MS. SPEIER: Thank you for your lifetime of service on behalf of the country. Secretary, as the Deputy Assistant Secretary of State for Eastern Europe and the Caucasus, it would seem to me that you would be familiar with the efforts by the administration to engage with Ukraine. Is that --

MR. KENT: Correct.

MS. SPEIER: So in that circumstance, you were read into that July 25th phone conversation by the Lieutenant Colonel but were not actually on the call?

MR. KENT: Correct. I've never in 27 years been on a call made by a President of the United States.

MS. SPEIER: So that is not consistent with your role then. Okay.

MR. KENT: I have never served at the National Security Council, I've only served at the State Department and at embassies overseas.

MS. SPEIER: All right. You said earlier that you provided all of your documents to the State Department for them to make available to us. Forgive me if I don't think they're re going to be forthcoming. But if you were to identify certain documents in particular, you mentioned a few already today, but if you were to mention certain documents that you think are particularly important for us to have access to, what would they be?

MR. KENT: The, if you will, I guess, the unique records

that I generated in the course of my work would include notes to the file and conversations that I took down in my handwritten notes.

MS. SPEIER: Anything else that comes to mind?

MR. KENT: Likely the WhatsApp exchange between me and Ambassador, or sorry, Charge Taylor.

MS. SPEIER: So is it typical for you to use WhatsApp in communicating with your colleagues?

MR. KENT: In parts of the world, WhatsApp has become a very active method of communication for a variety of reasons, it's considered encrypted, although I don't think text messages are secure. I believe the voice encryption is still secure. And in countries like Ukraine there's actually no data charge for use WhatsApp, and that's what drives the use of social media, so they pay for text messages, but when they use social media apps they don't actually pay for that data. So that has altered communications in parts of world by rate setting and how people communicate.

So in Latin American, for instance, and in parts of Europe and Asia, applications like WhatsApp have become the dominate form of communication.

MS. SPEIER: There has been a lot of conversation earlier today from our colleagues on the other side of the aisle about Burisma as being a company that lacked some ethical commitments and moral compass of sorts. Are there

other companies in Ukraine that would fall in that same category?

MR. KENT: There are many companies in Ukraine that might fall into that category, yes.

MS. SPEIER: Could you give us some examples?

MR. KENT: If you took the roster of the richest Ukrainians, they didn't build value, they largely stole it. So we could go down the richest 20 Ukrainians and have a long conversation about the structure of the Ukrainian economy, and certainly most of the billionaires in the country became billionaires because they acquired state assets for largely under valued prices and engaged in predatory competition.

MS. SPEIER: Burisma doesn't stand out as being different from any number of companies?

MR. KENT: I would say that Mr. Zlochevsky's actions stood out in one way that he was the actual minister who awarded himself the licenses to explore for gas exploration.

MS. SPEIER: Okay.

MR. KENT: Other people may have just had the minister on their payroll.

MS. SPEIER: Okay. Going back to that July 25th call, there was a lot of exchanges between Ambassador Sondland, Mr. Volker, and also the Charge Taylor about whether or not the aid would be forthcoming, whether or not the statement would be written. Were you privy to any of that?

MR. KENT: I did not participate in those exchanges by virtue of the fact that, to the best of my knowledge, you don't have me as a participant in those exchanges, and none of those have been released.

I did have my own dialogue with Charge Taylor in the course of our work, in the same way that I had a dialogue with Ambassador Yovanovitch and with our ambassadors in Moldova, Azerbaijan, Armenia, and our Charges in Georgia and Belarus.

THE CHAIRMAN: And I would like to address my colleague we're going to get to that through the timeline.

MS. SPEIER: I'm particularly interested in 2017. Are you going to take care of that?

THE CHAIRMAN: We are. Can I suggest that we have the counsel continue with the timeline, and then as we get through it members can add in with questions. Thank you. Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman.

BY MR. GOLDMAN:

Q Focusing your attention on May of this year when I believe you said that Rudy Giuliani met in Paris with Nazar Kholodnytsky, who was the prosecutor of the anti-corruption.

A The special anti corruption prosecutor, yes.

Q Anti corruption, okay. And he had already been removed by that point, right?

A No, he had been under pressure for over a year. We stopped cooperating with them approximately in March of 2018 when the so-called fish tank scandal emerged.

Q Okay. Just to summarize. You have testified today that Mr. Giuliani met with Yuriy Lutsenko in January, that he advocated to get the former Prosecutor General Shokin a visa in January. And then he met with a special prosecutor in May, who the U.S. had ceased all former relations with. And Lutsenko and Shokin are generally, the general consensus belief is that they either are or, at this point, or were corrupt prosecutor generals. Is that an accurate summary of Mr. Giuliani's meetings with prosecutors in Ukraine?

A Yes.

Q Okay. And you also indicated that by May of this point, Mr. Giuliani had been on television and in the media advocating for the four story lines that you summarized from those March articles. Is that right?

A Correct.

Q Okay. And then in May you went to Ukraine and you had meetings with Ukrainian officials, two of whom mentioned to you that Mr. Giuliani wanted to meet with them. Is that right?

A Mr. Avakov mentioned Giuliani. I can't recall if Mr. Bakanov mentioned Giuliani when we first talked, the one name that I wrote down in my notes was that he mentioned

Fruman, he said he didn't remember the other name, and later he sent me the business card of Fruman and Parnas.

Q Thank you for clarifying that. But he knew that Fruman and Parnas were associates of Giuliani, right?

A Correct.

Q Now, you would agree, right, that high-level Ukrainian officials don't meet with every private American citizen who travels to Ukraine. Correct?

A Correct.

Q So the Ukrainians certainly understood that Mr. Giuliani was not a regular private citizen. Is that right?

A Correct.

Q And would you assess that they understood that he represented President Trump?

A They understood that Mr. Giuliani asserted he represented Mr. Trump in his private capacity. Yes.

Q Did they understand what that meant? Private capacity versus official capacity?

A Ukrainians such as Arsen Avakov are experienced players willing to meet with anybody. The team of the incoming president at that time, President-elect Zelenskyy, had spent their entire careers as a tight-knit group of entertainment company executives who had no experience in politics. So they were looking to try to figure out to understand how to navigate political networks.

Q And did you speak to any of the incoming officials about Mr. Giuliani in this May, June timeframe?

A My conversation with Mr. Bakanov, as I recounted part of it before when he gave the names of the associates, one of whom he knew, the other he couldn't remember, when he asked for my counsel, I had suggested, as I said, someone like you who's an associate could meet and hear somebody out without making commitments. But at this time it would be my best counsel to you to shield your President-elect from private citizens.

Q And to your knowledge was Mr. Giuliani promoting official U.S. policy in Ukraine at this point?

A Mr. Giuliani is a private citizen who was not a U.S. Government official.

Q But I understand that, but is what he was pushing consistent with official U.S. policy?

A Mr. Giuliani was not consulting with the State Department about what he was doing in the first half of 2019. And to the best of my knowledge, he's never suggested that he was promoting U.S. policy.

Q And the actual efforts that he was making, just to be very clear, were they consistent with what official State Department policy was?

A The U.S. has a lot of policy interests in Ukraine. It involved promoting the rule of law, energy independence,

defense sector reform, and the ability to stand up to Russia. As a general rule, we don't want other countries involved in our own domestic political process, no.

Q So around this -- at the end of May, there was the inauguration of President Zelenskyy. Is that right?

A Correct. I believe it may have been May 20th, to be precise.

Q Were you involved at all in the discussions about who would represent the United States at that inauguration?

A Yes.

Q Can you just summarize for us what your involvement was and what those discussions entailed?

A The starting point was the conversation between Presidents Trump and President-elect Zelenskyy on election day. President Zelenskyy asked if it would be possible for President Trump to come to inaugural. There was no date at that point. President Trump suggested that he would talk to Vice President Pence, and schedules willing, that he hoped it could work out, but in any case, the U.S. would have representation at the inaugural. That was April 21st.

By the time we got close to when the inauguration date was set, which was on very short notice, the outgoing Ukrainian parliament voted on May 16th, which was a Thursday, to have the inauguration on May 20th, which was a Monday, leaving almost no time for either proper preparations or

foreign delegations to visit.

So we scrambled on Friday the 17th to try to figure out who was available. Vice President Pence was not available. Secretary of State Pompeo was traveling. And so we were looking for an anchor, someone who was a person of stature and whose job had relevance to our agenda.

I suggested to Lieutenant Colonel Vindman, since there oftentimes is this dialogue between the State Department and the NSC for inaugural delegations, to having the NSC ask Secretary of Energy Perry. Because he had traveled to Ukraine, understood the issues, and energy was one of the top three issues that we were working with Ukraine. So that was the start of that conversation, and then it was a matter of building out possibilities.

Inaugural delegations are determined by the White House. So whatever the NSC and the State Department worked together as options, ultimately the decision is made elsewhere. As an example, when President Yushchenko was inaugurated in Ukraine in 2005, and I was the control officer on the ground at the time, the delegation was Secretary Colin Powell in his last act as State of State, and five Ukrainian Americans. That's it.

In this case, we proposed a group of officials that we thought were relevant, those included a number of Senators and as well as Marcy Kaptur, the head of the Ukrainian

American Caucus in the House. It included some Ukrainian American leaders here in the United States, as well as officials. That was about 15 in total to play with.

Former National Security Advisor Bolten weighed in at some point in the process, and eventually the White House settled on a list, which was, in the end, Secretary Perry, Lieutenant Colonel Vindman representing the NSC, Ambassador Sondland, Ambassador Volker, and then our Charge in country at the time, Acting Joseph Pennington.

Q Was Ambassador Sondland on the State Department's original list?

A He was not somebody that we initially proposed, but Ambassador Sondland has his own networks of influence, including chief of staff Mulvaney. So it did not surprise us when he weighed in, his name emerged.

Q Why did it not surprise you. What did you understand Ambassador Sondland's role in Ukraine to be by March 17th of this --

A Ambassador Sondland had started cultivating a relationship with the previous Ukrainian President Poroshenko. He visited, as I recall, a ship visit to Odesa, which may have been where he first met Poroshenko and other leaders. And so in the same way that he had expressed an interest in our relationship with Georgia starting late in 2018, early this year he expressed an interest in playing a

role in managing our relationship with Ukraine.

[3:24 p.m.]

BY MR. GOLDMAN:

Q And you described an independent relationship that he had with the chief of staff. What do you know about that?

A Well, I think the proof in the pudding is, after the delegation went to the inauguration on May 20th and had a meeting with President Zelenskyy -- and that included Senator Ron Johnson, who was there not as part of the Presidential delegation but separately. But he sat in the meeting with Zelenskyy, and then he joined a briefing to the President in the Oval Office on May 23rd.

It was Ambassador Sondland's connections with Mulvaney that got them the meeting with the President. It was not done through the NSC staff, through Lieutenant Colonel Vindman and Ambassador Bolton.

Q I don't understand what you mean.

A Well, normally for international issues, meetings would appear on the President's calendar because they were proposed by the National Security staff and pushed through the National Security Advisor. In this case, the out-brief to the President of the inaugural happened because of Ambassador Sondland's connections through Chief of Staff Mulvaney, to the best of my knowledge.

Q So you're talking about President Trump's debriefing after the inauguration on May 23rd.

A The inauguration on May 20th. The Oval Office meeting to talk about that and the way forward occurred in the Oval Office on May 23rd.

Q Before the inauguration, you just mentioned that you were not surprised that Ambassador Sondland was added to the list because of his relationship with the chief of staff. Were you aware of Ambassador Sondland having any significant role in Ukrainian policy for the State Department by mid-May?

A Again, I don't remember when the ship visit was to Odesa, but I think Sondland's visit to Ukraine to Odesa for the U.S. port visit was the start of his involvement.

Q I understand that. I'm asking way ahead. If that was during the time that President Poroshenko was the President, that was earlier.

A But it was the last month of his presidency. So he did call President Poroshenko in March for instance after the attack started on Ambassador Yovanovitch to suggest the Porosheno back off. So his acceleration of his involvement in Ukraine and in our relationship was in one phase, just starting the last month or two of Poroshenko's presidency, and it accelerated after President Zelenskyy's assumption of office on May 21st.

Q Did it also accelerate after Ambassador Yovanovitch was recalled?

A Ambassador Yovanovitch was recalled on the 26th of

April, and she was out of the country by the time President Zelenskyy was inaugurated on May 20th. So it was coterminus. She essentially ceased serving as Ambassador, the functions of Ambassador, on April 26th.

Q Right. And after that, did Ambassador Sondland's role increase in Ukraine?

A Yes.

Q Were you aware of whether that went through official channels or how that came to be?

A The way that came to be was the main three U.S. officials, executive branch officials, Secretary Perry, Ambassador Sondland, and Special Representative Volker, were part of that briefing of the President. And they came out of that meeting asserting that going forward they would be the drivers of the relationship with Ukraine.

Q Before the inauguration did you have any conversations with the Ambassador Sondland about Ukraine generally?

A To the best of my knowledge, before May, likely during the chief of mission conference where all ambassadors come back for several days in mid-January, Ambassador Sondland came through the office suite where my office is to see my colleague who works with Western Europe. Julie Fisher (ph) is her name. And she introduced him to the other people in the office. So I shook his hand. There was no

conversation, but that was the first time I had met him, without a substantive conversation, in January.

Q So you did not speak to him again after January?

A To the best of my recollection, we had no direct conversation and were not in each other's presence until the U.N. General Assembly week, the last week in September.

Q So you did not attend that Oval Office meeting on May 23rd, right?

A I did not.

Q Okay. Did you get a readout of what occurred?

A There were several readouts. That particular week I was -- my eldest daughter graduated from Boston University and I then took my kids and my wife up to Acadia National Park we were hiking on Cadillac Mountain so I was not in Washington those days where the readout occurred May 23rd.

Q So did you subsequently learn what occurred?

A So there were several readouts provided secondhand from representatives who had been in that meeting and presumably those will be part of the documents that were collected as part of your requested documents and --

Q So you're -- sorry. You're referring to written readouts?

A Written readouts. I believe there were three separate readouts. Again not from anyone that I got that was forwarded by email. Specifically Fiona Hill whom I'm

gathering that the committee talked to yesterday. She gave a readout to my office director who was probably acting for me that week, [redacted], normally office director of Eastern Europe. Kurt Volker gave a readout to his then-special assistant, Chris Anderson (ph), who is currently a language student. And Gordon Sondland would have given a readout to somebody that would have been forwarded to us.

So when I came back from my New England vacation, I had three different versions of that conversation in my inbox.

Q And so what did you -- just quickly, what did you understand to have occurred at that meeting?

A I should say that in addition to those secondhand accounts I eventually heard Kurt Volker's account directly from him, the way he characterized it to a number of interlocutors when we were together in Toronto on the 1st and 2nd of July for the Ukraine Reform Conference and the interlocutors included President Zelenskyy himself. He said that President Trump had been very angry about Ukraine, he said that they were corrupt, and they had wished him ill in 2016. So that was one part of the discussion.

On the other hand, by the end of the meeting there was agreement that they would work moving forward to work towards an Oval Office visit, a visit to the White House which Presidents Zelenskyy and Trump had talked about in that initial call on April 21st. And that energy issues would be

of importance going forward, keeping in mind not only Secretary' Perry's presence, but the concern that the Russians were going to cut all gas transit through Ukraine on New Year's day the way they had done three times since 2006.

Q You --

A And finally sorry. The last point that I recall from the readouts was that there would be an accelerated search for a political nominee for Ambassador, as opposed to having a career Foreign Service officer proposed from the State Department.

Q Were you aware of any evidence that Ukraine was involved in any way, Ukrainian officials were involved in any way in interfering with the 2016 election?

A I'm not aware of any evidence to that effect, no.

Q And you're familiar with the Intelligence Community assessment about Russia's interference?

A I have read the documents that have been made available to me as part of my read. The Office of Intelligence and Research briefs me twice a week, but that does not mean that I've read every document about Russia, no.

Q No, I understand, there is specific document that the Intelligence Community assessment about Russian interference in the 2016 election. Are you familiar with the conclusion?

A I know that it exists. I can't say -- I don't

recall reading any special confidential version of it. And to the extent that it has been discussed in general in the media I'm aware of those findings.

Q And you're aware that the Intelligence Community uniformly determined that Russia interfered in the election?

A I'm aware of that general conclusion, yes.

Q And are you aware that Special Counsel Mueller indicted I believe 12 Russians and laid out an indictment --

A Yes.

Q -- how Russia interfered. Right?

A Yes.

Q Do you have any reason to believe that both of those either the indictment or the Intelligence Community assessment is wrong in any way?

A I have no reason to believe that, no.

Q Okay. You mentioned this April 21st call. And we haven't touched upon it touch. You said you were not on the call. Did you get a readout of that call as well?

A I did.

Q And what did you learn that was discussed on that call?

A Again, I received that readout from Lieutenant Colonel Vindman. It was a very short and nonsubstantive call, as you might expect. As I recall April 21st was Easter Sunday in the United States. Again, Ukrainians are Orthodox.

Different calendar. And we were very pleased that the President agreed to call on election day on a Sunday. We had presumed that it might happen the next workday, which was a Monday. And as you might expect on a Sunday call when it was probably past midnight in Ukraine on election night, President Zelenskyy was in a good mood, President Trump was very positive and congratulated him on a great win.

And President Zelenskyy, as I recall what Alex told me, said that he had studied President Trump's win in 2016 running as an outsider and had adopted some of the same tactics. And invited President Trump to his inaugural, the date to be determined. And President Trump, as I said, acknowledged he would try to find somebody appropriate to attend. And said, we'll try to work on getting you to Washington.

And that was more or less the extent that probably was something more said, but you know on an election day the point is what Alex summed up was, Lieutenant Colonel Vindman, those types of calls are designed to build rapport and he thought it was successful doing so.

Q Following the May 23rd Oval Office meeting, where there was a -- you testified there was a decision to try to arrange a White House meeting. You know, what if any actions did you take or were -- did other Ukraine-focused government officials take to try to set that up?

A That's the function of the national security staff. To the extent that there is input, they ask for input from other officials, other offices. We obviously stand ready to be supportive but that's -- that's their function. That's not our function --

Q Were you supportive of a White House meeting?

A I was, the State Department was. Ukraine is an important country that Congress appropriates roughly in the ballpark $700 million a year in assistance and Zelenskyy won a clear mandate for change and so we were supportive of a visit to the White House, yes.

Q Did you have any reason to doubt Zelenskyy's sincerity about his anticorruption views?

A I had no reason to doubt the sincerity of Zelenskyy trying to represent change for his country based on the series of meetings I had with him dating back to December 2018. Starting from the beginning it was clear that he had a prior association with a fairly notorious oligarch named Ihor Kolomoisky and that was going to be a mark of his willingness to really make a break from past relationships and stand on principle.

So from not necessarily our first conversation in December, but in the second conversation in March prior to the election, we were already talking about Kolomoisky and the down sides of association with somebody who had such a

bad reputation.

Q And how important is -- would a White House meeting be to President Zelenskyy?

A The President of the United States is a longtime acknowledged leader of the free world, and the U.S. is Ukraine's strongest supporter. And so in the Ukraine context, it's very important to show that they can establish a strong relationship with the leader of the United States. That's the Ukrainian argument and desire to have a meeting.

The foreign policy argument is it's a very important country in the front lines of Russian malign influence and aggression. And the U.S. spends a considerable amount of our resources supporting Ukraine and therefore it makes sense. But that's the arguments for a meeting. The time on a President's schedule is always subject to competing priorities.

