.
14 Are you aware of that visit?

15 A Yes, yes.

16 Q What do you know about that visit?

17 A I believe I saw him on that visit, and he was
18 distancing himself from Poroshenko and wanted to have a
19 separate set of relationships in Washington different from
20 Poroshenko, probably with a view of wishing that he would be
21 kept in office as well.

22 Q Similar to Lutsenko?

23 A Similar to Lutsenko.

24 Q Do you know who Interior Minister Avakov met with
25 in Washington, D.C.?

1 A No, I don't. No.

2 Q Following that visit, he essentially switched his
3 allegiance to Zelensky, correct?

4 A Yes, yes.

5 Q Is he still the Interior Minister?

6 A I believe he is.

7 Q Have you ever had any conversations with him,
8 Avakov?

9 A Once. In that visit that he made to Washington, we
10 had a brief meeting. And the focus that I had in
11 communicating with him was free and fair elections. Make
12 sure that these elections are clean, free, fair, secure.
13 Ukraine has had bad examples of this in the past. And he's
14 in Charge of the police.

15 Q Are you aware of any meetings or communications
16 between Rudy Giuliani and Avakov?

17 A No.

18 Q Are you aware of any meetings or communications
19 between any Member of Congress and Interior Minister Avakov?

20 A No.

21 Q Are you familiar with the whistleblower complaint,
22 the IC whistleblower complaint?

23 A Yes.

24 Q After it was made public, did you have any
25 conversations with anyone at the State Department about the

1 allegations in the whistleblower's complaint?

2 A I'm trying to think. The allegations being about
3 the Biden phone call?

4 Q Yes.

5 A Yes.

6 Q Among other things.

7 A Yeah. I'm trying to think. The only -- the answer
8 I believe is no. It came out -- I didn't have any
9 conversation before it was released. It came out I believe
10 on the 26th of September. Is that correct?

11 Q That is correct.

12 A And then I resigned on the 27th. So no.

13 Q Did you speak to Secretary Pompeo during that
14 meeting we talked about earlier regarding your resignation
15 about the whistleblower's allegation?

16 A No. No, I -- it was a 10-minute call and it was
17 about my decision to step down.

18 Q Did you ever speak to any U.S. Government officials
19 about the allegations in the whistleblower complaint, anyone
20 at the White House?

21 A No, no.

22 MR. CASTOR: If I may, I think the 45-minute segment is
23 up.

24 MR. NOBLE: Sure.

25 MR. CASTOR: Do you need a --

1 MR. VOLKER: I'm okay for now, if we can --

2 MR. SWALWELL: We're almost done.

3 MR. MEADOWS: God bless you.

4 MR. NOBLE: I'm almost done with mine.

5 MR. CASTOR: I'm looking down at poor Mr. Meadows and he
6 looks a little bit sad down there.

7 MR. MEADOWS: Mr. Ambassador, I want to come back to one
8 thing, only because I've been on Foreign Affairs for a long
9 time. And when we talk about foreign aid, and I think the
10 point was made that once it's appropriated, it's a done deal.
11 I happen to know better, and I think you probably know
12 better, having served in the State Department for a long
13 time.

14 Foreign aid is routinely held up while they're waiting
15 for authorizing committees to be notified for weeks, months.
16 Does that happen on a regular basis?

17 MR. VOLKER: All the time.

18 MR. MEADOWS: All the time. So, to suggest that there
19 is some nefarious purpose just because one foreign aid
20 allotment gets held up, you would have nefarious purposes
21 every single year through every appropriation process. Is
22 that correct?

23 MR. VOLKER: That is correct.

24 MR. MEADOWS: Because I think it's real important that
25 we put this in the context of what it really is.

1 MR. VOLKER: Yes.

2 MR. MEADOWS: It was a delay that you believed was
3 ultimately going to get finished and corrected. You believed
4 and communicated that to the Ukraine officials, not to worry,
5 that we are going to get this done. And, in fact, everyone
6 in your circle believed it would be done, including
7 Mr. Taylor, once you had that conversation. Is that correct?