Q Following that meeting you said that Secretary Perry, Ambassador Sondland and Ambassador Volker had asserted that they were leading Ukrainian policy efforts? Did I get that right?

A Correct.

Q Who had asserted that?

A Well, the three of them asserted that. And citing the fact that they had briefed the President coming out of that meeting, they felt they had the mandate to take the lead

on coordinating efforts to engage the new Ukrainian leadership.

Q And what engagements with the new Ukrainian leadership occurred following that meeting up until the conference on July 1st that you're aware of?

A I do not -- I do not recall. Special Representative Volker traveled frequently to Ukraine so it is possible that he may have gone in late May. I just don't recall precisely. He traveled frequently there.

There was a coordinating meeting in the Department of Energy in mid-June, on June 18th. So Secretary Perry chaired that. Ambassador Sondland, Ambassador Volker from the State Department, Acting Assistant Secretary Reeker, my direct supervisor, Tyler Brace, all attended that meeting in Secretary Perry's office, and they also connected recently arrived Charge Taylor from Kyiv.

So I would say that, to the best of my knowledge, after that May 23rd meeting, this June 18th meeting was the next meeting where a number of officials got together specifically to talk about policies and programs towards Ukraine.

Q And in June and early July, are you aware of any conversations that Ambassador Sondland might have had with the Chief of Staff Mulvaney about Ukraine and President Zelenskyy?

A I'm not aware of conversations between Sondland and

Mulvaney, but frankly that's a relationship that I would not be a part of. To the best of my -- what I am aware of is that subsequent to the June 18th meeting, there was a June 28th conference call between Secretary Perry, Sondland, Volker, and involving Charge Taylor, at the end of which they were patched through to President Zelenskyy.

Q And what did you learn about that conversation?

A I do not recall. I got a readout of that conversation. Initially I have an email suggesting that Ambassador Sondland on June 27th had written Charge Taylor to suggest that that would be a U.S.-only meeting or a U.S.-only call. But in the end, on the next day, it turned into a call with President Zelenskyy after a pre-conversation among the Americans, based on what Charge Taylor has told me.

Q Was it unusual that you were not included on that conference call?

A Well, if it involves the Secretary of Energy it's not necessarily unusual. But again, that was I think a period of time where the direction of our engagement with Ukraine shifted into shall we say unusual channels.

Q And what do you mean by unusual channels?

A Well, I think it's somewhat unusual to have an Ambassador to the E.U., plus the Secretary of Energy engaged deeply in the policy towards a country that is not a member of the E.U. It was just -- again, we had our Special

Representative for Ukraine Negotiations, and I know you've talked to former Ambassador Volker. His listed responsibilities were focused on negotiating with Russia over their war in Ukraine, and then Charge Taylor as the lead representative in country.

And so frankly, in that constellation Charge Taylor was the primary voice for our full interests as the Charge of our mission in Kyiv.

Q And one more question, you said that you learned of the call from Charge Taylor.

A Correct.

Q But he did not give you a substantive readout of the call?

A He did give me a readout, yes. He gave me a readout of prebrief with the Americans.

Q And what was that readout?

A He indicated that there was a discussion about the need to raise a sensitive issue with Zelenskyy. And in that discussion Ambassador Volker volunteered that he would be seeing Zelenskyy in person the next week in Toronto and that was the meeting in which I participated on July 2nd.

Q Do you know what the sensitive issue was?

A Kurt Volker told me that it was giving guidance to Zelenskyy on how he needed to characterize his willingness to be cooperative on issues of interest to the President.

Q Such as?

A I did not have the full details of what exactly that was, but I think it was sending signals about potential investigations.

Q I think our time is up. We yield to the minority.

BY MR. CASTOR:

Q Vindman was on the July 25th call?

A The July -- yes.

Q And was he on the April 21st call?

A Yes.

Q Was he in the meeting with the President on May 23rd?

A I do not know and I think not.

Q Okay. You said you got three readouts, one from Fiona Hill, one from Sondland, and one from Volker?

A The initial readouts I got were, yes secondhand from these three people. It was my understanding.

Q -- in on the meeting?

A My understanding is again Fiona didn't give it directly to me. My understanding is that she may have gotten it from deputy -- then deputy national security advisor Kupperman.

Q She sent you the readout?

A No. She had a conversation with [redacted], who was the acting deputy assistant secretary at the time. To

the best of my knowledge. I received the readout from [redacted] once I came back from my vacation.

Q Okay. You said when you returned to your office you had three emails. Is that --

A Yes. I believe I got an email with [redacted] readout of a conversation with Fiona, Chris Anderson's readout that he got from Kurt Volker and a third readout from someone in the State Department who worked with our mission to the European Union that would have had Ambassador Sondland's version.

Q So Sondland gives a readout to his staffer who writes it up, sends an email.

A Yes.

Q Volker produces one with Christina Anderson?

A Chris Anderson.

Q Chris Anderson. And so then help me understand again. Like who produced the one from the NSC?

A So Fiona had a conversation. To the best of my recollection, she had a conversation with [redacted], who is normally the director for Eastern Europe and, while I was away at my daughter's [redacted], was acting in my stead as acting deputy assistant secretary.

Q Oh, okay. So he's a State Department employee.

A He's a State Department employee, yeah.

Q Was she in the meeting?

A My understanding is -- again, I did not talk to her, but my understanding was that her version of the readout came from Mr. Kupperman, the then deputy to Ambassador Bolton. But I'm not sure.

Q Was he in the meeting?

A I'm not sure. My understanding again, this is now third hand from [redacted] is that Fiona's readout came from Kupperman, not from her participation in the meeting. But I don't know. I have not talked to Fiona about that.

Q Okay. Was Kupperman in the meeting?

A My understanding from what I heard from [redacted] relaying what he heard from Fiona his impression was that that came from Kupperman who was in the meeting. But I can't --

Q He was in the meeting?

A Huh?

Q He was in the meeting?

A That is the impression I received from talking to [redacted].

Q Did any of these readouts have a list of officials in the meeting?

A No.

Q Okay. Can we just go through who we think was in the meeting? We know Secretary Perry, Senator Johnson.

A To the best of my knowledge, the principals --

Q Ambassador Volker.

A -- the briefers to the President were those that represented lead officials and that would be Secretary Perry, Ambassador Sondland, Ambassador Volker and Senator Johnson.

Q And they brought staff to the meeting?

A I do not know. I was -- again, I was on leave status.

Q Okay.

A And I wasn't in the meeting and wouldn't have been in the meeting even if I were in Washington.

Q Okay. Who from the NSC was in the meeting?

A To the best of my understanding, all I know is that Charlie Kupperman -- or Kupperman. I don't know first name, sorry. Kupperman, former deputy National Security Advisor Kupperman may have been in the meeting.

Q Okay. But Vindman wasn't?

A That is my understanding, correct.

Q Did Vindman tell you subsequently that he wasn't in the meeting?

A I didn't ask if he was in the meeting, because when I returned from work I had three different version or readouts of the meetings from others.

Q But you had regular communications with Vindman. Right?

A I did.

Q And did he ever at any point in time tell you that he wasn't in the meeting or was being excluded from things?

A We didn't have a conversation along those lines. No.

Q Do you think he was excluded?

A I honestly don't know. And I had three different versions of the meeting so I wasn't looking for a fourth.

Q And in your regular communications with Vindman do you have any reason to believe that he's been cut out of any of these discussions? Not just about the May 23rd meeting, but about subsequent relevant events?

A Again, I don't -- I go over to the NSC when there are meetings that the NSC does not want to allow the State Department to be on the secure video conference system, but apart from specific meetings that I'm invited over, I don't go over there on a regular basis just because it takes time. It's easier if they'll allow us to be on video conference. It is a better use of my time. So I would say I have more communications with Lieutenant Colonel Vindman by email and phone call.

Q Okay. And in any of those emails or phone calls has he alerted you that he -- he's been cut out of the process?

A He is a lieutenant colonel and colonels who have served in staff positions generally aren't people who

complain. He's a -- he was a campaign planner before he came over to the NSC and he has that campaign planning mentality, you know, what's the goal and he'll plow forward. That's just his personality.

Q Okay. And do you think he is plowing forward?

A He's very active at scheduling interagency meetings and asking the State Department to write papers for him.

Q But plowing forward, does it have some sort of connotation that he's going through a tough time and he's --

A No. He's a lieutenant colonel who spends his day working on campaign plans. That's what his -- that was his job at the Joint Chiefs of Staff before he was brought over as a detailee to the NSC. I think if you talk to most State Department employees will have an opinion that the role of the National Security Council is to coordinate the work of other agencies, not to task us. We don't respond to them. And occasionally we have to remind them of that.

Q You have to remind him of that?

A My staff oftentimes complains that they feel that he thinks that they work for him the way he works for other people at the JCS and have asked me on numbers of occasions to gently point out to him that we don't report to him. So I have supported my staff in gently suggesting that he remember what the roles of the National Security Council staff are vis-a-vis a bureau and an executive agency like the State

Department.

Q Did he receive that warmly?

A He received it with a smile and that's -- we have a good working relationship. I would say there's more tension perhaps between him and the staff that work for me, but we have a respectful working relationship.

Q Okay. And in Fiona Hill's readout what was her -- what can you remember from her readout?

A I think -- what I recall and I can't say the specific details particularly since there were three versions floating around that I read in rapid succession, just by tonality that the meeting was perhaps more problematic than the initial readouts that we got through secondhand knowledge of what Ambassador Sondland and Ambassador Volker said.

I believe one element and I can't remember where this came from that initially the President did not want to sign a congratulatory letter. And he actually ripped up the letter that had been written for him. But by the end of the meeting, he'd been convinced and the version I recall hearing was Ambassador Sondland helped draft it. And to be honest, the second version of the letter actually read better than the first version. I wasn't involved in either of them because I had been on leave and eventually that letter was signed.

Q At the State Department in the wake of Ambassador

Yovanovitch's, her recall, can you describe the morale with those closest to her?

A When you say those closest to her, are you referring to the embassy staff that had been working for her in Kyiv?

Q And her close confidants here in Washington.

A I don't know who her close confidants in Washington would be. I was, as I mentioned, in Ukraine and Kyiv at the embassy on May 8th. I did offer to have a restricted townhall meeting for Americans, essentially, in our version of the SCIF, and the country team, the meeting room, where we'd have -- and anyone who wished to have a conversation about what had happened and the way forward.

And my sense was -- one of them actually said that when the attacks started in March, particularly after members of the President's family started attacking her, at some level they realized that she was going to be recalled, and it was a matter of when, not if. Their question, as people working at the embassy, was what was going to be the impact on them, on the embassy, and on our policy towards Ukraine.

And so, while I did -- basically I was willing to answer any questions, I think they were more focused, at that point, already, having digested that she had been removed, and they wanted to know what was going to happen next. So I assured them that our policy was our policy and it would remain our

policy. And that we were in the process of trying to find an experienced person that temporarily would lead the mission and would be a good leader for the people working there, the 250 Americans working in our embassy, and also someone that could be a voice and face for U.S. policy in Ukraine.

I honestly cannot remember, but probably did not say that it was going to be Ambassador Taylor. He was the one we all wanted at that point, but we still had to work out whether we could bring him back. And those details with the personnel system had not yet been finalized.

Q Would Ambassador Taylor have fit the mold for the type of person that was discussed in the meeting with the President?

A When you said the person discussed in the meeting with the President, meaning what?

Q Well, the meeting with the President, you related that President Trump seemed angry, that he was, you know, Ukraine was corrupt. That there are those in the Ukraine that wished him ill in 2016 and they were going to work towards an Oval Office meeting, energy issues were important and then you mentioned that there was a decision to put in a new political Ambassador.

A So Charge Taylor, notwithstanding the fact he was nominated and confirmed by the Senate, nominated under president George Bush, was not a permanent nominee for the

position of Ambassador.

Q Okay.

A He was called back essentially to government service because he knew all the players. He's a bundle of positivity and gets along with everyone and he's a real leader. He was a long time senior executive at the State Department, but he was a graduate of West Point who joined the 101st, and he was platoon leader in Vietnam and in Germany. So it is hard to find anybody hasn't been impressed by Bill Taylor.

Q And is there still an effort afoot to find a permanent political Ambassador?

A There is. And that is the job of the White House because it is the President's prerogative to appoint, nominate an Ambassador and then the Senate's role to confirm.

Q During his tenure as Vice President, Joe Biden had a role with regard to Ukraine. Is that correct?

A Correct.

Q And what was the role as you understood it? And you were in country at the time, right?

A I was, although his involvement in Ukraine predated my return to the Ukraine account. I believe -- it should be a matter of record, but I believe as Vice President he visited Ukraine six times, which probably is unusual for any country outside of the usual countries like Germany, like --

one of which I believe would've been when the former leader Yanukovych was there and then the subsequent visits afterwards.

By the time I came back on the account, it was clear that President Obama, towards the end of his administration, had delegated several foreign policy issues in Europe to Vice President Biden to take the lead. Ukraine was one of them; Cyprus was the other.

So, if you will, Vice President Biden was the top cover. The State Department's lead official post-Russian-invasion-of-Ukraine/occupation-of-Crimea was Assistant Secretary Victoria Nuland. And then we had a very active Ambassador, Geoff Pyatt, at the time. And so those were the chief voices on our Ukraine policy: Pyatt as chief of mission, Toria as the assistant secretary, and Vice President Biden as Vice President.

Q When he got involved with advocating for the removal of Shokin, what type of planning went into that? Was that something that was planned for on the Vice President side of things or did the embassy or the State Department tee him up with the right information he needed to weigh it into that?

A Geoff Pyatt allowed me to go back to my family at Thanksgiving. I had come out on an emergency basis for my predecessor [redacted]

[redacted]. And I came out on 24 hours' notice to Ukraine the beginning of October for my third stint. So I was not in country at the time of the visit and planning.

My understanding is that the conversations that were near-daily between Ambassador Pyatt and Toria Nuland regarding what to do on the way forward then included pitching the Office of the Vice President to push President Poroshenko to remove Shokin.

There was a similar push against Prime Minister Arseny Yatseniuk, who had several different corrupt political backers. And there was one named Martynenko who was involved in all sorts of dirty business, including nuclear fuel supplies from Russia. And so we pressured Yatseniuk to have one of his corrupt cronies resign, and Martynenko resigned.

And there was also the pressure on Poroshenko, on the corrupt prosecutor general, and Shokin was not dismissed, I believe, until early March, so 3 weeks after Vice President Biden's visit in December 2015.

Q The Vice President, he relates to some of these details on a video that's been published on I think the Wall Street Journal. Have you seen that video?

A I did. To the best of my recollection, he was at some conference, maybe Council on Foreign Relations, sometime in 2018, and he was telling the story in a sort of folksy manner.

Q He was folksy. And he describes a quid pro quo where, you know, $1 billion worth of aid would be held up until they fired Shokin. Is that what your understanding of the way he tells it?

A That is -- sounds more or less like what he said on that stage. Yes.

Q And going back to 2016 when it actually happened, was that the way it went down?

A Again, I was in -- briefly in Ukrainian language training at the time of his visit so I was not in Ukraine. I would think that the State Department could produce documents related to the sovereign loan guarantees and the timing of those three guarantees to align the timing.

We provided one in 2014, one in 2015, and one in 2016. And I do not recall the exact timing of the issuance of those loan guarantees, but I'm not aware that they aligned perfectly with his visit to Ukraine on December 2015.

Q Okay. But you think it is fair to say that this was a bottom up initiative?

A To the best of my knowledge, the idea came from Ambassador Pyatt in discussion with Assistant Secretary Nuland and then was pitched to the Office of the Vice President.

Q Okay. So if we're going to pursue additional information on that, we would probably have some documents to

inform us that we could ask for.

A That would be my impression. I would just note having read the subpoena that the document request was date timed I believe starting January 20 or 21st, 2017. And we're talking about events that happened in November, December, 2015.

MR. ZELDIN: Steve, if I can ask, did you know at the time of the Vice President's visit when he had made that threat that he was going to make that threat? I mean, or was it some other expectation more narrowly tailored towards advocating for Shokin to be removed?

MR. KENT: Yeah. I know as was discussed earlier, the U.S. the IMF, the European Union countries, we had all come to the conclusion in the wake of the diamond prosecutors affair that there was going to be no progress for reform on the prosecutor general under Shokin.

But specifically about how the Vice President's trips messaging was managed by that point. I left the day before Thanksgiving to fly back to the U.S. and to go into Ukraine language training. So at that point I was not privy to those discussions in the two weeks prior to the Vice President's visit.

MR. ZELDIN: So you don't know whether or not the Vice President was going to threaten the loss of $1 billion?

MR. KENT: My understanding, as I explained, is that

that was an approach that was discussed between Ambassador Pyatt and Assistant Secretary Nuland to use his visit as leverage. This was an issue that Ambassador Pyatt and Assistant Secretary Nuland in her visits that was an agenda item that they were pushing. And in the same way that the Department of Justice official asked me to go in to the prosecutor general office office in February 2015 and ask who took the bribe and how much was it to shut down the case against Zlochevsky, the Ambassador and Assistant Secretary Nuland asked the office of Vice President if the Vice President could push this tough message.

MR. ZELDIN: And to be clear, was Ambassador Pyatt and Assistant Secretary Nuland advocating to threaten the loss of $1 billion?

MR. KENT: I believe that is the case. But again, we're now relying on my memory of almost 4 years ago. So I believe it was pushing the Ukrainians essentially for an additional what would be called a prior action before we would issue the sovereign loan guarantee. But I think that's something that we would have to look at the documents from that period of time.

MR. ZELDIN: You as the deputy chief of mission were not involved in that process.

MR. KENT: So in parts of 2015 I went out as essentially the acting deputy chief of mission. I then came back to the

U.S. the day before Thanksgiving and was in the U.S. for 3.5 months for language training and then returned to Kyiv in late March 2016. So in the 2 weeks prior to the Vice President's visit, I was already back in the U.S. as a language student as opposed to being an active participant in the conversations.

MR. ZELDIN: And you referenced Ambassador Pyatt, you referenced Assistant Secretary Nuland. Of anyone involved in that process, are you aware of anyone in contact with Hunter Biden at the time other than the Vice President?

MR. KENT: I am not aware of, no.

MR. JORDAN: One quick question.

Mr. Secretary, you leave 2 weeks before the Vice President gets there. But this policy, this idea that we were going to call for Shokin's removal it didn't just develop in those two weeks.

MR. KENT: Correct.

MR. JORDAN: You weren't involved in a discussion and a decision to say this is going to be our official policy we're going to ask the Vice President to do this.

MR. KENT: I think someone made a reference to Ambassador Pyatt's speech in September. Earlier -- at some point today, he gave a strong, hard-hitting speech against corruption, and it was clear then that we were pushing for Shokin's ouster. And so we had taken a harder line against

Shokin in the wake of the diamond prosecutor affair in mid-2015.

So months prior to Vice President Biden's visit, this was an issue that U.S. officials including our Ambassador and our Assistant Secretary of State were pushing in their meetings with the Ukrainians.

MR. JORDAN: I guess I'm asking, though, was there a decision made between Ms. Nuland, the Ambassador, and you to say, we're going to ask the Vice President to do it on this trip. And if so when was that made?

MR. KENT: Again, I do not -- I could not -- I was not part of -- I would say that on a daily basis Ambassador Pyatt and Assistant Secretary Nuland had conversations, that was conversations that the Ambassador would have on his office with her on a secure phone and I'm sure there were additional email back and forths. But I cannot give you a precise date other than to say that --

I would say that on the record Ambassador Pyatt's speech in Odesa, which I believe was in September of 2015 was a powerful public statement of U.S. concern about the lack of progress. And I believe it may have specifically mentioned both the shortcomings of prosecutor Shokin and reference to our concern that the case against Zlochevsky had been shut down and frozen money was released.