8 MR. VOLKER: Yes, yes. I believe I persuaded him don't
9 worry, this is not going to stand.

10 MR. MEADOWS: And then ultimately, did I hear you
11 earlier say that he took a job, he was up for a job? Did I
12 mishear that?

13 MR. VOLKER: That conversation I believe relates to his
14 decision to accept being appointed as Charge.

15 MR. MEADOWS: Right. And so any concerns that he had,
16 obviously --

17 MR. VOLKER: They were allayed, yeah.

18 MR. MEADOWS: -- you persuaded him that, indeed, he
19 ought to go ahead and take the job, based on that you've
20 alleviated his concerns.

21 MR. VOLKER: Yes, and not just me, but also Secretary
22 Pompeo.

23 MR. MEADOWS: I want to clarify one other thing, because
24 as we've looked at this, one of the things that we continue
25 to look at is this whole Burisma-Biden. To your knowledge,

1 there was never an investigation of that. Is that correct?

2 MR. VOLKER: Yes. We just went through --

3 MR. MEADOWS: But he was trying to say that this whole
4 thing has been debunked. It's impossible to have anything
5 debunked if you don't investigate.

6 MR. VOLKER: I don't believe any -- yes, thank you,
7 Congressman. That's exactly my understanding, is that it has
8 never been investigated. And you have these allegations and
9 then retraction of allegations, and it has never actually
10 been investigated.

11 MR. MEADOWS: I just think it's important that we look
12 at the clarification of these. And I do appreciate the fact
13 that you've been very strong in believing that Joe Biden
14 didn't do anything inappropriate.

15 MR. VOLKER: That is correct.

16 MR. MEADOWS: Do you think it might have been best,
17 knowing that his son was on there, to maybe have recused
18 himself from that decision?

19 MR. VOLKER: Hindsight.

20 MR. MEADOWS: In hindsight.

21 MR. VOLKER: I'm sure he got legal advice.

22 MR. MEADOWS: Because, I mean, we're talking about
23 recusals. There's a plethora of recommendations on recusals
24 around here.

25 MR. VOLKER: I don't want to answer what he should or

1 shouldn't have done. I mean, that's not for me to decide.

2 MR. MEADOWS: You're a career professional, and
3 honestly, over eight hours now, I've been impressed. Not one
4 time have you equivocated or dodged the question. It's rare.
5 I think even the majority would say it's rare. And so we
6 appreciate your candor --

7 MR. VOLKER: Thank you.

8 MR. MEADOWS: -- and your honesty in answering in all
9 regards.

10 I'm disappointed, because I believe that America is
11 being deprived of an unbelievable public servant with
12 knowledge of Ukraine and perhaps what is, maybe with the
13 exception of just the Middle East, one of the most difficult
14 places to actually navigate foreign policy.

15 I've been impressed not only with your spelling, but
16 with your knowledge here today. And I hope that you look at
17 staying involved as a Ukrainian expert, because that's,
18 indeed, what you are. I've gotten to meet a whole lot of
19 experts in their field, and yet, I'm very rarely impressed
20 and today I was impressed. So I just want to say thank you.

21 MR. VOLKER: Very kind of you, Congressman. Thank you.

22 MR. MEADOWS: I want to close by saying this: There's
23 going to be spin that comes out of this particular
24 transcribed interview. There's going to be things that are
25 in the media that you supposedly said. They're going to

1 take, you know, a little sentence and suggest that it means
2 something other than the context of the 8 hours that we've
3 had. I think it's critically important that the message to
4 the American people is very clear. And that message that I
5 heard you very loud and clear today is that there was no quid
6 pro quo at any time ever communicated to you. Is that
7 correct?

8 MR. VOLKER: Not to me, that is correct.

9 MR. MEADOWS: In your conversations with the Ukrainian
10 officials, was there ever a time where they communicated to
11 you that they believed that there was a quid pro quo?

12 MR. VOLKER: No. We went over earlier this thing about
13 a statement and how that would be helpful in getting a White
14 House date, but I think that we eventually dropped that, kept
15 working on the date and saying we are still going forward.

16 MR. MEADOWS: In fact, the readout, according to your
17 testimony, from Ukraine and the understanding from the State
18 Department, two groups that didn't talk to each other, were
19 very similar in that they felt like the call was a positive
20 call and a positive move going forward. Is that correct?

21 MR. VOLKER: That is correct.

22 MR. MEADOWS: And finally, in all of this, I think it's
23 also important to the American people that they understand
24 one critical component of your involvement in all of this.
25 You're a professional. If you were ever asked to do

1 something that was wrong and not in the best interests of the
2 United States, would you do it?

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1 MR. VOLKER: Of course not.

2 MR. MEADOWS: Okay. Were you ever asked to do something
3 that was wrong by this administration or anybody connected
4 with this administration?

5 MR. VOLKER: No, I wasn't.

6 MR. MEADOWS: Including the President of the United
7 States?

8 MR. VOLKER: Including by the President. I was never
9 asked to do anything that I thought was wrong. And I found
10 myself in a position where I was working to put together the
11 right policies for the administration and using all the
12 friends and network and contacts that you have, Pentagon,
13 State Department, NSC, to stitch that together, and I feel
14 that we were successful at doing that.

15 MR. MEADOWS: Do you believe it is in the best interest
16 of the United States and Ukraine to have a meeting in the
17 Oval Office with the two leaders, and is that something that
18 Members of Congress should encourage, in spite of everything
19 that's gone on?

20 MR. VOLKER: Yes, I do. I do. May I add to that,
21 Congressman?

22 MR. MEADOWS: Yes, please.

23 MR. VOLKER: Because despite everything that has led to
24 this testimony today, as impossible as it may be to do, if
25 you just put that out of your mind for a moment, we've had a

1 lifting of this hold on security assistance that's going
2 forward. We had a very positive meeting with the President
3 and Zelensky in New York. We have a renewed commitment to
4 there being such a White House visit. And we have momentum
5 in putting a little bit more pressure on Russia in the Minsk
6 process.

7 Substantively, things are actually okay. They're pretty
8 good right now. This is about as good as you would want --
9 this is where you would want to be if we didn't have all this
10 other thing going on in the background.

11 MR. MEADOWS: Well, you have my word that I'm going to
12 encourage -- based on your expertise and your expertise
13 alone, I'm going to encourage that very meeting.

14 MR. VOLKER: Thank you so much.

15 MR. CASTOR: I just have one followup. There was some
16 Q&A about whether you would -- after the whistleblower
17 complaint came to light whether, you know, you were talking
18 to Secretary Pompeo and some of the other folks about the
19 contents of the complaint.

20 And there was a reference to the Biden phone call that,
21 you know, you I think acknowledged in answering one of the
22 questions from our Democratic counterparts the Biden phone
23 call, and that was -- I just want to clarify that to the
24 extent we're referring to President Trump's call with
25 Zelensky and that readout, that wasn't a Biden phone call.

1 MR. VOLKER: Oh, I understand what you mean. Yes. What
2 I understood the question -- yeah, what I understood the
3 question to be was President Trump's phone call with
4 President Zelensky in which Vice President Biden was
5 mentioned.

6 MR. CASTOR: Okay, thanks.

7 MR. VOLKER: Thank you.

8 MR. SWALWELL: Ambassador, I think we've got about 10
9 more minutes. I just want to echo what Mr. Meadows said.
10 I'm sorry that you are leaving. You are a career
11 professional and I want to thank you for that.

12 I do want to put it in the context, though, that I
13 believe that your expertise should have been prioritized over
14 Mr. Giuliani's, and I think that is part of the problem here
15 and I wish that would have occurred.

16 I also don't want to be naive about the security
17 assistance that has gone through finally and the meeting that
18 may happen at the White House. It did take a whistleblower
19 complaint and an impeachment inquiry. I mean, that has to be
20 a part of the context, that only once those two happened did
21 the security assistance be released. Now, whether they're
22 related or not we may never know, but, I mean, that's an
23 important contextual aspect of this.