And so I think that speech is a matter of public record

September 2015, Vice President Biden's visit happened October, November, December, 3 months later.

MR. JORDAN: Do you think they told the Vice President the 2 weeks prior to him getting there when you had left do you think that they talked to the Vice President when he got there in country?

MR. KENT: Again, the way a trip would normally be staffed, there would be conversations prior, there would be paper prepared and conversations prior to the trip. And that oftentimes would be someone like Assistant Secretary Nuland going over and participating in a pretrip brief.

MR. JORDAN: When did you learn that the Vice President made this demand on the Ukrainians and specifically the President?

MR. KENT: I think I -- I don't recall -- I mean, he gave a public speech and in the well of the Ukrainian parliament. But this demand would have been delivered in private in his meeting with President Poroshenko.

MR. JORDAN: You never got a readout on how it all went down?

MR. KENT: I was a language student for a period of several months in the U.S. I was aware that he'd made the request. I was also aware that Shokin remained an embattled prosecutor general for several months more until there was a vote held in their parliament to remove him.

MR. MEADOWS: So let me follow up one last time. So who made the decision that Vice President Biden should be the one that communicated this? You know, if you all are having all these discussions for so many months, who made that decision that says, let's wait until the VP goes over to make this request?

MR. KENT: Yeah. Well, there was no waiting, as I mentioned.

MR. MEADOWS: Well 3 months.

MR. KENT: Well that was a -- I gave an example of a publicly available speech that was a statement, a very strong statement on the record of --

MR. MEADOWS: Yeah, but your inference was is that that was the start of it.

MR. KENT: No, I wouldn't say that. It's just that I think that's a public mark where people could see this is the American Ambassador speaking on the record about our concerns about the lack of progress and the rule of law reform in 2015 a year and a half after the Revolution of Dignity. At the same time, there was constant private messaging, messages and meetings that Ambassador Pyatt had in Kyiv, conversations or meetings when Assistant Secretary Nuland would travel, and conversations would happen when Vice President Biden would talk to both President Poroshenko as well as then prime minister Arseny Yatseniuk.

MR. MEADOWS: So before you went away to language school, you had no recollection that the decision had been made that the Vice President was going to make this? Is that your statement?

MR. KENT: No. I would say that -- well, again, we're now talking about conversations, of which I was not a part, that happened 4 years ago. I do not think -- my guess, to the best of my ability, I would anticipate that the issue of Shokin's status was raised prior to the Vice President's trip, possibly during a conversation. But I was not on those calls between the Vice President of the United States and the President of Ukraine.

MR. MEADOWS: But wouldn't it be a big deal if the Vice President is going to demand a curtailment of $1 billion? Wouldn't that have registered with you, since your passion and --

MR. KENT: Right. Well, as I said, my understanding of how that decision got to the point of having the Vice President raise that in the first week of December when he came to Kyiv started with conversations between Ambassador Pyatt and Assistant Secretary Nuland and then a recommendation that Vice President Biden pushed that issue when he visited.

That's my understanding of how the information, the idea, the flow pattern occurred and then he made the request

when he came out.

MR. MEADOWS: Okay, Steve.

BY MR. CASTOR:

Q At the time was there any discussion of perceived conflicts of interest either on the part of the Vice President or his son?

A You're now talking about a period leading up to his visit in December 2015.

Q Well, Hunter Biden he was first reported that he was on the board in mid-2014?

A Correct.

Q And the Vice President's involvement with Ukraine is pretty significant at that point in time and it remained until he, you know, through 2016. Correct?

A Yes.

Q And the question was, you know, were there any discussions of a perceived conflict of interest on the part of either Hunter Biden or the Vice President?

A When I was -- the first time I was in Ukraine as acting deputy chief of mission in the period of mid-January to mid-February 2015, subsequent to me going into the deputy prosecutor general on February 3rd and demanding who took the bribe and how much was it to shut the case against Zlochevsky I became aware that Hunter Biden was on the board. I did not know that at the time.

And when I was on a call with somebody on the Vice President's staff and I cannot recall who it was, just briefing on what was happening into Ukraine I raised my concerns that I had heard that Hunter Biden was on the board of a company owned by somebody that the U.S. Government had spent money trying to get tens of millions of dollars back and that could create the perception of a conflict of interest.

Q And what did the person on the other end of the line tell you?

A The message that I recall hearing back was that the Vice President's son Beau was dying of cancer and that there was no further bandwidth to deal with family related issues at that time.

Q Was that pretty much the end of it?

A That was the end of that conversation.

Q Okay. That was in mid-2015?

A That would have been in February, because to the best of my recollection Beau Biden died that spring. I then returned to Ukraine in August of 2015 and I believe he passed before then. So the only time that conversation could have happened is in that narrow window between January, February, 2015.

Q And subsequent to that, did you ever think through with other State Department officials about maybe we should

try to get Hunter Biden to leave the board or maybe we should get the Vice President to transition his key responsibilities on Ukraine to some other senior U.S. official?

A No. It's easy in a conference room like this to have a considered discussion about things. In Ukraine at that time, we had a war with Russia occupation, we had an embassy staff going from 150 Americans to 250 Americans, from no Special Force U.S. Government soldiers to close to 70 in country, our assistance went from $130 million to nearly a billion.

And we were working nearly nonstop. Ambassador Pyatt, I can tell you from working for him, would wake up between 4:58 and 5:01, because that was when I got the first email from him, and went to bed between 12:59 and 1:01, because that's when I would get the last email. He had an internal clock. He only slept 4 hours. And it was nonstop, 20 hours a day, 7 days a week.

Q Okay. Gotcha.

You referenced earlier the President's congratulatory note to President Zelenskyy.

A His call.

Q No, the note.

A Yes.

Q It was ripped up?

A That is what I heard from others, yes.

Q Was that the May 29th letter?

A If there's a letter that's signed May 29th that would be the second version that was then signed.

Q Okay. So that's the only letter we're talking about, right?

A Correct.

Q Okay. In the letter they talk about a White House meeting as a prospect.

A I believe so.

Q I can make it an exhibit or I can read it whatever your preference is?

A If I could look at it that would be helpful.

Q Okay. So this will be Exhibit 2.

Do you guys need copies or are you good?

A Very positive letter, yes.

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

BY MR. CASTOR:

Q Yes. The penultimate paragraph says, to help show that commitment -- the last sentence of the penultimate paragraph says, I'd like to invite you to meet with me at the White House in Washington, D.C. as soon as we can find a mutually convenient time.

A Yes.

Q So this was the spiffed up letter or --

A This is the letter that I understand that Ambassador Sondland helped arrange, yes, sir.

Q I think you'd characterize the new letter as possibly better than the original?

A Yes.

Q What were the difference to the extent you remember?

A Just I think stylistically I liked the second version. I don't know who the drafter of the first version was and I don't know how many people were involved in production of the language of the second one. I just thought the second one read better.

Q Okay. And do you know why the President was disappointed with the first version?

A It wasn't he was disappointed with the version of letter, he -- based on what the readout I heard from Kurt Volker and others that he was disappointed with Ukraine.

Q Okay. And so the new letter was offered the to the President for his signature somewhat later in time?

A My understanding, and I think this may have been the version from Gordon Sondland that while the President was angry obviously at the point that he point and tore up the letter. By the end of the meeting he agreed to sign a revised version and this is the version that he signed.

Q Okay. And the offer or the invite to come meet at

the White House, is that something that is customarily offered to an ally without specific the meeting will happen on this date?

A Well, as I mentioned before, President Trump and President-elect Zelenskyy had this discussion on April 21st when President-elect Zelenskyy had invited President Trump to come to his inauguration, and he said, well, I will send somebody there, but I'd like to get you to the White House.

So this was following up on that theme. President Trump had offered it in concept in April. He put it in writing in May. But, you know, as anyone who's ever staffed not just the President but a principal, you can have an agreement in principle to meet but then schedules are complicated, particularly when you're dealing with two Presidents of two countries.

Q So it is not uncommon for the meetings to be proposed suggested, discussed and then take a while to put together?

A That's a fair statement, yes.

Q And sometimes the meetings don't actually happen.

A That would also probably in certain circumstances also be a fair assessment.

Q Okay. Because these issued are complicated?

A Because schedules are busy, yes.

Q If I heard you correctly you mentioned that in

March Ambassador Sondland contacted President Poroshenko to urge him to back off attacks on Ambassador Yovanovitch was it? Did I hear that right?

A That is probably close to what I said. And it that is what I recall seeing in an email exchange, yes.

Q Okay. So in March Poroshenko is about to lose the election? Right?

A He doesn't realize it but the rest of the country does, yes.

Q Okay. And so in urging him to back off the attacks on Yovanovitch, do you have any idea whether Poroshenko genuinely knew that his apparatus was attacking her?

A When I visited in May I had the prime minister, and three ministers, and a former prime minister tell me that Poroshenko authorized the attacks -- let me be careful. He authorized Lutsenko to share the information with Giuliani that led to the attacks on Ambassador Yovanovitch.

Q Okay. And where did you learn of Sondland's content?

A With Poroshenko in March that I referred to.

Q Okay.

A In an email I believe from the embassy it could have been Ambassador Yovanovitch, it could have been from the DCM at the time, Pam Tremont.

Q Okay. Did Sondland tell you himself?

A I did not hear it directly from Sondland, no.

Q Do you have an understanding of like how this conversation was put together?

A My understanding based on also seeing how Ambassador Sondland has engaged Georgian leaders, because I also have responsibility for Georgia, is that when he meets leaders in Brussels -- or, in the case of the Ukraine, he met President Poroshenko and other leaders in Odesa during the U.S. trip visit, he hands them his business card, he gets their business card, and then starts direct communication via WhatsApp or phone calls.

Q With world leaders?

A With world leaders.

Q Okay. And he did that with President Poroshenko?

A Yes. To the best of my knowledge, he did that with President Poroshenko as well as the then Georgia prime minister.

Q I'm going to mark Exhibit 3.

[Minority Exhibit No. 3
was marked for identification.]

BY MR. CASTOR:

Q This is a letter to Poroshenko from Senators Menendez, Durbin, and Leahy about the Mueller investigation.

Does anybody need copies? Do you have enough?

Take as much time as you need to check this out.

Have you ever seen this letter before?

[4:23 p.m.]

MR. KENT: I do not recall, but I can't rule out. The U.S. Congress does not, as a matter of course, copy embassies on its correspondence with other countries, but we oftentimes do receive courtesy copies sometimes through the State Department.

BY MR. CASTOR:

Q Do you know if the State Department has provided us a copy?

A I honestly cannot remember, but I at least recall hearing about a communication which could have been this letter.

Q Okay. And what do you remember about this communication?

A Well, that there were some people expressing interest in whether Ukraine had possibly stopped cooperating. This is not the first time I've heard it, but I honestly could not give you precisely, you know, information. Again, this was not a communication that went through the embassy --

Q Of course.

A -- nor did we go to the prosecutor general to raise the concerns of the three Senators who sent this letter.

Q Okay. Do you know if anyone in the leg affairs --

A At the time, I was working in Kyiv, so I would not necessarily have been aware. My predecessor was Bridget

Brink, who is now serving as our Ambassador in Slovakia. So she was the Deputy Assistant Secretary at the time, so I'm not sure if this letter was passed through and was discussed.

Q If the State Department found out about this, do you think they would dispatch their legislative liaisons to talk with the Senators or their Senator's staff to --

A Honestly, again, I was in Kyiv at the time, so I do not have knowledge of any interaction between the Senate's -- three senators, their staff --

Q Fair enough.

A -- and either Hill liaison or the European Bureau.

Q Were you aware of any questions about whether Lutsenko was failing to cooperate with Special Counsel Mueller?

A Again, I didn't have any conversations with Mr. Lutsenko as a general rule. By this point in May of 2018, our relations with him had soured. And so we didn't have a complete break in communications, but we did not -- we, the U.S. Embassy, did not meet with him frequently.

Q Do you know if anyone at the State Department had a -- picked up the phone and called the Justice Department and said, you know, this Lutsenko fellow is not so great. If you are getting information from him, you might want to better understand that he is not well-regarded at this point?

A To be honest, I have no knowledge of that, and I

can't say either yes or no.

Q Okay. I'll ask you one last question, and then our time is about to expire after this round.

There was some discussion about instances where Mayor Giuliani was operating in Ukraine and having meetings. And we know that he has got some clients and other interests. It's fair to say the Ukrainians are aware of his celebrity status, at least some Ukrainians?

A I think some Ukrainians, like many Americans, remember him from the time he was Mayor of New York at the time of the attacks, September 11. Besides I mentioned, in a positive light, former heavyweight boxing champion, Mayor of Kyiv, Klychko. The other individuals that former Mayor Giuliani has chosen to associate in Ukraine have far less positive reputations in Ukraine.

Q Right. But, you know, he was at least somebody that was, you know, considered to be an international, you know, political figure from his time as Mayor of New York.

A Right. Although, again, that would have had less impact in Ukraine, which was focused on its own issues and challenges at the time.

Q Right. But his ability to get meetings is understandable?

A I mean, he had an existing relationship with the mayor of Kyiv, and I think Mayor Klychko would probably see

him at any moment. I would say that is the level of an easy ask. It was well known in Ukraine that his main paying clients in Ukraine at the time were the mayor of Kharkiv and a Russian Ukrainian oligarch named Pavlo Fuks.

Q Is this before 2016 -- I'm sorry, before 2018 in the --

A I believe that Mayor Giuliani's association with Mayor Kernes and Pavlo Fuks contractually began in 2017.

Q Okay. Thank you.

MR. KENT: And if I could take another break.

THE CHAIRMAN: Let's gets a 5-minute break. We still have a lot of material to get through, and we want to try to get you out as a reasonable hour. So let's try to come back as soon as possible after a quick break.

[Recess.]

THE CHAIRMAN: Let's go back on the record.

Secretary, I have just a few questions before I hand it back to Mr. Goldman. My colleagues asked you a great deal about the Bidens and Burisma. I want to go back to one of the origins of the narrative they were getting at. You mentioned there were four false narratives in the Solomon article back in April of 2019. Is that right?

MR. KENT: Well, there were four narratives that were introduced, led off by the Solomon articles. But I'm not sure that all four were introduced by Solomon. The first two

were definitely part one, part two, but there were a number of different platforms in play that week.

THE CHAIRMAN: And part one, was that Lutsenko's claim that Biden pressured Poroshenko to fire Shokin because of the prosecutor general's office investigation of Burisma?

MR. KENT: No. I believe that the first day the two themes that were introduced were the anticorruption theme, and that was targeting the embassy, including the letter that I had signed in April 2016, and NABU, as in an organization, and then the 2016 conversation. The discussions of the Bidens and Burisma was the third narrative theme that was introduced a day or two later.

THE CHAIRMAN: So that was the third false narrative you referred to?

MR. KENT: Right.

THE CHAIRMAN: And, in fact, that false narrative that the Vice President had pressured the firing of Shokin over Burisma, Lutsenko himself would later recant. Did he not?

MR. KENT: Mr. Lutsenko has held many positions on many issues that are mutually exclusive, and including on this issue.

THE CHAIRMAN: Well, in mid-May of 2019, Mr. Lutsenko, were you aware, did an interview with Bloomberg in which he said he had no evidence of wrongdoing by Biden or his son. Are you familiar with that interview?

MR. KENT: I am more familiar with the interview that he gave to The L.A. Times, in which he said that the activities related primarily to Zlochevsky's actions as minister, which occurred several years before Hunter Biden came on to the board. So his interviews this year, subsequent to leaving office, are more in accord with the facts as I understood them at the time, than his assertions as prosecutor general.

THE CHAIRMAN: So let me ask you a little bit more again about this false narrative since recanted. Just to be absolutely clear about this, when the Vice President was asked to make the case, or help make the case for Shokin's firing, this was the policy of the State Department, and the State Department was asking the Vice President to assist with the execution of that policy?

MR. KENT: That would be a correct assessment, yes.

THE CHAIRMAN: And it was the policy of other international organizations as well that recognized that Shokin was corrupt?

MR. KENT: Correct. He was not allowing for reform of the prosecutor general service, and in contrast, he actually was actively undermining reform of the prosecutor general service and our assistance.

THE CHAIRMAN: And this involved, as you said, an effort to undermine the very inspector general office that the State Department had assiduously worked to help the Ukrainians

establish to root out corruption within the prosecutor force?

MR. KENT: Correct.

THE CHAIRMAN: Mr. Goldman.

BY MR. GOLDMAN:

Q Thank you, Mr. Chairman.

Picking up off of that June 28 conference call that you referenced, following that, you said that you were in Toronto for a meeting where President Zelenskyy also was present?

A Correct. This was the Ukraine Reform Conference. It essentially is the primary friends, donors of Ukraine. This was the third edition. The first one was held, I believe, in Denmark; second in London; and the third was hosted in Canada by the Canadian Government. And Kurt Volker and I were the ranking U.S. officials who attended for the U.S.

Q And who was there from Ukraine?

A President Zelenskyy himself.

Q And any of his senior aides?

A Many of his senior aides. In the meeting that we had on July 2, to the best of my recollection, those included his chief of staff, Andriy Bohdan, who is a very controversial figure; it included his two closest personal assistants, a person named Shefir, and another one named Yermak; it included a professional in the presidential apparatus, Igor Zhovkva; their ambassador to Canada, Andriy

Shevchenko, and an interpreter.

Q And what was discussed at that meeting?

A The whole range of U.S.-Ukraine relations, because of special representative for Ukraine negotiation Volker's focus on the Donbas conflict. That was one segment of the conversation.

When we got to more general bilateral relations, that was the first time, I mentioned earlier, that I heard directly from Kurt his assertion that Perry, Sondland, and Volker were now in charge of Ukraine policy. He made that assertion to President Zelenskyy.

Coming out of the meeting with the President, he explained how the meeting had gone on May 23 in the Oval Office, that the three officers were the ones leading the charge, and that -- he said that we're working on a phone call with the President.

And Zelenskyy cut him off at that point and said, just a phone call? How about the visit? And Volker said, first a phone call, which this is a conversation happening on July 2. He said, We'll aim for that perhaps next week, and hopefully that will lead into a meeting by the end of the month, July 29 and 30, which was roughly, I think, the dates that were discussed in the June 18 meeting that Secretary Perry chaired.

Q Was there any discussion in that meeting in Toronto

trying to understand. You have a reputation of loving and cherishing this U.S.-Ukraine relationship and dedicating your life toward strengthening the relationship between the United States and Ukraine. That is something that I've heard. And you get a readout from Lieutenant Colonel Vindman that doesn't have a lot of details, and you don't try to get any more information about the call. I just want to better understand your mindset that, once you got that readout that was lacking substance, that you chose not to try to get any more information. This is what you've dedicated your life towards strengthening this relationship. And I don't understand that. Can you better explain that?

MR. KENT: I think some people try to be in the middle of everything, and some people try to do their job based on the conditions which they are issued. So, again, I don't work at the White House. There are conversations and meetings that I do not take part in. My job is to represent the State Department and try to promote our national interests through the policies that have been discussed and agreed to in the interagency format and to use the mechanisms that the State Department has under its ability, including programming funded by appropriations from Congress, to pursue those national interests. So that's my job. It's also my job for six countries.

Now, admittedly, Ukraine is the biggest country.