24 And so I think it's probably inaccurate to give credit
25 to the administration that none of that was going on in the

1 background. But, with that, I'm going to turn it over to
2 Mr. Goldman or Mr. Noble.

3 BY MR. NOBLE:

4 Q So I said we weren't going to go back to texts, but
5 I have some more questions on your texts. On page 44,
6 September 22nd, 2019, second line down at 12:04 p.m. Are you
7 there?

8 A Yes, I am.

9 Q And Ambassador Sondland says: Yes, can you meet
10 with S this afternoon? That's with Secretary Pompeo?

11 A Right.

12 Q And I believe you may have mentioned this meeting
13 before during your testimony, but can you provide the context
14 for why he was asking you to meet with Secretary Pompeo?

15 A Yes. This was to have a meeting, which for me was
16 the phone call on the 22nd of September, to talk with
17 Secretary Pompeo about Giuliani going very public with the
18 statements about our instructing him and that he was
19 representing the State Department and so forth.

20 Q Got it. In response to Giuliani's text to you, is
21 that right, that we went through earlier?

22 A Yes, his two attempted phone calls, his texts to
23 me, my conversation with Ulrich Brechbuhl, which had gotten
24 to the Secretary. And so this was a followup to that for a
25 conversation with the Secretary.

1 Q Okay. And then after the conversation with
2 Secretary Pompeo, it looks like a few hours later, at 7:21,
3 you wrote back to Sondland: Spoke with Rudy per guidance
4 from Secretary.

5 A Yes.

6 Q What guidance did Secretary Pompeo give you about
7 speaking with Rudy?

8 A He said to tell him that we had already said on
9 August 22nd, through the spokesperson of the State
10 Department, that I had connected Yermak to him at Yermak's
11 request, and provide him with that. And I did that.

12 Q And then you said: "He," meaning Rudy?

13 A Yes.

14 Q Said he will use the statement and talk with John
15 Solomon.

16 A Right.

17 Q What did Rudy tell you during that phone call?

18 A He said that that is helpful to have that statement
19 from August 22nd that confirms that I was the one who put
20 Yermak in touch with him, and he was going to then tell that
21 to John Solomon. That's what he said.

22 Q And John Solomon is the reporter at The Hill?

23 A He's a reporter at The Hill.

24 Q Or former reporter, right? He's no longer with The
25 Hill?

1 A Is that right?

2 MR. MEADOWS: One more day.

3 MR. NOBLE: One more day?

4 BY MR. NOBLE:

5 Q Why did Rudy want to talk to John Solomon about the
6 statement?

7 A I presume John Solomon was writing something, and
8 so he wanted to get this point into the article that Rudy was
9 not acting alone, but -- or that is not the right way to say
10 it. That Rudy was -- he did not initiate the contact with
11 the Ukrainians on his own, that I facilitated that for him.

12 Q And then Rudy Giuliani also urged you to talk to
13 John Solomon?

14 A He did.

15 Q Did you speak with John Solomon?

16 A No, I didn't.

17 Q Why didn't you talk to John Solomon?

18 A Because I didn't want to be engaging in this media
19 cycle with Rudy Giuliani.

20 Q Why not?

21 That's all I have.

22 BY MR. GOLDMAN:

23 Q All right. I just have a few closing questions,
24 Ambassador. Thank you for the long day and we do appreciate
25 you. Your stamina is impressive.

1 I just want to clarify one line of questioning that
2 Mr. Meadows had. I think he was talking about the
3 Burisma/Biden investigation, and I just want to be sure.
4 Your understanding is that neither Hunter nor Joe Biden were
5 ever investigated in connection to Burisma, right?

6 A My understanding is that they never were.

7 Q Okay. But Burisma itself was being investigated?

8 A Burisma had -- I believe there was an investigation
9 into Burisma for a number of things, and Shokin, the
10 former-former Prosecutor General, was not doing enough on
11 that. I believe that the next prosecutor general, Lutsenko,
12 started and stopped.

13 Q Okay. You had mentioned earlier this morning,
14 actually, that there was some contact or communication that
15 either you or your attorney had with the White House
16 Counsel's Office.