MR. KENT: As I stated earlier, in my 27 years in the Foreign Service, I've never been on a Presidential call, and that is not normal for officials that are at the Embassy or at the State Department. The people who normally are on a Presidential call are staff at the National Security Council and the White House. And I have not served as a detailee to the National Security Council in my career.

MR. ZELDIN: As far as the participants on the call, you testified earlier that you got a readout of the call from Lieutenant Colonel Vindman?

MR. KENT: Correct.

MR. ZELDIN: Was there anyone else on the call who would typically give you a readout of that phone call?

MR. KENT: I would say that it was standard procedure for the director to give a readout to the Deputy Assistant Secretary. So, for instance, it was also Lieutenant Colonel Vindman who gave me the readout in April after the inaugural -- sorry, the election day victory call. So that was standard practice, that the director for a country would give a readout to the DAS so that the policy DAS at State would know the substance of what was discussed so we could make sure that our policy going forward was aligned with the conversations had by the President.

MR. ZELDIN: We only have a couple minutes left, but something that is still outstanding from a previous round I'm

Ambassador Yovanovitch at the same time?

MR. KENT: I have not been a part of the meeting with Zelenskyy since this call happened, and since I also -- since I first saw this text 2 weeks ago. And of the meetings that I had with Zelenskyy previously, the meeting in March of 2019, which is when he was running as a candidate that was Under Secretary Hale, Ambassador Yovanovitch, and myself, when I came back in May, when he was President-elect Zelenskyy, Ambassador Yovanovitch had already been recalled. So the only meeting that was in the room at the same time with Ambassador Yovanovitch and Zelenskyy was in March, and the principal in the meeting was Under Secretary Hale.

MR. ZELDIN: Did you have an opportunity to observe any direct interaction between President Zelenskyy and Ambassador Yovanovitch?

MR. KENT: I only saw when he was Candidate Zelenskyy with her, and at that point, the focus was on Under Secretary Hale as the ranking visitor.

MR. ZELDIN: So no indications from that exchange that would help us understand that statement from President Zelenskyy with regards to loyalty to a previous President and not accepting Zelenskyy?

MR. KENT: I have no way of explaining why he said that, no.

MR. ZELDIN: Why weren't you on the July 25th call?

President Zelenskyy says something back --

MR. ZELDIN: You're looking at page 4?

MR. KENT: Right.

MR. ZELDIN: There is a full paragraph of President Zelenskyy in the middle of the page, and towards the bottom of that paragraph, President Zelenskyy speaks about Ambassador Yovanovitch?

MR. KENT: Yep.

MR. ZELDIN: And in it, part of what President Zelenskyy says, quote: Her attitude toward me was far from the best as she had admired the previous President and she was on his side. She would not accept me as the new President well enough, end quote.

Do you know where President Zelenskyy would have developed the belief that Ambassador Yovanovitch was loyal to a previous President?

MR. KENT: I have no idea because I do know that President Poroshenko thought she was not a fan of him.

MR. ZELDIN: And I recall you testifying to that earlier.

MR. KENT: Yeah.

MR. ZELDIN: That President Poroshenko had targeted Ambassador Yovanovitch, which is why I wanted to ask you about this particular quote from President Zelenskyy. Did you have an opportunity to meet with President Zelenskyy and

particular meetings.

MR. ZELDIN: The United States policy towards Ukraine over the course of the last couple of years with regards to aid, support for Ukraine, would you assess it as getting stronger?

MR. KENT: I would say that, thanks to the appropriators on the Appropriation Committee, the amounts made available for assistance to Ukraine has increased yearly since 2014, yes.

MR. ZELDIN: And how important is it to Ukraine to have access to Javelin.

MR. KENT: I am the son of a submarine captain. I'm not the son of an Army cav or infantry officer, but I understand from my colleagues who do have such experience -- and our Belarus desk officer was an officer who used Javelins -- is that they are incredibly effective weapons at stopping armored advance, and the Russians are scared of them.

MR. ZELDIN: Earlier on, in one of the rounds, I believe this morning, there was discussion with regards to the firing of Ambassador Yovanovitch, and later on, you testified that you read the July 25th transcript. Do you recall the part of the transcript where President Zelenskyy is speaking about Ambassador Yovanovitch?

MR. KENT: I have the transcript here, and yes, I believe somewhere our President says something, and then

cases. Was there a person, an office, that you would communicate with?

MR. KENT: The Ambassadors, I believe, collectively, the G7 Ambassadors, plus the EU Ambassador, when they had a meet with President Poroshenko, my understanding is this was the type of issue that was raised. Again, starting in August 18, I was back in Washington, so I did not participate in those meetings. The trend line and the deterioration started about the time I came back here to Washington.

MR. ZELDIN: When communicating with Ukraine with these lists, was Lutsenko or any of the people from his office present in any of those meetings?

MR. KENT: I can't say for certain. I do not think it was normal for the prosecutor general to be attending the meetings when, you know, eight Ambassadors come in to see President Poroshenko. It's not like they met that often. Prosecutor General Lutsenko, in my experience, occasionally, would summon Ambassadors or Embassy representatives to have meetings with him for sort of exchange on the situation, the current status of rule of law in the country.

MR. ZELDIN: It's a possibility that somebody representing Lutsenko might be present at any of these meetings?

MR. KENT: Again, this trend line started last summer about the time I came back, so I don't know who was in any

the names associated with the cases?

MR. KENT: On any given month, there would have been perhaps cases that rose to the fore as being emblematic of the direction. For instance, last December, 2018, one of the candidates for President, Anatoliy Hrytsenko, was assaulted in a parking garage in the city of Odesa. A former Defense Minister running for President was assaulted by thugs, and there was no effort to investigate that. That is a classic example of intimidation, and the lack of an investigation is a suggestion that those in power were not interested in holding the people to account because the accounts indicated that they were probably connected to the power organizations.

MR. ZELDIN: Did you keep track of these individual cases that we were engaging Ukraine with?

MR. KENT: The Embassy, as part of its advocacy, would have no doubt kept a running list and, in my experience from when I was there, would have discussed this extensively with the other likeminded Ambassadors. And there was a collection of Ambassadors to the G7 countries, plus the Ambassador to the EU, met almost weekly. And the issue of the deterioration of the rule of law and the lack of accountability and impunity for these attacks was a frequent topic.

MR. ZELDIN: With regards to this list of cases, who would you speak to on the Ukraine side about the individual

the case of Katia Handziuk became a clarion example of the failure for the country to move forward in the same way that the murder of Georgiu Gongadze in 2000 encapsulated the failure of then President Kuchma to move the country forward.

MR. ZELDIN: But this would be a case that Ambassador Yovanovich would be very familiar with?

MR. KENT: This is a case that was under great discussion. The initial attack occurred in the summer of 2018, I believe, that the activist eventually died in roughly November of 2018.

MR. ZELDIN: Yeah, I just don't want to put any words in your mouth, that's why I'm asking the question. This would be a case that Ambassador Yovanovitch would have been very familiar with?

MR. KENT: I would imagine so, yes.

MR. ZELDIN: And were there many other cases that you have recall of individual names of cases as you sit here today, without having to go through the entire list?

MR. KENT: I honestly -- the number of uninvestigated assaults on members of civil society, the media, and the opposition, as I said, eventually reached 100, and that was a trend line and a message to everybody. So I cannot cite all 100.

MR. ZELDIN: I wasn't asking. I just wanted to ask, though, if necessary, there are many cases that you recall

the media, and members of the opposition.

In the year before President Poroshenko ran for reelection, there were over a hundred such attacks against civil society, the media, and occasionally political opponents, none of those were prosecuted by Yuriy Lutsenko.

MR. ZELDIN: Do you recall the names of -- any of the names of the individual cases that you spoke to or Ambassador Yovanovitch spoke to Ukraine about?

MR. KENT: I would say that, in the last 3 years, the most prominent case was this anticorruption activist that I mentioned. Her name is Katia Handziuk, H-a-n-d-z-i-u-k. She was in a town in Kherson, and according to activists, civil society, and journalists, there were politicians connected to President Poroshenko, which was also Prosecutor General Yuriy Lutsenko's party, as well as the party connected to Yuliya Tymoshenko. And despite this general knowledge, there was no firm action taken by the prosecutor general.

MR. ZELDIN: And this was a case important to you and Ambassador Yovanovitch?

MR. KENT: This was a case important for the rule of law under a President who had run to change Ukraine, starting with the Revolution of Dignity. So, if you were to ask a Ukrainian over the last year, if they had to cite one case that encapsulated the failures of President Poroshenko and his team, which included Prosecutor General Yuriy Lutsenko,

prosecutor in Ukraine about any of the Ukraine cases?

MR. KENT: During the period of time when Yuriy Lutsenko was prosecutor general, and he became prosecutor general before Ambassador Yovanovitch arrived at post in August 2016, the U.S. Government had concerns that Ukrainian law enforcement, prosecutorial, and intelligence services were occasionally harassing and investigating without merit civil society activists, members of the media, and political opponents.

And so it was a matter of concern that those in office were using that office not to prosecute criminals but to put pressure on civil society, the media, and political opponents. In that context, yes, both the Ambassador and I raised concerns specifically about action taken without evident merit to pressure civil society, the media, and political opponents.

MR. ZELDIN: Was this a conversation solely in general, or were there discussions about specific cases?

MR. KENT: When, in a country whose leading journalist was murdered on the orders of a President in 2000, when journalists are attacked, when an anticorruption activist has acid thrown in her face at the orders of people that were politically connected and after 12 operations she died, yes, we raised specific cases of concern regarding the misuse of state office to go after civil society activists, members of

MR. ZELDIN: Assistant Secretary Nuland's name has come up a few time, Kathy Kavalec?

MR. KENT: Kathy Kavalec.

MR. ZELDIN: Are you aware of Assistant Secretary Nuland instructing Kathy Kavalec to speak to Christopher Steele during the 2016 campaign?

MR. KENT: I was in Kyiv, and Kathy Kavalec was the Deputy Assistant Secretary for Russia, and so I was not aware of what the nature of engagement between Assistant Secretary Nuland and Deputy Assistant Secretary Kavalec would have been, no.

MR. ZELDIN: Are you aware of Ambassador Yovanovitch ever having conversations with Ukraine officials on specific individual cases before the prosecutor?

MR. KENT: When you say "specific cases," what do you mean?

MR. ZELDIN: In any of the prosecutor's cases, any of the Ukraine's prosecutor's cases, are you familiar with any conversations Ambassador Yovanovitch had with that Ukraine prosecutor about any of those cases?

MR. KENT: Which prosecutor are you referring to?

MR. ZELDIN: Well, I was referring to the state prosecutor, but with regards to Ukraine's state prosecutor or any cases within the Ukraine Government, are you aware of Ambassador Yovanovitch having any conversations with any

terminology "when Volker released his tweets"?

A I should have said WhatsApp messages; I'm sorry.

Q And so I just wanted to circle back to that, that I don't believe Ambassador Volker has released anything himself. He provided documents to the committees, and then, you know, the committee -- is that your understanding?

A I do not know how that information made it into the public domain.

Q Uh-huh.

A I do not engage the media and have studiously avoided the media before coming here. I cannot say that's been Kurt's approach.

Q Okay. But you're not aware of him releasing his text messages like affirmatively on his own?

A I do not know how his WhatsApp messages made it into the public domain.

Q I mean, it's conceivable that somebody on the Hill side, I know that might come as a shock, would push certain messages out. Is that something that --

A That's one option.

Q Okay. So you think that maybe he's pushing his own messages out on his own?

A I do not know.

Q Okay.

MR. CASTOR: Mr. Zeldin.

with this, and that was the mechanism.

Q You don't have concerns with that, do you?

A That sounds like an appropriate centralized way of gathering documents from many people.

Q So the function of the State Department collecting the documents and going through the documents, organizing the documents, and producing them to Congress is what you understand to be ordinary course?

A Well, my role as an identified record collector was to go through all of my records and identify information and provide that information. So that's what I did. What happens after that is a process that I don't have --

Q Okay. You don't have a lot of experience with that?

A This is the first time that I've gone through this process, yes.

Q Okay. So you're not in a position to evaluate whether the process undertaken here has been irregular or improper?

A This is the first time I've done this type of process where I've had to go through all my handwritten notes and other forms of communication to find evidence that might be responsive to the subjects that were listed in the subpoena.

Q Okay. And then a couple times you used the

weeks was, the State Department did that automatically, but there were these other records that would not have been accessed automatically, and those included memos that were written but never logged and sent to a principal like the Secretary, handwritten notes, or other communications.

Q Okay. Did I understand your testimony that you were concerned about the integrity of the document collection process?

A What I said was, when we had our meeting on the 3rd of October, based on instructions that had been prepared by others that I presumed were in our congressional liaison in the legal office, that when they identified potential chief record collectors, that there were individuals that were not included that were in the listing, and, therefore, there were additional people that were asked to check for records.

Q Okay. And I may have heard this incorrectly, but it's not your understanding that the State Department officials look for documents and then send them in to Congress individually, right?

A It was clear in the instructions that, as part of the process of collecting documents, the records should be identified, and then there would be a central repository for the processing of those documents. And that's in an office that is under our what's known as the A Bureau, the Administrative Bureau. So I guess there's a unit that deals

testimony or your testimony?

A I have not talked to Masha since Friday, no.

Q Okay. And to the extent you reference her testimony, it's the prepared statement?

A It was made available and, I read it online, I think The New York Times.

Q Okay. This morning, we were talking about the State Department's record collection procedure and responding to the subpoena. Have you ever been involved with a congressional records request?

A The only previous record request that I have seen, although I was not specifically named as a record collector, was the Senate's Select Intelligence Committee's request for documents related to Paul Manafort and Konstantin Kilimnik.

Q How did the -- as far as you know, the ordinary process work for producing documents to Congress?

A Well, again, I have been present or seen the process happen twice, once when I was at an Embassy and, the other time, the past 2 weeks at the State Department. At the Embassy, there was a mechanism where our information management resource, our specialists who work with the information systems, went through and were able to extract from the system of backups any emails that had reference to the individuals listed.

And what was different about this search the last 2

Q Did you have any communications with anyone at the State Department about your testimony here today, other than the ones you've described with the lawyers and --

A Well, I described early on a communication about the document search. Subsequent to that, I did not have any discussions or coordination about what I would say personally. The conversations with the counsel, legal office counsel, then went through counsel with [redacted], I got several letters that were signed by Under Secretary of Management Brian Bulatao, and then there were a number of conversations that [redacted] had, which I did not participate in.

Q But nobody has tried to influence your testimony. Is that correct?

A No. That is correct.

Q And did you talk to Ambassador Yovanovitch after or before her testimony with us?

A When you say "talked," what's your timeframe? What are your time --

Q Since she appeared, which was last Friday?

A I have not had any conversations with her since then. My wife, I believe, has because of the health of her mother. And my wife visited her mother in hospital and then had a conversation with Masha.

Q Okay. But you didn't speak to her about her

been the same week and certainly was within the same month. He came over from Joint Chiefs at the end of the summer of 2018.

Q Do you know when his detail was up?

A Generally, again, I've never worked at the NSC, but my general understanding is it's 1-year renewable. And generally, because of the budget and staffing patterns, they ask for detailees, which the host agencies pay for. And generally they come from State, Office of Secretary of Defense, or JCS in the Intel Community, and Treasury also provides individuals. Under Secretary Tillerson, when he had our staff freeze, he tried to limit all detailees. So, as a result, the number of State Department officials on detail at the NSC dropped dramatically, and that required, in order to staff it at similar levels, an increase in detailees from the Intel Community, the Pentagon, and JCS.

Q Do you know when his detail is up?

A Well, he's obviously in his second year now, and I get the sense that there are mechanisms to allow for renewable, even though that's not standard. Those jobs are incredibly draining, so most people are happy to do 1 year and move on. But he clearly got an extension to a second year, but I've never discussed that issue with him. But my presumption is that, at some point, it was extended by a second year.

Vindman's interactions with your staff?

A Yes. He would reach out -- I'm the Deputy Assistant Secretary, but there's an office that works on Ukraine, Moldova, and Belarus, and those are three countries for which he had responsibility within the NSC, although he was actually recruited to work on Russia, but he ended up working on Ukraine, Moldova, and Belarus, so he is a staff of one for those three countries. So it was natural that he would turn to an office that had multiple people working on those countries to see if they could be supportive.

Q Okay. And you explained that he had, from time to time, made a lot of requests of your staff?

A From time to time, he asked for -- a very short fuse -- detailed documentation that the members felt, first of all, was impossible to meet on his deadline and, second of all, distracted them from the work they had to do. And usually they would raise their complaints to their office director, [redacted]. And [redacted], if he did not feel his conversations with Alex could provide sufficient relief, he would ask me to weigh in.

Q How long has this he been going on?

A Well, I mean, I believe that Alex came on to the account at the end of the summer of 2018. So my return from Kyiv, I started work the day after Labor Day in September 2018, and his arrival to the NSC staff may have

Catherine doing her 1-year stint, she had worked at the Ukraine desk at the State Department. And there was an officer named [redacted] who had been working at the Embassy in Kyiv, and he came back and did a year stint at NSC.

So my principal interlocutor when I would go to the NSC to have conversations generally was the State Department director, [redacted]

Q [redacted]

[redacted] Generally, directors at the NSC do not travel on their own, but they often accompany principals. I can say that Victoria Nuland was Assistant Secretary, sometimes Celeste Wallander and Charlie Kupchan would travel with her to countries, whether that would be Russia or Ukraine.

Q [redacted]

[redacted] And, again, I spend most of my life in support of others, and so it hurts me to say this, but generally people remember who the principal on the trip was and not all the staff who actually do most of the work.

Q You talked earlier about Lieutenant Colonel

almost all of which were Ukrainian, in the black book.

Q Would it be fair to say that there were some Ukrainians that were trying to influence the outcome?

A I honestly do not know. I was in Ukraine, and so I was not privy to whatever activities may have been happening here in the United States.

Q [redacted]

[redacted] when I would go to the NSC, the person I would normally talk to directly was the State Department detailee, the woman I mentioned previously, Catherine Croft, who has been working with Kurt Volker, she was a director at the NSC for Ukraine. And prior to

Q Who was the Deputy Assistant Secretary at the time?

A It would have been Bridget Brink, my predecessor.

Q So, other than this, you know, reading this story, you did not ever come into any firsthand information relating to [redacted]?

A No.

Q Or learn about any initiative on behalf of the DNC to promulgate some of this information?

A No.

Q The story walks through Serhiy Leshchenko's role in publicizing the Manafort ledgers.

A The so-called black ledgers, yes.

Q What do you recall about that?

A About the black ledgers?

Q Yeah.

A I recall that those were documents apparently found at the former estate of the previous President who fled to Russia, Viktor Yanukovych, and it indicated individuals who had been receiving payments by the former ruling party.

Q And at the time Leshchenko, at least it's reported here, suggested that his motivation was partly to undermine Trump?

A He's a Ukrainian citizen. I don't know what his motivations are. I know that he was an investigative journalist, and there were, as I recall, hundreds of names,

[5:37 p.m.]

BY MR. CASTOR:

Q And when you read this article, did you do any followup, communicate with anybody at the State Department about the validity of this?

A I was in Ukraine. They were in Washington. And I presumed that people had read it. But it's an article by two journalists that I don't think I've met. But, you know, it was -- obviously, people were talking about it because of the allegations --

Q Are you familiar with the Embassy's posture during this time period with Ambassador Chaly?

A Again, at this time, which we're talking about the period of the election, which is November 16, and this article coming out the month of the inaugural in 2017. I was in Ukraine, Kyiv, not here in Washington. That said, I do know Ambassador Chaly. I met him for the first time in the fall of 2004 when he was the think tank --

Q And he had written an op-ed, I guess, that said some less than positive things about Candidate Trump?

A It's possible. I mean, "he" being Ambassador Chaly?

Q Yeah.

A If you say so. Honestly, again, I was in Ukraine focused on that end of the relationship.

to some things just and ask you whether you have any awareness or ever remember this issue coming up. I'm not going to ask you to, you know, adopt the article as, you know, personal endorsement or anything.

Were you aware that a Ukrainian American named [redacted] was, you know, a consultant for the Democratic National Committee and had made some overtures to the Ukrainian Embassy?

A I was not aware of that. I did at the time read this article nearly 3 years ago now. But, yes, I read this article.

A What I said --

Q Could you just go through that again?

A Right.

Q I haven't heard that name lately.

A That was a message -- that was described in the shorthand of the desire to have -- this was the Gordon Sondland messaging of what the Ukrainians need to say in shorthand 2016. And in shorthand, it was suggested that the Ukrainians needed -- Zelenskyy needed to go to a microphone and basically there needed to be three words in the message, and that was the shorthand.

Q Clinton was shorthand for 2016?

A 2016, yes.

Q Okay. Are you aware of the narrative that there were some Ukrainians that tried to influence the outcome of the election?

A I recall reading a Politico article to that effect in the spring of 2017, yeah.

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

BY MR. CASTOR:

Q Okay. I'm going to mark as exhibit -- what are we up to, 4? These guys love this article. This is a Politico article by Ken Vogel dated January 2017. It's, like, 18 pages. It goes into some depth. I'm just going to point you

she said, why? And he says, that's how I communicate. So if you want to communicate with me, the prime minister of Ukraine, you need to go back to the embassy and have them download those apps.

So she came back to the embassy. We checked with our communications and Diplomatic Security specialists. The assessment was that Viber was not as secure as WhatsApp, and that we were authorized to use WhatsApp for communications as long as records were saved.

Q Okay. So the use of WhatsApp by U.S. official, State Department official, White House official, presents no problems as long as everything is saved?

A I didn't say that, but at least we're in --

Q Like, what kind of problems would it present as long as everything is saved?

A Well, I think there always is a challenge with the integrity of data. And, for instance, Minister Avakov of Ukraine, who I've referenced several times, minister of interior, told me and another member of the staff, in 2018, that there were now ways, thanks to Israeli code writers, of cracking the alleged encryption of text messages on WhatsApp. So for people who thought they were encrypted and therefore safe, at least the text messages, the texts as opposed to the voice could be accessed by people.

Q Okay. Moments ago you referenced the name Clinton?

actively promoting the request for Ukraine to open these investigations.

Q Okay. And it would be inconsistent with your understanding if these investigations were for Ukrainians to open matters into misdeeds by Ukrainian -- genuine misdeeds by Ukrainians, whether it relates to Burisma or 2016?

A We obviously want Ukraine to have effective law enforcement and justice sector institutions. That's in order to be able to investigate, prosecute, and judge any criminal acts. Again, as I said, I think the issue for what we ask them to do in certain cases should start from whether there's a criminal nexus in the U.S. because that's our role as the U.S. Government, not to dictate that you should investigate this person because it's in our political interest.

Q Okay. You've mentioned WhatsApp a few times. That's a completely standard messaging application to use for State Department officials, correct, as long as everything is saved first?

A In certain countries it's almost required for business. And I'll give you the example of how I ended up first using WhatsApp. When Ambassador Yovanovitch had her first meeting with the then new prime minister of Ukraine, Volodymyr Hroysman, who is 41 years old, and she arrived in August, so I'm presuming it was late August or early September, he asked if she were on WhatsApp and Viber. And

We both wanted the best for Ukraine. We both wanted the best for U.S.-Ukraine relations. He saw Rudy Giuliani as an issue to be addressed, and potentially an ally to be incorporated to get the U.S. President to where we wanted our relationship to be, which is having a meeting.

My concern could be summed up by the means don't necessarily justify -- you know, the ends don't necessarily justify the means, that if we're trying to put trade space on the table of an investigation, that can violate a principle that undermines what we're trying to do on a matter of policy.

Q My understanding of what -- how he looked at Rudy was that he thought Mr. Giuliani was amplifying a negative narrative, meaning a false narrative, meaning that whatever Rudy Giuliani was communicating, you know, about to the President was something that needed to be fixed. And since the President and Rudy Giuliani had communications on a somewhat regular basis, he thought that it was a relationship he had to try to work on if he could.

A Yeah. That is my understanding of his rationale for engaging the former mayor of New York.

Q Okay. And by no means was he adopting the narrative that Rudy Giuliani was proselytizing?

A I don't know what Kurt's view was about the narrative. What I know is that by September, Kurt was

inconsistent with your understanding?

A Well, I think I can only share the conversation I had with Kurt, and the conversation was framed differently.

Q Okay.

A But, again, I wasn't here. I haven't seen the transcript of what he said to you. So I can only share my recollection of my conversations with him.

Q Sure. And did he communicate that differently, or did you just maybe understand it differently, or is there a possible disconnect there, or are these two different things?

A I think that there are two people who -- we're talking at this point about a conversation that took place 3 months ago, that neither of us were taking notes. We were standing up. And so, I would say that, you know, he has shared his recollection of the conversation, and I shared mine.

Q Okay. But your recollection was that they were pushing for political investigations that had no merit?

A When he said that he was going to engage Rudy Giuliani about Ukraine, because Rudy Giuliani was clearly influencing the President's views of Ukraine, I reminded him what Rudy Giuliani was doing in Ukraine and about Ukraine, about which I had concerns.

That's why I say that I think Kurt was approaching -- in my understanding, he was approaching this issue tactically.

Q But he thought that it may have -- that the aid may be contingent on this?

A I have subsequently seen his tweets, which -- or not his tweets, the WhatsApp messages that Kurt Volker issued. And so it appears to me, having seen those WhatsApp messages, that he was sharing his concerns with Ambassador Sondland and Ambassador Volker.

MR. GOLDMAN: Okay. I think our time is up. So we will yield to the minority.

BY MR. CASTOR:

Q When Volker was communicating to you about various investigations that would occur in the Ukraine, whether it relates to Burisma 2016, is it possible -- the way I understood his -- you know, we spoke to Volker.

A Right.

Q He was in here. The way I understood his -- the way he communicated it was that if there were Ukrainians engaged in misdeeds, corruption, then, you know -- and it could relate to Burisma, it could relate to bringing Hunter Biden on the board, it could relate to Ukrainians doing nefarious things in the run-up to the 2016 election, then the Ukrainians ought to investigate fellow Ukrainians.

A So you're saying that's what Ambassador Volker said to you and the committee?

Q That was my understanding of what he said. Is that

Ukraine is known as the YES Conference. That used to stand for Yalta European Strategy back when Crimea and Yalta were under Ukrainian control.

And it was going to happen, start in a couple of days. I flew out to Ukraine to take part in that conference as did Ambassador Volker. And Charge Taylor indicated that Ambassador Sondland was pushing a line that included having President Zelenskyy give an interview potentially with CNN during the YES Conference that weekend in which he would send this public signal of announcing a willingness to pursue investigations.

Q And did Ambassador Sondland discuss a White House visit in the context of that statement?

A I think the anticipation or the hope was that sending that signal would clear the way for both the White House visit as well as the resumption or the clearing of the administrative hold on security assistance, which had been placed by OMB. Although, Charge Taylor asserted to me that both Tim Morrison and Gordon Sondland specifically said that they did not believe that the two issues were linked.

Q What was Ambassador Taylor's reaction to this whole conversation?

A He told me he indicated to Gordon, he said, This is wrong. That's what I recall him saying to me, again, orally reading out of a conversation of which I was not a part.

And Gordon had told him, Tim, and Tim told Bill Taylor, that he, Gordon, had talked to the President, POTUS in sort of shorthand, and POTUS wanted nothing less than President Zelenskyy to go to microphone and say investigations, Biden, and Clinton.

Q And in return for what?

A That was not clear to me. I wasn't part of this exchange. But Bill Taylor then followed up with a video conference, our normal Monday call in which he elaborated on his conversations with both senior director Morrison on the 7th as well as with Ambassador Sondland on the 8th.

Q And what did he say?

A He said that Morrison indicated that Rudy Giuliani had recently talked to the President again, and he said, as you can imagine, that creates difficulties managing the Ukraine account.

On his conversation with Ambassador Sondland on the 8th, I believe they went into more detail about Ambassador Sondland's efforts to try to facilitate a proper approach, in his view, to open up the possibility of a visit to the White House.

Q So can you explain a little bit?

A Well, this was taking place -- this conversation was taking place with Ambassador Taylor and I on the 9th of September. The biggest annual conference on Ukraine in

Colonel Vindman or his boss, which was Fiona Hill and then now has become Tim Morrison.

Q Right. And I thank you for that clarification. So official U.S. policy remain the same, but there's sort of a secondary or shadow policy that was now being perpetrated by U.S. officials? Was that what you learned?

A I had growing concerns that individuals were pushing communications with Ukrainians that had not been discussed and endorsed in the formal policy process, yes.

Q Now, it sounds like you went on vacation right after you wrote this memo to file, which, just as an aside, I assume you also provided to the State Department --

A I did.

Q -- to turn over.

Did you have any subsequent conversations with anyone about this revelation that you had?

A Well, I believe -- I went away. I came back after Labor Day. The next communication or data point that I can recall was a WhatsApp message that Charge Taylor sent me on September 7, which would have been, I think, the Saturday after Labor Day.

Q And what did that WhatsApp message say?

A Charge Taylor indicated that he had talked to Tim Morrison, who is the senior director for Europe, who replaced Fiona Hill. And Tim indicated that he had talked to Gordon.

Presidents is never easy. President Poroshenko spent several years also trying to get a visit to the White House, and that was more happenstance, the visit he made in June 2017. So I have an appreciation that just because a leader of a country wants to visit Washington and have an Oval Office visit doesn't mean it that happens.

So I would say there was one track of trying to get a visit. There was another track of what we were engaging Ukraine formally through normal channels. And then this particular moment was the time where not just what I read on tweets by private citizens, but a greater understanding of actions taken by U.S. officials, in this case, Ambassador Volker, that my concerns grew.

Q And just so we can understand, you sort of described just there kind of two parallel tracks of official U.S. policy. Is that an accurate assessment?

A I think official U.S. policy are policies that are determined and endorsed. And in this administration there's the National Security Presidential Memorandum 4 that was issued in April of 2017, and that actually is what determines the formal policy process for formulating U.S. policy on any issue or country.

And what we're talking about now are issues and approaches that were not discussed in the interagency process as staffed by the NSC and the person of either Lieutenant

A Those align with the Rudy Giuliani tweet. I think it was June 21, as well as some of the other story lines from earlier in the spring before President Zelenskyy was elected.

Q Right. I just want to be clear that when you say politically motivated investigation --

A That is what I'm referring to, yeah.

Q -- that's what you're referring to. Okay.

Were you aware of efforts to convince the Ukrainian Government to issue a statement a couple days before the August 15 time period?

A I was not aware of the effort to negotiate the text of the statement that came out as a result of Ambassador Volker's testimony here, and the tweets that he released, no, not until I had read those.

Q So you were completely unaware of those discussions related to a possible statement about investigations?

A Correct.

Q Now, at that point, on August 15, when you look back on the previous 2 months, let's say, the readout from the June 28 call that you got from Ambassador Taylor, the conversation that you had with Ambassador Volker in Toronto, did you have a different view on what this White House visit and the interplay between a potential White House visit and these investigations?

A As I mentioned before, arranging visits between

And so after having had these two conversations, I wrote a note to the file saying that I had concerns that there was an effort to initiate politically motivated prosecutions that were injurious to the rule of law, both in Ukraine and the U.S.

I informed the senior official still present and the European Bureau at 7:30 on a Friday night in the middle of the summer, which was Michael Murphy, and informed him of my intent to write a note to the file, which he agreed was the right thing to do.

Q And when you say politically motivated investigations, are you referring to investigations that were also referenced in that July 25 call record?

A At the time, I had no knowledge of the specifics of the call record, but based on Bill Taylor's account of the engagements with Andriy Yermak that were the engagements of Yermak with Kurt Volker, at that point it was clear that the investigations that were being suggested were the ones that Rudy Giuliani had been tweeting about, meaning Biden, Burisma, and 2016.

Q And I understand you didn't know the contents of the call record, but now being able to read the call record as you have, you are referring to the Biden investigation that the President mentioned, as well as the CrowdStrike 2016 investigation. Is that right?

what I described to Catherine the day before, which is the Mutual Legal Assistance Treaty option. And I told Bill Taylor, that's wrong, and we shouldn't be doing that as a matter of U.S. policy.

Q What did he say?

A He said he agreed with me.

Q Now, had you had any conversations with Ambassador Taylor after July 25 and prior to August 16 about this issue?

A Not that I can recall.

Q Had you had any conversations with -- well --

A About this issue, I mean, we had a --

Q Yes.

A -- regularly scheduled weekly teleconference that involved teams, and if there were anything sensitive, we could finish up in a one-to-one. We also had a relationship that if there were needs, just like with any ambassador, they could call me up, you know, for an unscheduled conversation.

Q And that never occurred in that 3-week span?

A I do not recall us having a conversation specifically, you know, if you will, out of the regular schedule until Friday, August 16. And I say it's a Friday, because I was scheduled to get on a plane, leave my house at about 6:00 a.m. to go to the airport, fly out to California to go hiking in Yosemite with my family. So I had a very time-bound limit.

ideas. Some of them are great; some of them are not so good. And part of the role of the special assistant as well as people like me is to ensure that the ideas stay within the bounds of U.S. policy.

Q And what was her response?

A She took that onboard.

Q But why was that conversation important to you to crystalize what was going on?

A Well, because there had been a lot of talk, you know. Frankly, what a private citizen tweets is an exercise in one way of First Amendment rights, but when you have U.S. Government employees, or in this case, a special U.S. Government employee potentially seemingly to align to that view, that's when it became real for me and a matter of concern.

And that was, as I said, I said the 15th and 16th, because the next day, I had a conversation with Charge Taylor in which he amplified the same theme. And he indicated that Special Representative Volker had been engaging Andriy Yermak; that the President and his private attorney, Rudy Giuliani, were interested in the initiation of investigations; and that Yermak was very uncomfortable when this was raised with him, and suggested that if that were the case, if that were really the position of the United States, it should be done officially and put in writing, essentially

mouth, but there was a significance to August 15 and 16. What was the significance to those dates in your mind?

A On August 15, the new special assistant to Special Representative Volker, Catherine Croft, came to my office and asked me, said she was trying to find out some information on behalf of Kurt. And she said, you, George, know about our relations with Ukraine, particularly in law enforcement. Have we ever asked the Ukrainians to investigate anybody?

And I told her, I said, well, Catherine, there are two ways of looking at that question. If there is a crime that was committed in the United States and any nexus for us to take action, we have two mechanisms: We have the Mutual Legal Assistance Treaty, and we have the legal attaches at the embassy, and that's the way a law enforcement investigation should engage the Ukrainians.

The other option, which I -- from the context of what has been spoken about in the press, maybe what you're asking is the political option. And if you're asking me have we ever gone to the Ukrainians and asked them to investigate or prosecute individuals for political reasons, the answer is, I hope we haven't, and we shouldn't because that goes against everything that we are trying to promote in post Soviet states for the last 28 years, which is the promotion of the rule of law.

And I also then told her, I said, Kurt has a lot of

Q Understood. But given everything that you knew, and you certainly have indicated today that you were aware of the public narratives --

A Yeah.

Q -- what did you understand him to mean?

A I had presumed at the time, and I may have put in my notes just in parentheses, Giuliani, and that was the way I interpreted what he said. But, again, he was very uncomfortable having the conversation. He initiated the conversation, but it was very clear he was uncomfortable sharing this limited summary, including not going into the detail of the call itself.

Q Did you come to learn whether or not Ambassador Volker -- in real time, at the time, did you come to learn that Ambassador Volker did meet with Mr. Giuliani?

A Kurt told me he was going to meet, and so, I had every reason to believe that he then followed up on what he said he was going to do. But he did not share with me the exact contents of his discussions with the Mayor, no.

Q Did you know at any point whether Ambassador Volker had introduced Andriy Yermak to Mr. Giuliani?

A I believe I became aware of that in mid-August.

Q So you said that earlier, a few minutes ago, you said that August 15, 16 time period was when you seemed to confirm that -- well, I don't want to put words in your

A That's as much as I recall. But, again, as I said, it was a conversation that had a personal component that had nothing to do with work, and then part of the conversation had to do with work.

Q So when did you become aware that President Trump and President Zelenskyy were going to speak on July 25?

A I believe I was informed by Lieutenant Colonel Vindman on July 24, the day prior. And as I mentioned before, that's when I sent a message to the embassy suggesting that they test the line to make sure the call went through.

Q And I believe you said the only readout you got from the call was from Lieutenant Colonel Vindman?

A Correct.

Q When you described that readout in addition to emphasizing how Mr. Vindman was uncomfortable and the sensitive nature of the call, so he wasn't comfortable talking about it, you did say, I wrote down here, that he mentioned that there was a -- that President Trump had discussed the extreme narratives that had been discussed publicly. Is that --

A At that point, I don't think he said that President Trump discussed. What I recall is that he said at this point the conversation went into the most extreme narratives. And that was him making a summary without providing any detail.

any conversations with the Chief of Staff Mulvaney on this topic?

A As I mentioned before, it was clear to me that Ambassador Sondland had a direct connection with Chief of Staff Mulvaney, and that's actually how the May 23 readout was put on the President's schedule. It was not, to the best of my knowledge, done through the national security staff and Ambassador Bolton. It was done Ambassador Sondland directly to Chief of Staff Mulvaney.

Q Right. But I'm asking now in July. When Dr. Hill talked to you and voiced concerns about Sondland, did she mention anything about Sondland's relationship with Mr. Mulvaney?

A She may have, but I do not remember.

Q Okay. Do you recall anything else that she said about Ambassador Sondland in that meeting -- was it a meeting or a phone call?

A It was a conversation, but I will say that it was also not entirely about work. We have a mutual friend whose wife died of cancer, and he is a Foreign Service officer and studied in St. Andrews with Fiona, and that's where he met his wife. And so she had passed away. So part of the conversation was just about our mutual friend who died.

Q And the part that was about Ukraine, was there anything more that --

call or a meeting, discussion. But, again, I don't remember the content, and also, keep in mind that we had responsibilities -- I only had responsibilities for six countries. She had responsibilities for many more.

Q Right. Okay. So you don't remember if she voiced any concerns about what was going on with Rudy Giuliani or anything related to that?

A I honestly can't remember the content of that conversation apart from I know that she had some concerns about nonstandard actors. I believe, in that conversation, she expressed concern with Gordon Sondland's approach.

Q What concerns did she express with Gordon Sondland?

A To the best of my recollection, she had concerns possibly based on having been in conversations in the Oval Office that he made assertions about conversations that did not match with what had actually been said in the Oval Office.

Q Can you elaborate with any more detail?

A I was not in those conversations, so --

Q I'm just asking what she told you. I understand you weren't in them.

A I think she may have been as direct as saying that Gordon Sondland lies about conversations that occur in the Oval Office.

Q Did she indicate to you that Gordon Sondland had

A Yes.

Q -- for production to Congress and pursuant to the subpoena?

A Yes.