17 A Yes.

18 Q Is that within the last week?

19 A I had a phone conversation with the White House
20 Counsel's Office. I don't remember the exact date. It was
21 after the telephone transcript came out and the whistleblower
22 report came out. And it was a fact-finding call from them.
23 Who am I, what did I say, what did I do, what -- you know,
24 what is -- there's a reference to me in the whistleblower
25 report. What does that mean? So just trying to give them as

1 much background as possible.

2 Q So the whistleblower complaint came out the morning
3 of last Thursday, the 26th of September, and you resigned the
4 evening of the following day. So was your --

5 A It was before that. It was before it came out
6 publicly then.

7 Q Do you recall when that was, when the conversation
8 was?

9 A I don't remember the exact day. It would have
10 been -- it fell kind of jammed together. I was in New York
11 for the UNGA. It was before the bilat meeting. There was an
12 issue about the train. So no, it may have been Thursday,
13 that Thursday, the same day it came out, the 26th, once I got
14 back to D.C.

15 Q And who did you speak with?

16 A I don't remember the names. The two people from
17 the White House Counsel's Office.

18 Q And just you, the three of you?

19 A Yes, yes.

20 Q And what were they asking you about?

21 A Just the facts. Just what is this -- you know,
22 when it says you, you know, were in contact with Rudy
23 Giuliani, what happened? Very much what I testified today.
24 Just getting the basic facts so that they were aware of
25 what's out there.

1 Q We've asked you some -- anything else? Did they
2 make any recommendations or suggestions to you?

3 A No. That's what I was going to say. They did not
4 ask me to do anything. They did not have any guidance. They
5 were literally in fact-finding mode.

6 Q And other than the one call that your attorney had
7 with the acting legal adviser at the State Department, have
8 you had any additional conversations since you resigned --

9 A Yes.

10 Q -- with any legal counsel for the administration,
11 White House, or State Department?

12 A With the State Department legal adviser. I believe
13 I spoke with him on the weekend, and I spoke with him on
14 October 2nd. No. Today is the 3rd. October 1st.

15 Q And what was the nature of those conversations?

16 A I wanted to find out -- two ways. He called me.
17 He wanted to know what my intentions were about testifying.
18 I told him that I intend to testify. He wanted to make sure
19 that I had seen the Secretary's letter, which I told him that
20 I had, giving reasons why this was an unreasonable request,
21 as the Secretary saw it.

22 He wanted to make sure that I was making sure the State
23 Department had access to all the things that are here in
24 this -- the text messages and things that you have access to,
25 which they do.

1 And he wanted to also make sure that if I had any other
2 records and emails or other things that I was -- I would go
3 back and double-check that they were copied to my State
4 Department email address.

5 That was the rule that I tried to follow and that was
6 approved is I can send things from my personal email, but I
7 must copy my State Department email address. And I tried to
8 follow that religiously, but there may have been examples
9 where I failed to, and to make sure that I went ahead and did
10 that.

11 Q We've talked a little bit -- a lot about Rudy
12 Giuliani and his interplay with the State Department today,
13 but I just want to ask you generally, did anyone else at the
14 State Department ever raise any concerns to you about Rudy
15 Giuliani's role in the Ukrainian situation?

16 A Yes.

17 Q Who?

18 A Bill Taylor that we've talked about and the Acting
19 Assistant Secretary, Phil Reeker. Both were just very
20 uncomfortable with him being active. As I said in my opening
21 testimony, my view is if it's a fact, we've got to deal with
22 it. You know, it's a problem. Yes, it is, but we've got to
23 deal with it and see if we can fix it.

24 Q You said it's a problem. What was problematic?

25 A The problem, as I said, was that he was amplifying

1 a negative narrative about Ukraine that was impeding our
2 ability to advance the bilateral relationship the way we
3 wanted.

4 Q And then, finally, the one question that we haven't
5 asked you, which I think is worth getting your input on:
6 When you first read the call record from the July 25th call,
7 what was your reaction?