Q Okay. So let me just make sure I understand. You heard from Ambassador Taylor at the end of June that there was -- correct me if this summary is wrong -- that at the end of June, that there was a conversation with Taylor, Ambassador Sondland, Volker, and Secretary Perry where they discussed the need for President Zelenskyy to initiate some -- I think you said investigations was the readout you got in that call?

A Well, sending the right signal without the details of the --

Q Without the details. And then Ambassador Volker reaffirmed that to you directly before the meeting with President Zelenskyy in Toronto?

A Correct.

Q Okay. Up until the July 25 call, from July 2 to July 25, did you have any more discussions with anyone about the notion of Ukraine pursuing these investigations either specifically or more generally in terms of cooperation?

A I do not recall any additional conversations that I had in July. But I can't rule it out. Again, I had a conversation with Fiona, I remember that, a sort of farewell

A It was different than the State Department assessment, and it was different than the assessment of Secretary Perry, Sondland, and Volker.

Q Okay. But the President was listening to the Giuliani, Orban, Putin contingent --

A I don't know.

Q -- according to Dr. Hill?

A According to Dr. Hill, in assessing the change from late April to late May, but then we had also the instructions coming out of that meeting leading to the signing of the letter on May 29 and the efforts to help Ukraine particularly in the energy sector.

Q Dr. Hill told us that she departed on July 19, and that prior to leaving, she had a conversation with you.

A That -- again, I recall us speaking sometime in July. I honestly don't recall the content of that. One reason why I recall more specifics from May is that as I was looking through my notes to find records to provide to the State Department to be responsive to the subpoena, I found notes that I took when I talked to her in May. When I was going through my notes I did not find notes of our conversation in July. But, yes, I do recall that we talked in July.

Q And did you provide the notes from that May call to the Department --

Q And did Dr. Hill think that that had an impact on President Trump's outlook?

A I cannot recall what she said in that meeting besides giving me the brief readouts of those two meetings, but that was my takeaway, and that those two world leaders, along with former Mayor Giuliani, their communications with President Trump shaped the President's view of Ukraine and Zelenskyy, and would account for the change from a very positive first call on April 21 to his negative assessment of Ukraine when he had the meeting in the Oval Office on May 23.

Q And it was your understanding that Sondland, Perry, Volker, when they came back from the inauguration they were very positive about President Zelenskyy. Is that right?

A That is correct.

Q And that generally the State Department had a positive outlook on President Zelenskyy?

A We were cautiously optimistic that this was an opportunity to push forward the reform that Ukraine needs to succeed in resisting Russian aggression, building a successful economy, and, frankly, a justice system that will treat American investors and Ukrainian citizens equally before the law.

Q But the message from Orban, Putin, and Giuliani was different than the message that the State Department was relaying. Is that right?

Security Council?

A She was scheduled to leave at the end of July. I don't recall which particular day of which particular week.

Q Did you have a meeting or a conversation with her before she left?

A Yes, I did.

Q And did you discuss any of these issues that we've been talking about today with her?

A Yes, but to be honest, I don't recall the last time we had a conversation, and when we had the conversation would be important to what we talked about. A conversation that I recall, and I took notes actually dated to mid-May in which we talked about the change of attitude and approach towards Ukraine, and that was in the wake of meetings that President Trump had, a meeting with Viktor Orban, the leader of Hungary, as well as a call he had with Russian President Putin in early May.

Q And what was the change following those two conversations with Orban and Putin?

A Fiona assessed the conversations as being similar in tone and approach. And both leaders, both Putin and Orban, extensively talked Ukraine down, said it was corrupt, said Zelenskyy was in the thrall of oligarchs, specifically mentioning this one oligarch Kolomoisky, negatively shaping a picture of Ukraine, and even President Zelenskyy personally.

any activities with regard to the advocacy for these investigations?

A We are, in your exploration of a timeline, not yet to the point where that became apparent to me that this is where U.S. policy -- or not U.S. policy, where U.S. engagement was headed.

Q Okay. And we'll probably get there, but when would you say that time is?

A Well, I think in retrospect, from the release of the WhatsApp messages, it started earlier than I was aware.

Q When were you ultimately aware?

A I would say that the middle of August, specifically August 15 and 16, was when I became aware that this was actively in play.

Q Okay. So did you get -- we're going to get there, but did you get a readout from that July 10 meeting from anybody?

A I do not recall. I was on the road for -- because it was a multi-country trip. I was on the road for more than a week. I saw the picture that was tweeted out, maybe from Kurt Volker, maybe from Gordon Sondland, that had the two Ukrainians, which were Oleksandr Danylyuk and Andriy Yermak, close assistant and associate to President Zelenskyy, as well as the Americans.

Q Do you recall when Fiona Hill left the National

A I wouldn't say that I was cut out of the loop. As I indicated, Kurt and I continued to have a back and forth. I was aware that obviously other players had come into the picture. And you had Secretary Perry convening a meeting with a number of State Department officials.

You had Gordon Sondland giving a public interview that the three amigos were now in charge of Ukraine, and by that he meant Perry, Sondland, and Volker. I heard Volker say that to President Zelenskyy in Toronto, but I was in that meeting.

Q Volker called them the three amigos to Zelenskyy?

A No. Sondland, in a public interview, called themselves three amigos. Volker just stated that coming out of the meeting with President Trump at the Oval Office, that those were the three officials that would be taking the lead on our policy towards Ukraine.

Q Were you speaking regularly with Bill Taylor in June and July?

A Yes. There's a schedule of -- every Monday there is a generally scheduled secure video conference. It's not just one-on-one. Usually it's with office director, deputy director from my side, and members of the country team on his side. That was the schedule that dated back --

Q Well, let me rephrase the question. Did you speak to Charge Taylor about the three amigos, or Rudy Giuliani or

and lower my profile in Ukraine.

Q Who told you that?

A The message was relayed from my supervisor, Acting Assistant Secretary Reeker message relayed from Under Secretary Hale.

Q Do you know if it became from above Under Secretary Hale?

A All I know is that Assistant Secretary Reeker, after a meeting with Under Secretary Hale said that Under Secretary Hale had directed me to keep my head down and a lower profile in Ukraine.

Q And what did you understand a lower profile in Ukraine to mean, given that you oversaw the policy for the State Department on Ukraine?

A Well, I oversee policy for six countries, and this was a day or two before I was going on leave to go visit -- attend my daughter's [redacted] and go hiking in Maine. And so I said, Fine, you're not going to hear me talk about any country for the next week and a half. And I did cancel some public appearances on Ukraine in June, sort of think tank sessions around Washington.

Q And at that point, did you sense that you were cut out of the loop in terms of State Department policy discussions and dealings with Ukraine given this Volker, Sondland, Perry triumvirate?

I have since been made aware by seeing the WhatsApp messages that Kurt released that he said he had breakfast with Giuliani on July 16th, so it would make sense that my conversation with Kurt happened before then -- July 19th -- because he was telling me that he would reach out to Mayor Giuliani.

Q Did you discourage him from reaching out to Mayor Giuliani?

A I asked him what his purpose was, and that's when he said, as I relayed earlier, that because, clearly, former Mayor Giuliani was an influence on the President's thinking of Ukraine that he, Kurt Volker, felt it was worthwhile engaging --

Q Right. I know. But did you think it was worthwhile engaging?

A What I understood was Kurt was thinking tactically and I was concerned strategically.

Q Did you have any discussions with anyone else at the State Department by mid-July, any time up to mid-July or prior to, about Mr. Giuliani's potential influence on the President and the fact that what he was advocating may be contrary to official U.S. policy?

A I did not, in part because after Giuliani attacked me, as well as Ambassador Yovanovitch and the entire embassy, in his late May interview, I was told to keep my head down

a dinner for heads of delegation to which Kurt was invited. I was not because there was just one U.S. attendee. So, for instance, whatever the anchor night was, he went to the leaders meeting, and I met with other Ukrainians who were there.

Q Are you familiar with a July 10 meeting at the White House involving senior Ukrainian officials and senior American officials?

A I saw pictures tweeted outside after the meeting. At the time I was on a multi-country swing that included, among other countries, Moldova and Ukraine.

Q So you were unaware -- prior to the meeting occurring, you were unaware that it was happening?

A I knew that there was going to be a meeting. The principals for that meeting were Ambassador Bolton and Oleksandr Danylyuk, who'd been appointed the head of the National Security and Defense Council in Ukraine, which doesn't have an analogous role to our National Security Council but has a name that sounds similar. And Oleksandr Danylyuk is a Ukrainian official well-known to many of us who have worked on Ukraine.

Q Now, just to be clear, the conversation that you had with Kurt Volker, even if you aren't sure that it was in Toronto, it occurred before your European swing?

A I can't tell you for certain when in July it was.

the rule of law. And that was the nature of the exchange, at some point in July, either at Toronto or perhaps, more likely, mid-July in the State Department.

Q Now, Ambassador Volker is a longtime, you know, Foreign Service officer, right?

A He is.

Q What was his reaction when you said that this would undermine the rule of law and everything that we stand for?

A I do not recall him giving a verbal response.

Q Okay. And so presumably you and Kurt Volker were in Toronto for some time, right?

A We arrived, to the best of my recollection, on the 1st and departed late afternoon of the 3rd. We did not travel together.

Q Did you spend any time together there?

A We were in many meetings together, yes.

Q Did you spend any meals together?

A I do not recall us having working meals together, but it was a hectic trip and generally, his -- or hectic, not trip, but set of meetings. There were a lot of Ukrainians there, and I had a lot of sidebar meetings with attendees at the conference.

Q So --

A I should also say that there was a -- because Kurt was head of delegation, the Canadian foreign minister hosted

the meeting.

Q And what was your reaction to the ask as you understood it from Volker at the time?

A At the time, I was interested to see where this thought pattern would go. I do not recall whether the follow-on conversation I had with Kurt about this was in Toronto, or whether it was subsequently at the State Department. But he did tell me that he planned to start reaching out to the former Mayor of New York, Rudy Giuliani.

And when I asked him why, he said that it was clear that the former mayor had influence on the President in terms of the way the President thought of Ukraine. And I think by that moment in time, that was self-evident to anyone who was working on the issues, and therefore, it made sense to try to engage the mayor.

When I raised with Kurt, I said, about what? Because former Mayor Giuliani has a track record of, you know, asking for a visa for a corrupt former prosecutor. He attacked Masha, and he's tweeting that the new President needs to investigate Biden and the 2016 campaign.

And Kurt's reaction, or response to me at that was, well, if there's nothing there, what does it matter? And if there is something there, it should be investigated. My response to him was asking another country to investigate a prosecution for political reasons undermines our advocacy of

cooperation with President Trump?

A What I was aware of was that there was an interest, and Kurt was sending a signal of a desire to have Zelenskyy be cooperative, but I did not know the details of what the ask was on that date, July 2.

Q Okay. Did Kurt Volker explain to you what he discussed with President Zelenskyy in that pull-aside afterwards?

A No. But he explained -- he was, I would say, relatively transparent beforehand. This is what I'm going to do, and this is my message and this is why.

Q And how did you -- what did he say the why was?

A Well, I think his goal, to my understanding, based on my conversations with him, he was trying to get through what seemed to be a hiccup in the communications, and wanted to get President Trump and President Zelenskyy together, counting on Zelenskyy's personal interactive skills to build rapport and carry the relationship forward.

Q Okay. But that's the why he was doing it?

A That was my understanding, based on what I heard from Kurt prior to the meeting, yes.

Q And what did he tell you after about the meeting?

A It was, you know -- it was a several-minute exchange, and so I just presumed that he had said and raised the ask in the way that he had described to me right before

signaling something in his cooperative attitude towards something the President was interested in.

Q And at that point you did not know what the President was interested in?

A At that point, Kurt Volker did not say, nor was I aware of what the President was interested. Rudy Giuliani was tweeting what Rudy Giuliani thought, but Rudy Giuliani was and is -- remains a private citizen, not an official of the U.S. Government.

Q Right. Did you understand why Kurt Volker needed to have this in a private pull-aside -- have this conversation in a private pull-aside meeting rather than with everyone there?

A Well, it was clear that he both wanted to restrict knowledge of it, and considered the matter sensitive. But, again, I had not been on the June 28 conference call. I heard about that subsequently from Charge Taylor.

And I had also not been involved in any of the conversations that had gone on. I wasn't there at the June 18 nor the May 23. So sometimes I can get readouts officially of meetings, but if you're not there, you miss the sidebar conversations that can take place.

Q So it's your testimony that you did not -- you were not aware at that point of what the sensitive issue that Kurt Volker needed to talk about related to President Zelenskyy's

on July 2 about the investigations that Rudy Giuliani had been promoting?

A There was not a discussion in the full format of everyone on both sides of the table. However, prior to the meeting, Ambassador Volker told me that he would need to have a private meeting separately with the President, that he would pull him aside. And he explained to me that the purpose of that private conversation was to underscore the importance of the messaging that Zelenskyy needed to provide to President Trump about his willingness to be cooperative.

And that happened -- as the meeting broke up, he announced that he needed to have a private meeting. He went around to the Ukrainian side of the table and pulled Zelenskyy, his chief of staff, Bohdan, and the translator. I was standing about 10 feet of the way, introducing myself to Andriy Yermak and talking to him. So that was -- Volker had several minutes with Zelenskyy, his chief of staff and the interpreter.

Q You said the messaging about the willing -- or cooperation.

A Yeah.

Q Cooperation about what?

A The details at that point were not clear to me. I would say that Kurt Volker had not provided additional details. It was more that President Zelenskyy needed to be

Georgia is a country which Congress appropriates over $100 million a year. And so I am juggling responsibilities for these six countries and traveling to all six countries. So we are focusing on one of six countries today for which I have responsibility. So I do not live, breathe every single second of my life focused on Ukraine, no.

MR. GOLDMAN: I think that's time.

Ambassador Kent, you've been here a long day and I'm sure --

MR. KENT: I'm not Ambassador.

MR. GOLDMAN: I'm sorry. Mr. Kent. The members are going to have to go vote I think in about 20 minutes. So I know you've just sat through another hour and a half. Would you like to take a 5-minute break --

MR. KENT: I'd appreciate that.

MR. GOLDMAN: And then we'll come right back. Okay. Let's do that.

[Recess.]

MR. GOLDMAN: Back on the record. It's 6:20, and it's the majority's round. Mr. Kent, thank for your patience and diligence today, we are nearing the end.

Mr. Mitchell.

BY MR. MITCHELL:

Q Sir, in the last round, you mentioned security assistance. Can you just generally describe what Ukraine

Security Assistance Initiative is?

A Well, that is a specific term that refers to money appropriated in the Defense budget as opposed to the State Department budget. Traditionally, foreign assistance was appropriated under what's known as foreign military financing in State Department budget. Several years ago, Congress started appropriating monies in the Defense budget. And so the Ukraine Security Initiative is monies that are made available in the Defense budget. And that is something that was started maybe 3 years ago and has grown in scope. The fiscal year 2019, which just concluded, it was $250 million.

Q Are you generally familiar then with both USAI and FMF?

A Generally familiar, but I did not ever have line authority over security assistance in the way I had for a rule of law and justice sector assistance.

Q And when you say "authority," do you mean both when you were in Ukraine as well as in your current position?

A The way security assistance works, regardless of what budget it is appropriated in, the monies are executed by agents usually affiliated in the case of Ukraine with European Command, and we have an Office of Defense Cooperation in the Embassy. And the direction in how we spend that money is usually determined in a joint military commission between EUCOM and the Ukrainian general staff

administrative heads.

Q Are you generally familiar with the way in which, the process by which USAI funds are released?

A Are you now talking about a budgetary process here in Washington?

Q So, for example, does Ukraine need to meet certain benchmarks before those funds can be released?

A The authorizers in Congress have put conditionality for the last several years on the second half. So, for instance, this past year, $250 million, there was a conditionality on the second $125 million. In a previous year, I don't know if it was the previous year -- I don't know if it's the previous 2 years ago or the first year 3 years ago -- there was that conditionality, but the appropriators did not appropriate as much money as the authorizers authorized. So the conditionality did not kick in. But, yes, generally the authorizers and appropriators worked together to put conditionality on the monies in the USAI.

Q And what was your involvement, if any, on determining whether the conditionality had been met?

A The conditionality is set by the Office of the Secretary of Defense. My counterpart, Laura Cooper, plays a principal role in that, and the determination to Congress is made by the Secretary of Defense.

Q And is there an interagency process that takes place with regard to the release of the funds?

A Once the funds are in the hands of the U.S. military -- and specifically, I believe, they are held with the Defense Security and Cooperation Agency -- the State Department does not have a role, no. On the front end, discussing what might be appropriate conditions, there is a discussion, but ultimately that is a process, and the specific conditions, and whether they have been met, is determined by the Office of Secretary of Defense.

Q What about with regard to FMF, how does that work?

A Foreign military financing, the State Department has a greater role in determining what the policy goals are and how that money would be applied, but that is also very much a collaborative process. And, ultimately, the FMF is also cut over to the U.S. military, specifically, the DSCA is the executive military agent. We don't spend and implement the programming the way that we would, say, for law enforcement programming. It, again, is monies where we have a greater policy role upfront and voice, but in the end, it's executed by U.S. military components.

Q And what is your personal involvement in FMF then?

A I have frequent conversations with my counterpart, Laura Cooper, not just about Ukraine. She covers more countries, but there's a lot of assistance going to Georgia,

and so we have conversations about multiple countries, and we also talk about the conditionality in Ukraine.

Q Did you attend any of the PCC or sub-PCC meetings in July regarding security assistance for Ukraine?

A Yes.

Q Which ones did you attend?

A The first one where this issue came up was July 18th. It was a sub-PCC, to the best of my recollection, and the intended topic was [redacted].

Q Was there any discussion of the meeting at the sub-PCC level on July 18th about any sort of freeze of the security assistance to Ukraine?

A Yes.

Q Can you describe that discussion?

A It was described as a hold, not a freeze. There was a representative of the Office of Management and Budget. I was at the State Department in a security video conference, I did not recognize the face. And I believe the individual representing OMB at the time was not normally the person who did. It was the summer vacation cycles. And he just stated to the rest of the those participants, either in person or video screens, that the head of the Office of Management and Budget who was the acting chief of staff, Mick Mulvaney, at the direction of the President had put a hold on all security

assistance to the Ukraine.

Q Mulvaney had put a hold at the direction of the President. Is that what you heard?

A That is what the representative of the Office of Management and Budget stated in the sub-PCC on July 18th, yes.

Q Was there any discussion following that announcement?

A There was great confusion among the rest of us because we didn't understand why that had happened.

Q Did anyone ask at that sub-PCC meeting why that happened?

A We did. And the individual said that he apologized, that he normally did not deal with these issues, but this was the message he was asked to convey and he conveyed it.

Q And the individual being this gentleman from OMB?

A The representative from the OMB in that particular meeting, yes.

Q Was that the end of that discussion on this topic?

A Yes.

Q On that day?

A Yes.

Q Did you have any internal discussions at the Department of State on or about July 18th after this

pronouncement had been relayed to you?

A I did.

Q And who did you have those discussions with?

A Tyler Brace, our schedule C political appointee, former staffer for Senator Portman, who understand budgetary processes in great detail.

Q When did you have that conversation?

A I believe I had it subsequent to the sub-PCC, same day.

Q And can you just describe what you talked about?

A We discussed what the significance of that was because none of us could understand why. Since there was unanimity that this was in our national interest, it just surprised all of us.

Q When you say "unanimity" that it was in our national interest, what do you mean by that?

A I believe that it is a factually correct statement to say that there's broad support among both parties in Congress, both Houses in Congress, and among the State Department, the Defense Department, Joint Chiefs, and other elements of the U.S. Government for the security assistance programs.