8 A I was surprised. I had not heard anything about
9 Biden, Hunter Biden or Joe Biden in this entire time. And I
10 had been very active, as you see. I've been very active in
11 communicating with people, in trying to solve some of these
12 problems, in trying to get the White House visits together,
13 phone calls. And for that to have taken place and my not to
14 know that was quite a surprise.

15 Q In addition to being surprised, were you troubled
16 at all by what you read?

17 A Yes. This I believe was your question earlier. It
18 creates a problem again where all of the things that we're
19 trying to do to advance the bilateral relationship,
20 strengthen our support for Ukraine, strengthen the
21 positioning against Russia is now getting sucked into a
22 domestic political debate in the U.S., domestic political
23 narrative that overshadows that. And I think that is
24 extremely unfortunate for our policy with Ukraine.

25 Q And did you understand that at least some of the

1 discussion in that call was the President asking for Ukraine
2 to do something that would have an impact on the domestic
3 political situation here in the U.S. as well?

4 A Well, referring -- asking the President of Ukraine
5 to work together with the Attorney General and to look into
6 this, you can see, as it has now happened, this becomes
7 explosive in our domestic politics.

8 Q Well, I think you -- all right. You've said it
9 earlier. I'm not going to belabor the point.

10 MR. GOLDMAN: Did you want to say something before I
11 finish?

12 MR. SWALWELL: Ms. Speier from California has joined us.

13 MS. SPEIER: Thank you. I apologize for not being here
14 to hear all of your testimony, Ambassador.

15 I have an abiding question about the special prosecutor,
16 Lutsenko. Do you think that he is a good prosecutor?

17 MR. VOLKER: I believe you're referring to the
18 prosecutor general of Ukraine, Yuriy Lutsenko, who is no
19 longer in office.

20 MS. SPEIER: That is correct.

21 MR. VOLKER: And I believe that he was not credible and
22 that he was making things up, frankly, to create a
23 self-serving narrative to make himself look valuable to the
24 United States, in the hopes that we would urge the new
25 President not to remove him from his job.

1 MS. SPEIER: And there was at one point I believe in the
2 conversation between the President and President Trump in
3 which he was encouraging that Mr. Lutsenko be retained. Is
4 that not correct?

5 MR. VOLKER: Yes. The phone call here, I think they're
6 talking past each other a little bit on that point. On page
7 3 of the telephone transcript at the bottom, President Trump
8 says: I heard you had a prosecutor who was very good and he
9 was shut down, and that's really unfair.

10 I think President Trump here is referring to the former
11 Prosecutor General Shokin. And he says: A lot of people are
12 talking about that, the way they shut your very good
13 prosecutor down and had some very bad people involved.

14 This is the one that Vice President Biden was involved
15 in helping to remove from office, because he was widely
16 perceived as not fighting corruption.

17 Later --

18 MS. SPEIER: President Zelensky wasn't in power at the
19 time, and it was --

20 MR. VOLKER: When Shokin was prosecutor general, that is
21 correct. President Poroshenko.

22 MS. SPEIER: But he did have Lutsenko removed, correct?

23 MR. VOLKER: Do you mind, ma'am, if I can do
24 this sequentially, because I think it will answer your
25 question?

1 MS. SPEIER: Of course.

2 MR. VOLKER: So the President was referring to Shokin
3 and his removal. President Zelensky comes back in the
4 conversation and says: I wanted to tell you about the
5 prosecutor. First of all, I understand and I am
6 knowledgeable about the situation. Since we've won the
7 absolute majority in our parliament, the next Prosecutor
8 General will be 100 percent my person, my candidate, will be
9 approved by the parliament and will start as new prosecutor
10 in September.

11 So I believe he understood President Trump to be talking
12 about not Shokin but about Prosecutor General Lutsenko --

13 MS. SPEIER: Right.

14 MR. VOLKER: -- who at this time was still the
15 Prosecutor General.

16 MS. SPEIER: Correct.

17 MR. VOLKER: President Zelensky did not trust Prosecutor
18 General Lutsenko at all. He thought that he was there for
19 his own interests and to protect Poroshenko's interests and
20 was determined to remove him from office.