Q Prior to this July 18th meeting, had you gotten any sort of wind or idea that this aid would be frozen or held?

A No.

Q And it was your understanding on July 18th that all conditions had been met?

A For?

Q To release funds.

A That was my understanding. You're talking about the funds for USAI and the FMF fund?

Q Correct.

A That was my understanding, yes.

Q Has your understanding since changed?

A Well, eventually, the hold was released on September 11th, and the funds were then apportioned by OMB to the extent that it was possible to spend them by the end of the fiscal year, yes.

Q So do you know anything that changed between July 18th and when they were actually released in September?

A When you say what changed?

Q Any sort of conditions.

A In Ukraine?

Q Anywhere.

A My understanding of what happened after that date was that Senior Director Tim Morrison started going up the chain of the interagency process according to National Security Presidential Memorandum 4, and that meant holding a policy coordinating committee meeting, which he scheduled for July 23rd, followed by a deputy small group meeting, which I

believe may have occurred on July 26th. And then Senior Director Morrison was looking to schedule a principal small group meeting that would involve the Secretary of State personally, Secretary of Defense, and Ambassador Bolton so they could discuss the issue and then take it to the President.

Q Were you present for the PCC meeting on July 23rd?

A I believe I was, yes, as a back-bencher. I was not the principal.

Q I should have asked you. On the 18th, did you take any notes of that meeting?

A I did.

Q And are those among to notes thank you provided to the Department of State to produce to Congress?

A They should be. I photocopied quite a lot of notes, but certainly the statement of conclusions should be included, although now I'm thinking -- I'm not sure if sub-PCCs have statement of conclusions. Those may be only for PCC meetings. But to the extent I took notes on that meeting, I would have included them, yes.

Q For July 23rd, you said were you a back-bencher at the PCC meeting?

A Yes.

Q And was this topic of the hold of the Ukraine aid discussed at that meeting?

A That was the purpose of the meeting.

Q What was discussed?

A To the best of my recollection, the conversation was everybody going around the table and saying they supported the lifting of the administrative hold so that the State Department and the Office of Secretary of Defense, Pentagon, could move forward. We were ending -- approaching the end of the fiscal year, and I believe that Laura Cooper, speaking on behalf of the Pentagon, indicated that the DOD comptroller had determined that they needed to move forward by August 6th in order to spend the money and meet Congress' intent.

Q Was there any discussion of the legality or illegality of the hold?

A There was discussion about the standing of OMB to put an informal hold. Normally, the conversations with OMB prior to notification to Congress is a courtesy, not something required under law. And that is why the position was expressed by Laura Cooper, to the best of my recollection, that DOD counsel had determined that they would move forward by August 6th regardless. And I recall Senior Director Morrison suggesting that the State Department also review its legal requirements and be prepared to have that briefed at the next meeting, which he set 3 days later, as a deputy small group meeting.

Q So, if OMB did not move forward by August 6th, what would be the implication?

A Again, this is about an account that was not appropriated to my department nor executed in my department, so I would defer to my colleague, Laura Cooper. But to the best of my recollection, what she said in that meeting was that, according to DSCA, they may not be able to execute all of the requirements by the end of the fiscal year. My understanding is that USAI monies are 1-year monies. The monies in the State Department FMF account are 2-year monies.

Q What did OMB say, if anything, in response to Laura Cooper's --

A OMB's position was what it had been on the 18th, that they were under the direction of their boss to put -- hold all security assistance to Ukraine.

Q Did they provide a reason?

A They said it was at the direction of the President.

Q Who was present for the July 23rd meeting?

A That would be a matter of record because that was a PCC, and there's a statement of conclusions. And in the statement of conclusions, on the first page, there's a listing of all participants in the meeting.

Q Did you receive a copy of the statement of conclusions for this meeting?

A I believe I did, and that would have been provided

to the document request.

Q Did OMB provide any reasoning beyond simply it was at the direction of the President?

A Not to my recollection, no.

Q So they didn't describe why the President had placed this hold?

A There was a lack of clarity.

Q What do you mean by that?

A The participants who up until that point had thought that there was unanimity that this was in our national interest did not receive an explanation for why this particular action was taken.

Q Okay. So, to your knowledge, no one at the PCC meeting on July 23rd knew why the President was making the decision or at least they didn't express it at that meeting?

A I do not recall any coherent explanation, no.

Q Was there any explanation at all, coherent or incoherent?

A OMB placed a hold on a process that -- traditionally, that is the office that has a voice on how the executive branch spends money.

Q Was that unusual, in your experience?

A According to, in my conversation with Tyler Brace, who again has worked here as a staffer, the previous cycle, OMB head, Acting Chief of Staff Mulvaney, had attempted a

rescission at the end of the year, and indeed the next week, at the beginning of August, he sent out a data call with the intent potentially to execute a rescission involving billions of dollars of assistance worldwide, not just Ukraine.

Q Okay. So, in your experience, though, was this unusual?

A I had read about Mr. Mulvaney's attempt to push a rescission at the end of the last fiscal year. My understanding was that Secretary Pompeo protested vigorously, and the effort to have a rescission was then suspended.

And, ultimately, the same thing happened this year, this overall greater effort to have a rescission held up the process for much of August, but it was also lifted, and that left us with just the hold on Ukraine assistance.

Q The Ukraine assistance that you just mentioned, is that FMF, or is that the USAI?

A It affected both accounts, the Department of Defense $250 million, and the $141 million under FMF.

Q Okay. And you said that that was still being held in August?

A That hold, the OMB-directed hold, was lifted on September 11th.

Q What happened at the July 26th deputies' meeting?

A I did not participate in that meeting. Under Secretary Hale represented the State Department, and I cannot

recall the exact outcome. That would also be documented in the document call, but it did not change the ultimate situation.

Q Did you see a readout of that particular meeting?

A I did.

Q And is it in a similar form as the statement of conclusions?

A To the best of my knowledge, yes.

Q And what do you recall from that readout?

A The main takeaway for me was that Senior Director Morrison was trying to find out when Secretary of State Pompeo and the Secretary of Defense would both be in Washington so they could have an in-person principal small group meeting to discuss the same issue and then take it to the President.

Q Was there any discussion at the July 26th deputies' committee meeting about the reasons for the hold?

A I honestly cannot recall if there was any detail. The bottom line was the hold remained, and we needed a principal small group to carry the process forward.

Q But it's your understanding at the July 26th meeting that, again, there was unanimous support to release the funds to lift the hold. Is that right?

A With the exception of OMB, yes.

Q Then you mentioned that there was planning to have

a meeting on July 31st. Did that meeting actually take place?

A I didn't say that, but I believe that may have been one of the dates that Senior Director Morrison was attempting to schedule a principal small group meeting.

Q Was there a principals meeting at any point?

A To the best of my knowledge, because of the travel schedules of the two Secretaries, no.

Q So what happened next, as far as you know, with regard to the lifting of this hold?

A I am aware that many Senators, particularly from the Republican side, who had traveled to Ukraine from the relevant committees, called and talked to the President. I'm aware that -- I saw an email that Senator Inhofe had had about a 20-minute conversation. He had visited twice when I was in Ukraine because Oklahoma National Guard was doing training at the main training base. Senator Portman called, including the day it was lifted. And my understanding is that Senate Majority Leader McConnell also called.

Q Was there any discussions at State between July 31st and when the funds were actually released about the freeze that you partook in?

A The State Department was concerned. Obviously, we wanted to get the hold lifted so that we could get the money apportioned by OMB and then obligated. And so we were -- at

the direction of Senior Director Morrison, exploring what was the absolute minimum amount of time that would be necessary to obligate the money once the hold was lifted. So we were preparing for a decision so that we could ensure that the money could be obligated before the end of the fiscal year.

Q When was the first time that you heard that the security assistance might somehow we be linked to this White House visit or investigations conducted by Ukraine?

A Because everyone was unclear why this had happened, I think, in the vacuum of a clear explanation, people started speculating. So there was a coincidence of timing, but as I referenced earlier in the communication with Charge Taylor, he indicated to me that, in his communications with both Senior Director Morrison and Ambassador Sondland, and this would have been the weekend of the 7th and 8th of September, that both of them insisted that there was not a direct link.

Q And that was based on what?

A This was a conveyed conversation. That was their assertions. According to Charge Taylor, separately, Senior Director Morrison, with whom he had a conversation on the 7th of September, and Ambassador Sondland, with whom he had a conversation on the 8th of September, had asserted that the two were not directly linked.

Q And how do they know?

A I cannot answer for them. That would be the

question to direct to Senior Director Morrison and Ambassador Sondland.

[6:44 p.m.]

BY MR. MITCHELL:

Q They didn't provide any information as to their source?

A I was not part of that conversation. I was having a conversation with Charge Taylor.

Q And this conversation with Charge Taylor, was that over WhatsApp or was that in person or --

A That was a part of our regularly scheduled Monday secure calls, video conferences. And that part of the conversation we ask all of our staff to leave, so it is just one on one in a secure communication.

Q Okay. And what else did Charge Taylor tell you about these conversations that he had had?

A I recounted to the best of my knowledge what those conversations were. That was Senior Director Morrison talking about his concern that Rudy Giuliani had had another conversation with the President, as well as what Sondland relayed Rudy to be his interaction.

Q And did you memorialize that conversation that you had had?

A Yes. That was part of a note to the file which I provided to the document collection process.

Q Did you talk to anyone else at the Department of State about what Charge Taylor told you?

A I believe I shared my concerns with my colleagues in the European front office. That would be the ones immediately near my office. Included Deputy Assistant Secretary Michael Murphy, who oversees our relations with the Baltics and Nordics and NATO. And for large stretches of time earlier in 2019 it was our senior Bureau official and also the deputy assistant secretary, [redacted], who oversees our relations with Western Europe, and that includes relations with Ambassador Sondland and the mission he leads in Brussels.

Q When you said you shared concerns, what do you mean by that?

A I shared the -- I shared the sense that I had heard from Charge Taylor that Ambassador Sondland was engaged in the types of conversations that he was engaged in on Ukraine even though that was not part of his portfolio as our ambassador to the European Union.

Q And again, was this a conversation that you had with Deputy Assistant Secretary Murphy and Fisher in writing or in person?

A Their offices are between 5 and 10 feet away from my office and so I -- this was a direct conversation in their office.

Q And what was their reaction?

A They were aware of the challenge of dealing with

Ambassador Sondland who has a, I would say, track record of freelancing, would be one way of putting it, but working on issues other than the reason why he was sent to Brussels to work our relationship with the European Union.

Q Did they indicate that they would try do anything about it?

A I don't think there is anybody at the level of deputy assistant secretary of state who can do anything about what Gordon Sondland chooses to do.

Q Do you know when they escalated the issue?

A I do not.

Q At any point were you given a reason why the hold was put in place?

A Not that I recall. Well, I believe, at least in relation to the USAI, there were some concerns expressed in the Pentagon, Office of Secretary of Defense, did a review and responded that they felt that the conditions and concerns that we had had been met and that the programming should go forward. But that was a specific review about USAI, which is not State Department controlled, and so that was an issue between the Pentagon and I guess the White House and NSC.

Q Do you know whether a similar review was conducted with regard to FMF?

A We were not asked for a similar review. The media coverage was focused on the 250 million of USAI. If you look

at those articles at the time they were not mentioning $391 million, which would have been the total FMF plus USAI.

Q Do you know whether a similar review of FMF has since been conducted?

A The hold was lifted on September 11th and we moved forward with notifying Congress and ensuring the funds were obligated before the end of the fiscal year. We were not asked and we proceeded with what we needed to do in order to obligate the funds as to meet the congressional intent in appropriating them.

Q Okay. So to the best of your knowledge, you have no knowledge of any plan to conduct any such review?

A We did not see it necessary nor were we asked to do so.

Q All right. Now, when you were in Ukraine, Ukraine was receiving USAI and FMF funds at the time, correct?

A They were receiving FMF, yes, and I believe the start of USAI was while I was there. I do not recall specifically which fiscal year USAI funds started to be appropriated.

Q Okay. So based on your experience in Ukraine, as well as your experience here in Washington, D.C., how important are these funding programs for Ukraine security?

A I would assess that they are critically important. The Ukrainian defense establishment was unprepared to fight a

war with Russia when Russia began its war in 2014. And therefore, the training that we do, which is probably the most valuable in training Ukrainians to fight, as well as the equipping that we do, have been critical to the success of the Ukrainian armed forces in defending their country.

At the same time I would say that we probably derive more benefit from the relationship than the Ukrainians do.

Q How so?

A That would be something to discuss in a classified manner, particularly with my colleagues from the defense and intel agencies.

Q But suffice to say that it was in both Ukraine's national interests as well as the United States' national interest that these funds be released to the Ukraine?

A Very much so.

Q And that's true not just for the time period that you were in Ukraine but also for 2019 when you were back here in D.C.?

A Correct.

Q Have you had any conversations with anyone about what the Ukrainians' perspective was on the freeze?

A They were confused, to the best of my understanding.

Q Okay. And how did you get that understanding?

A Charge Taylor was in Ukraine trying to figure out

how to explain what went on. My most recent trip to Ukraine, I arrived on September 11th. Fortunately that was the day that the hold was lifted. So by the time I started engaging Ukrainians in person, it was a good news story.

Q Had you prepared to answer their questions about the hold?

A I was prepared for the possibility that it would not be lifted and therefore the conversations would be very difficult and I would not by able to provide an adequate understanding or answer.

Q Did you try to get an adequate understanding or answer prior to your trip?

A Fortunately, I didn't have to worry about that hypothetical because it was resolved essentially as I arrived in Ukraine.

Q Right. But prior to you arriving in Ukraine did you attempt to find out why the hold was in place so that you could actually have a meaningful conversation with the Ukrainians about this issue?

A We -- it was very clear that this issue was only going to be resolved they very highest level, and that's why Tim Morrison wanted to have Secretary Pompeo and SecDef Esper in the same place at the same time to have that conversation.

That was the level at which the conversation needed to happen. It didn't matter what the deputy assistant secretary

or an assistant secretary or an under secretary or a deputy secretary thought.

Q Okay. To the best of your knowledge, did that meeting happen?

A To the best of my knowledge, there was never a principal small group meeting on this issue.

Q What did Taylor, Charge Taylor, say to you about his conversations with Ukrainians about the hold?

A I honestly don't recall in detail. I think it was clear starting, if not from July 18th, certainly from July 23rd, that this was an issue that had to be resolved in Washington, and it was a tough nut for everyone to crack without a lot of clarity.

Q It was your understanding at the time, though, that the issue had to be resolved at the principals level?

A Once we cleared the deputy small group meeting, which I believe was July 26th, it was clear it had to be resolved at a principals level and above. And so that was clear I think to everyone after July 26th.

Q Okay. And when you say above, you mean specifically the President of the United States?

A Well, the principal small group, members of the Cabinet, who then could take the issue to the President.

Q And again there was never a PCC as far as you know?

A There was a PCC on July 23rd. So in the sort of

climbing the ladder we started with a sub-PCC on the 18th. There was a policy coordinating committee on the 23rd. There was a deputy small group on the 26th. And there was an attempt to schedule but lack of principals subsequent. That was Tim Morrison driving the interagency policy review process in the way it was intended.

Q So to the best of your knowledge, this issue ultimately was not resolved by the principals, it was resolved by the President?

A Correct.

Q You testified earlier about August 15th and August 16th. At the time did you think that the aid might in any way be linked to the investigations that were being pushed by Mr. Giuliani or that were discussed by the President in the July 25th call?

A I personally did not associate them, no.

Q Has your thinking changed in any way since then?

A This is a personal opinion. It strikes me that the association was a meeting with the White House, at the White House, not related to the security assistance. But again, that's just my personal opinion, other people may have different opinions.

Q What was Charge Taylor's opinion?

A I think there is the WhatsApp exchange where he expressed concerns that it might be linked.

Q But what did he tell you?

A I don't recall having a conversation where he expressed the same opinion to me that he shared in the WhatsApp messages that apparently were leaked, but in any case were handed over by former Special Representative Volker.

He did in one conversation with me share a conversation he had with Ambassador Sondland in which Ambassador Sondland, who had told him that there was no quid pro quo with the security assistance, said, on the other hand, you know, the President's a businessman and if you're going to sign a check for $250 million why not ask somebody for something.

Now, that was sort of an informal comment that Ambassador Sondland made to Ambassador -- to Charge Taylor and that he conveyed to me. But the same person, Ambassador Sondland, said there was no quid pro quo on security assistance.

Q When did Charge Taylor relay this conversation that he had had with Ambassador Sondland?

A I cannot recall if it was in our secure conference call that I described on September 9th or, since I then flew to Ukraine and stayed with him over that weekend, whether he may have shared that with me in person. But I believe I did write that note up and share it with the records. So it's part of the records that were collected by the State

Department.

Q And the Ukraine trip was on or about September 11th?

A I arrived in Ukraine on September 11th, that's correct.

Q What did you do with the -- this memo that you wrote up on or about the 9th of September or 11th of September?

A I added it to the note on file that I had initially written on the 16th of August and then subsequently amended it with the conversations I had with Charge Taylor in person in Ukraine.

Q And who did you give that memo to?

A It was a note to the file, so it stayed as a note to the file until I submitted it to the document collection when those were requested.

Q Okay. When you say to the document collection, you're talking about -- were you referring to the subpoena?

A I am referring to the subpoena.

Q Okay. So you didn't specifically give this memo to Deputy Assistant Secretary Murphy, for example?

A To the best of my recollection, when I returned from Kyiv I wrote the note to the file and I orally briefed Deputy Assistant Secretary Murphy, Deputy Assistant Secretary Fisher, and Acting Assistant Secretary Reeker.

Q It is a different brief than the ones we were talking about earlier?

A Correct. The previous time when I talked -- yes, because this is sequential. So I had two conversations with two individuals on the 15th and 16th of August. That was the first time I wrote a note to a file. I had subsequent conversations with Ambassador -- Charge Taylor on the 9th of September, another note to the file. And then travel to Ukraine, conversations there, return, note to the file, oral brief.

Q Okay. And the oral briefing was with Fisher, Reeker, and Murphy?

A To the best of my knowledge, yes, but I did -- I know that I included in my note to the file the officials whom I briefed orally. So I wrote it up and then I briefed and I added that as a note in the file that I -- precisely whom I had oral briefed.

Q Was this one oral briefing or multiple oral briefings?

A It was -- it would have been sequential because those are three different individuals. And so two of them, again, offices are collocated with mine, then Acting Assistant Secretary Reeker's office is across the hall.

Q And what were their reactions?

A At this point it was clear the nature of the

interactions that Special Representative Volker and Ambassador Sondland were having, so it was more confirmation of the conversations that had been clearly ongoing between Ambassador Sondland and Ambassador Volker with Ukrainians.

Q And do you recall what Reeker's reaction was specifically?

A I do not recall precisely. I think they were all concerned.

Q Did they commit to doing anything about this?

A Not that I recall.

Q Did they say that they were going to escalate the issue?

A I do not recall.

Q You testified earlier this afternoon about a conversation that you had with Charge Taylor about Zelenskyy making some sort of TV interview or address, public address.

A I mentioned what Ambassador Sondland had told Charge Taylor and that he conveyed to me, yes.

Q Okay. And when did Charge Taylor have that conversation with you?

A I believe that's what I conveyed to you regarding the conversation I had with Charge Taylor on the 9th of September, referencing his conversation with Ambassador Sondland that occurred on the 8th of September.