21 MS. SPEIER: But you're interpreting President Trump's
22 comments differently than I did. I thought he was being
23 supportive of Mr. Lutsenko, and wasn't it Mr. Lutsenko who
24 put the op-ed in The Hill about the three principles that he
25 thought needed to be reviewed, which included precisely what

1 Rudy Giuliani has been promoting?

2 MR. VOLKER: Yeah. So I'm not familiar with the op-ed
3 in The Hill. I read the President's comments here as not
4 talking about Lutsenko but talking about Shokin. And,
5 therefore, he's not trying to defend Lutsenko. And Zelensky
6 is not understanding that and talking about he's going to get
7 his own prosecutor general in place and then we will have a
8 reliable prosecutor general.

9 MS. SPEIER: All right. And then recently, Mr. Lutsenko
10 was interviewed by one of the cable TV channels and said that
11 he had investigated Mr. Biden and Hunter Biden and did not
12 find anything. Is there any credibility to that?

13 MR. VOLKER: That doesn't sound like what I saw. So
14 maybe he gave a different interview. I saw an interview on
15 Face the Nation on Sunday, and in that interview he said that
16 he did not investigate the Bidens, that he would only
17 investigate Ukrainian citizens. I don't know what he may
18 have said at another interview.

19 MS. SPEIER: Yeah. This was a CNN interview.

20 MR. VOLKER: I did not see that.

21 MS. SPEIER: All right. Thank you.

22 I yield back.

23 MR. SWALWELL: Just to clarify, does President Zelensky
24 speak English?

25 MR. VOLKER: Yes, he does.

1 MR. SWALWELL: Okay, that's all we have. Ambassador,
2 thank you. Thank you to counsel. Yes.

3 MS. DAUM: As I think you can all appreciate, the
4 Ambassador has been very open. He's been cooperative with
5 answering all of your questions today and in providing
6 information, documents to the committees today.

7 I think you can also understand that some of this
8 information is very sensitive from a diplomatic standpoint,
9 particularly his conversations with other diplomats, foreign
10 diplomats as well. This information has been provided to you
11 with the understanding that it's not classified and that this
12 interview transcript and the documents associated with it
13 will not be made public except in accordance with the rules
14 of the committee.

15 I'd also like to add that, as you can see in the letter
16 from the State Department to me that is now part of the
17 record, the State Department has concerns about the
18 privileges and the classification level of these materials
19 and has stated that it would need to conduct a legal and
20 classification review prior to the release of any of these
21 materials publicly.

22 I understand that the deposition rules of the committee
23 require Ambassador Volker to have an opportunity to review
24 the transcript before its release. Will we be afforded that
25 privilege?

1 MR. GOLDMAN: We're not operating under the House
2 Intelligence Committee rules.

3 MS. DAUM: I know.

4 MR. GOLDMAN: So this is not in executive session, but
5 you are, of course, welcome to come and review the
6 transcript.

7 MR. MEADOWS: For the record, what rules are we
8 operating under, because I'm confused? I mean, if we're not
9 operating under Intel rules, what rules are we operating
10 under? If it's House rules, you know, I think they
11 deserve -- I'd like to know. I mean, Mr. Chairman, what
12 rules --

13 MS. DAUM: As long as you tell me what the --

14 MR. SWALWELL: So our counsel will follow up with you.
15 Thank you again for coming in today, and we're going to
16 close.

17 Yes, Ambassador, do you have any final --

18 MR. VOLKER: I'd like to ask a question, because my
19 attorney mentioned that there are some sensitive things in
20 here. Would it be helpful to you if I explained what I think
21 the most sensitive thing in this entire email string is?

22 MR. SWALWELL: Sure.

23 MR. VOLKER: [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED] [REDACTED] [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]

7 MR. SWALWELL: Okay. All right. I appreciate that.
8 Ambassador, we'll take that under advisement.

9 And, with that, we're adjourned.

10 [Whereupon, at 6:55 p.m., the interview was concluded.]

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