Q Did you have any further conversations with Charge

Taylor about this topic after September 11th, I guess it was?

A Yes.

Q And when was the next conversation?

A The next conversation would have happened at the breakfast table Sunday morning, which I believe was September 15th.

Q And where were you at that time?

A I was his house guest in the ambassador's residence in Kyiv.

Q Okay. Can you describe -- who else was at that --

A That was just Ambassador Taylor and me. He went out for a run, and I went down to breakfast, and we met and talked 7:30 in the morning more or less.

Q What did you talk about?

A We talked about the meeting that ambassador -- Charge Taylor and Special Representative Volker had had the night before with Andriy Yermak, the close personal aide of President Zelenskyy.

Q And what were you told?

A Well, that meeting was the one meeting on Kurt's schedule in Ukraine that he felt uncomfortable with me joining. He said that it was because of numbers. It was not clear whether it would be just Yermak or whether he would also bring a gentleman named Novokov (ph), whom I have not met, and who is responsible for U.S. relations in the

Presidential office.

Kurt said he felt that having three Americans on one Ukraine was too much, and he said if there were a second Ukrainian I could come. I decided not to push it since we were involved in another event, as well as anticipating that there was going to be an awkward conversation, which there was. And Charge Taylor provided me the details of that conversation over breakfast.

Q Which were?

A Well, besides -- the main part of the conversation was about negotiations with the Russians, and I won't mention that and that's not germane.

But the more awkward part of the conversation came when Special Representative Volker made the point that the Ukrainians, who had opened their authorities under Zelenskyy, had opened investigations of former President Poroshenko, he didn't think that was appropriate.

And then Andriy Yermak said: What? You mean the type of investigations you're pushing for us to do on Biden and Clinton?

And at that point Kurt Volker did not respond.

Later on in the conversation, when it came to the potential for Zelenskyy and President Trump to meet, according to Charge Taylor, Special Representative Volker said: And it's important that President Zelenskyy give the

messages that we discussed before.

And Charge Taylor told me that he then said: Don't do that.

Q Who said don't do that?

A Charge Taylor.

Q So Taylor was concerned about the way in which this conversation took place?

A My understanding is that he was concerned. And when Kurt made a suggestion that Charge Taylor felt was inappropriate he weighed in with his own personal opinion, which that was not appropriate.

Q And Volker was directly linking the White House meeting and the investigations that were being pushed by the President. Is that correct?

A It was an elliptical readout that -- by the readout that I heard from Charge Volker -- sorry, Charge Taylor -- that Kurt, Special Representative Volker, was referring to prior conversations that he had with Yermak and prior advice, meaning you should deliver the messages as we've discussed before.

Q Do you know what those messages were?

A This goes back to the signaling for a public appearance. The hoped-for interview with CNN with Zelenskyy did not happen during the conference. Fareed Zakaria was one of the hosts, but there was no special interview. So there

was discussion that President Zelenskyy would have an interview with CNN the week of the U.N. General Assembly leaders meetings, which was the week of September 23rd to 27th.

Q And the message that Mr. Volker wanted President Zelenskyy to provide during the CNN interview was what?

A That Zelenskyy should message that -- his willingness to open investigations in the two areas of interest to the President and that had been pushed previously by Rudy Giuliani.

MR. MITCHELL: I think my time is up at this point.

MR. GOLDMAN: Yield to the minority.

MR. CASTOR: We don't have any questions at this point. We might subsequently.

MR. GOLDMAN: I think we're almost finished. So we'll take it back for a few minutes.

MR. CASTOR: Thank you.

MR. GOLDMAN: And then give you an opportunity at the end.

MR. CASTOR: Okay.

MR. GOLDMAN: Okay?

We are nearing the end. Just 1 second.

[Discussion off the record.]

BY MR. GOLDMAN:

Q A few wrap-up questions here.

That breakfast meeting that you had on September 15th that we were just discussing, did you memorialize that as well?

A I wrote that to note to file when I returned to the U.S., yes.

Q When you get back to the U.S.?

A Subsequent to Ukraine, I went to Belarus, where I was in Belarus for 2 days, including the three-quarter day visit of Under Secretary Hale.

And then after that I went to Lithuania to outbrief our Lithuanian allies about the advances in the U.S.-Belarus relationship, because we -- Under Secretary Hale announced that we were going to return an ambassador to Belarus, which we have not had since 2008.

So I returned to the U.S. in the evening of the 19th of September, I was in the office on Friday, the 20th, and then took a train up first thing Monday morning to be in New York for the U.N. General Assembly meetings.

Q Were there any conversations that week on the -- in the U.N. General Assembly week -- that you were aware of or were present for or that related to these investigations into Biden in 2016 that we've been discussing?

A No.

Q You had neither had any nor heard of any?

A I was not involved in any meetings, no -- of that

nature, no. It was very much focused on the intense engagement of many foreign leaders who were there at that time.

Q Because you said that as of September 15th there was still a hope, for example, that President Zelenskyy would give an interview with CNN when he was in New York for the General Assembly and specifically mention those investigations, right?

A That was my understanding of what Ambassador Volker and Ambassador Sondland were requesting of the Ukrainians, yes.

Q But you don't know whether anything came of that?

A To the best of my knowledge, President Zelenskyy did not give an interview to CNN while in New York with that sort of messaging, no.

Q Did you have any meetings with any Ukrainians officials during that September 11th to 15th timeframe yourself where they expressed -- where they discussed these investigations at all?

A The only meeting that I was a part of where this came up obliquely was with the foreign minister, Vadym Prystaiko. And that was a meeting with Kurt Volker, Charge Taylor, and myself in which the foreign minister said: You guys are sending us different messages in different channels.

Q And what did you understand that to mean?

A Well, in that meeting all three of us, Kurt Volker, Charge Taylor, and I, all reiterated that it would not be appropriate for the Ukrainians to engage in any activity that could be construed as interfering in the U.S. election.

Q And so what was the conflicting message that they were receiving?

A Well, I would suggest that what was said later on that night, in the meeting I was not a part of, to Andriy Yermak was the conflicting message. And as I recounted, there were two messages, there was what Ambassador Volker said and what Charge Taylor said, and those themselves were conflicting messages.

Q Because -- just to be clear -- because Ambassador Volker was saying not to investigate Poroshenko?

A No. Ambassador Volker suggested that Andriy Yermak should ensure that the agreed-upon messaging was delivered by President Zelenskyy. And Charge Taylor said: Don't do that.

Q I see.

You made some reference to Yermak responding to something that either Ambassador Volker or Charge Taylor said about Poroshenko a few minutes ago.

A Yes.

Q Explain that conversation again. I didn't quite catch the whole thing.

A So this was -- again, I did not go into detail

about the bulk of the conversation because that was about negotiating tactics vis-à-vis the Russians.

As the conversation was moving away from that into a new set of issues, according to Charge Taylor, based on his notes, I didn't participate in the meeting, one of the issues that Kurt wrote -- raised -- was the fact that there were a series of investigations being opened by Ukrainian authorities against former President Poroshenko. And Kurt advised Yermak that was not a wise way forward for the country.

Q And what did -- how did Yermak respond, according to Charge Taylor?

A According to Charge Taylor, his response was: Oh, you mean the types of investigations you're asking us to open against Clinton and Biden?

Q And it would seem that as someone who was responsible for anticorruption efforts that that's exactly the message that you would be concerned about on this. Is that accurate?

A As I've stated here previously, it's my belief that it is inappropriate for us to ask another country to open up an investigation against political opponents, whether it is political opponents domestically in the U.S. context or, in the case of countries like Ukraine or Georgia, opening up selective prosecutions against perceived opponents of those

in power.

Q And did you think it was appropriate for Vice President Biden to condition the release of the loan guarantees on the firing of Prosecutor General Shokin?

A Prosecutor General Shokin was an impediment to the reform of the prosecutorial system, and he had directly undermined in repeated fashion U.S. efforts and U.S. assistance programs.

And so, because we had a strategic interest in seeing the Ukrainian prosecutor system reformed, and because we have a fiduciary responsibility for U.S. taxpayer dollars, it was the consensus view that Shokin needed to be removed so that the stated goal of reform of the prosecutor general system could move forward.

Q And so when you mentioned that that connection was a quid pro quo, you're not saying that that was an improper quid pro quo?

A I didn't say that it was a quid pro quo, but it is the case that both the IMF and the U.S. Government do use conditionality for assistance, whether it is macroeconomic assistance provided by the IMF or, in the case of our sovereign loan guarantees, we put conditionality that related to management of the gas system, meeting macroeconomic stability goals proposed by the IMF, social safety nets, and issues related to anticorruption. And that involved the

National Anticorruption Prevention Council, the National Anti-Corruption Bureau, as well as the prosecutor general's office.

MR. GOLDMAN: Okay. Mr. Malinowski has a few questions.

MR. MALINOWSKI: Thank you.

MR. GOLDMAN: One thing.

And just to be clear, what Vice President Biden was doing was very fundamentally different than any advocacy for a politically oriented investigation. Is that your assessment?

MR. KENT: The request for the dismissal of Shokin was related directly to him, to his actions in the diamond prosecutors case, in his undermining of our assistance to Ukraine.

MR. GOLDMAN: And that's distinct from your concerns that you've raised today about advocacy for an investigation into Biden or the 2016 election?

MR. KENT: That's how I would look at the two issues, as distinct, yes.

MR. MALINOWSKI: The distinction is between conditionality to advance the national interest and conditionality to advance a personal interest.

MR. KENT: One might say national interest versus partisan interest, yes.

MR. MALINOWSKI: I just have a couple of other subjects

that I wanted to ask you about. And thank you so much for your patience and precision today and for the integrity that you have shown in every part of your career, Mr. Kent.

You mentioned at one point a conversation with Fiona Hill in which she had relayed to you that the President had had phone conversations with Viktor Orban, the Prime Minister of Hungary, and Putin in which she told you that they had both, I think you said, talked down Ukraine to the President.

Can you say a little bit more about that? What do you recall of that?

MR. KENT: Well, to the best of my recollection, Fiona gave me a readout of both conversations at the same time. It was a phone call with President Putin on or about May 3rd. It was a meeting at the White House, so it was an in-person meeting on or about May 13th. The President's engagement of Orban included a 1-hour one-on-one, and then subsequently the Hungarian foreign minister, Szijjarto, and Ambassador Bolton joined.

MR. MALINOWSKI: In your judgement, what motivation would Orban and Putin have had to try to talk down Ukraine, Zelenskyy, to President Trump?

MR. KENT: Well, Putin's motivation is very clear. He denies the existence of Ukraine as a nation and a country, as he told President Bush in Bucharest in 2008. He invaded and occupied 7 percent of Ukraine's territory and he's led to the

death of 13,000 Ukrainians on Ukrainian territory since 2014 as a result of aggression. So that's his agenda, the agenda of creating a greater Russia and ensuring that Ukraine does not survive independently.

Viktor Orban's beef with Ukraine is derived in part to his vision, in my opinion, of a greater Hungary. And there are about 130,000 ethic Hungarians who live in the trans-Carpathian province of Ukraine.

And ahead of next year, which is the 100th anniversary of the Treaty of Trianon, post-World War I, which resulted in more ethnic Hungarians living outside Hungary than inside, this issue of greater Hungary is at the top of Orban's agenda.

And so he has picked this particular issue and, for instance, blocked all meetings in NATO with Ukraine at the ministerial level or above because of this particular issue. So his animus towards Ukraine is well-known, documented, and has lasted now 2 years.

MR. MALINOWSKI: So both of these leaders would have an interest in the United States and the President of the United States ending or diminishing our support for an independent Ukraine?

MR. KENT: I would say that that's Putin's position. I think Orban is just happy to jam Ukraine.

MR. MALINOWSKI: Okay. All right, okay.

And then finally on the broader corruption issue. You know Ukraine extremely well. You were also responsible for anticorruption efforts in EUR for some time.

Imagine that the President of the United States were to call you in, President Trump, his predecessor, and that he said: George, look, I really, really believe this is a fundamental issue for the United States in Ukraine. The corruption is the obstacle to the transformation to this country that we seek. And I am prepared to use some leverage to do something about corruption in Ukraine, maybe even hold up a meeting, maybe even condition some assistance on the Ukrainians really taking this seriously. George, what would be the three or four or five top things we should be demanding, we should be asking the Ukrainians to do if we really wanted to get serious on this issue, what would be -- what would you say, what would be on your list?

MR. KENT: I think for Ukraine as well as other countries that have never prosecuted any large-scale crook, putting one of the big fish, so-called big fish in jail would be a great start as a signal that there isn't impunity. And that's, again, not unique to Ukraine. I think that's the biggest one.

I think demonstrating that there's integrity in the prosecutor general's office is absolutely critical, particularly for post-Soviet countries. There were two

institutions that were the instruments of oppression in the Soviet Union. It was the prosecutor's office and the KGB or the secret police. And those two institutions in many of these countries are fundamentally still not reformed 28 years later.

So if you want to see the successful transformation of any of the post-Soviet countries, reform of the security service in Ukraine, that's known as the SBU (ph), and reform of the prosecutor general's office are the fundamental keys to transforming the country.

MR. MALINOWSKI: And some of these might require legislative changes, legal reforms?

MR. KENT: Yes.

MR. MALINOWSKI: More than just go after this person or that person?

MR. KENT: Yes.

MR. MALINOWSKI: To your knowledge, then -- well, let me ask you, if that is going to be your policy, if you're going to condition something that a country wants in exchange for that country doing something that we want in our national interest, it's logical that we would then tell that country, here are the things that we want you to do if you want to get your meeting, if you want to get your aid, or whatever it is worth conditioning, correct?

MR. KENT: Correct.

MR. MALINOWSKI: Okay. To your knowledge, did any of the so-called "three amigos," if we can call them that, ever in their engagements with the Ukrainian authorities, especially in conversations around getting this meeting with the President or perhaps getting the aid restored, ever urge the Ukrainians to pursue those deeper anticorruption measures, reforms that you just referred to?

MR. KENT: What I referred to is strategic and institutional, and what they were working on was tactical. And that was what it would take to send a message to send a meeting.

MR. MALINOWSKI: And it wasn't reform the security services, it was not reform the prosecutor's office, it was one investigation -- well, two investigations, 2016 and the Biden --

MR. KENT: Signal of intent to open an investigation.

MR. MALINOWSKI: Which is not anticorruption.

MR. KENT: In and of it itself is not anticorruption, no.

MR. MALINOWSKI: It is basically selective prosecution or investigation.

MR, KENT: That was the phrase I used, yes.

MR. MALINOWSKI: And you've worked in and around a lot of dictatorships in your life, Uzbekistan, Thailand now, you know, not Ukraine, but certainly a country struggling to

build democracy. Is it not a very common feature of authoritarian or semi-authoritarian regimes that they selectively prosecute people for corruption for political purposes?

MR. KENT: Unfortunately that is the case, yes.

MR. MALINOWSKI: The people who you know in Ukraine who are dedicated to fighting corruption, the activists, the reformers, and who saw the United States of America as a champion of their cause, do they see the United States of America as a champion of their cause today?

MR. KENT: I still believe they count on the U.S. as their best hope to get through very difficult times, yes.

MR. MALINOWSKI: Thank you.

MR. GOLDMAN: Before I go to Chairman Engel, I just have two quick questions for you.

BY MR. GOLDMAN:

Q Are you familiar with someone by the name of Sam Kislin or Semeon (ph) Kislin?

A I am familiar with the name only recently and only based on what I've read.

Q You have no individual or other than press reports you're not aware of this individual?

A Correct.

Q And you, much earlier today, I think you were describing what may have been a conversation that you had

with former Ambassador Yovanovitch about the July 25th call.

A Right.

Q And I think you said that you may have discussed some aspects of it and that you don't recall what her response was. Is that accurate?

A To the best of my recollection. And if there is other information that people want to provide context to try to trigger additional information, I'm open to that.

Q So you -- it appears to us at least as if, A, you took a lot of notes about these events, and, B, you may have reviewed them prior to coming here today to testify. Is that --

A That's accurate. I would not have -- no, I did not review them before coming to testify. In order for the Department to respond to the subpoena for document collections I went through my notebooks to find any notes from meetings that would be responsive to those -- that document request. That's why I reviewed them, as information.

Q Did you have any notes from your discussion with Ambassador Yovanovitch about the July 25th call?

A I did not and would not because that would have happened informally, not in the office.

Q So if she has a different recollection as to what you guys discussed, do you think that that --

A That's possible. She could have been much more specific about a conversation we had and the issues we've been discussing. My timeline starts several years earlier than hers. So I do not rule that out.

MR. GOLDMAN: Okay.

Chairman Engel, would you like to?

MR. ENGEL: Yeah. Well, I guess in closing I want you to know I stumbled in here before they told me Clark Kent was here. So I thought he was you.

But, anyway, thank you so much for your testimony. And thank you for what you -- not only for what you're doing now, but for what you've done through the years.

It's really so critical that we learn the facts and your detailed, very careful testimony today, it's just so important, so important for our country, so important. And it should also not be used by the administration or the Department of State to retaliate against you or anybody else.

I have been very much chagrined over the fact of the way employees at the Department of State have been treated for the past couple of years. Morale is down. It's just unconscionable. And I think it takes people like you who have not only had commendable records through the years, but who have the guts to come in and speak from the heart. It really helps all of us moving forward.

And of course we will move forward. We have to move

forward. And what you're doing, sir, is a tremendous accomplishment and tremendously important for the State Department and for the country as a whole.

I know that Chairman Schiff already explained on the record earlier today why any retaliation against you or anybody else would be unlawful and just wrong. Your service to our country for nearly three decades is commendable and I hope it continues without harassment or undue interference from the Department you have honorably served.

So let me just again thank you as the chairman of the House Foreign Affairs Committee, thank you personally, and let you know that I and the Foreign Affairs Committee will hold the Department accountable to treat employees properly and with the respect you deserve.

Thank you.

MR. KENT: Thank you, Mr. Chairman.

MR. GOLDMAN: All right. I believe that's it from the majority, we used 20 minutes in this record. So I yield to the minority if you would like any further questions.

MR. ZELDIN: I know we stepped out. Did we have -- did our side have a round while we were out voting or was that the majority the whole time?

For the record, one thing of concern is Chairman Schiff appropriately earlier made a disclaimer to all Members and all staff that we are in a deposition, that deposition rules

apply, and that there should not be any leaks. This is something that the minority side takes extremely seriously, and it has been disappointing that during the brief time that we stepped out to go vote that we are reading on Twitter substance from today's deposition being cited by name to Chairman Schiff and to Gerry Connolly.

It's really important that if the deposition rules apply, where Members are not allowed to talk about the substance of what is discussed today, that that is applied equally to both the majority and minority, and I want to state that for the record.

We are also still waiting a ruling we started two depositions ago with a request -- actually it was the second deposition -- a request as to what rule is governing this entire process. We still have not received an answer as to what House rule governs any of this process.

The start of the last deposition we had a phone call with the House parliamentarian which started with a question of what House rule is governing any of this entire process. We are reiterating that we still have not received an answer. The minority whip, Steve Scalise, just made that request on the House floor and was not provided an answer.

And we would be very interested in knowing, and if that answer can't be provided now, at the start of tomorrow morning's deposition, what House rule is governing this

entire process for this impeachment inquiry.

MR. BITAR: For the record, your interest is noted.

MR. JORDAN: Mr. Secretary, let me just go back. So on the July 25th call between President Trump and President Zelenskyy, just to walk through it again, you were not on that call.

MR. KENT: Correct.

MR. JORDAN: Lieutenant Colonel Vindman was.

MR. KENT: Yes.

MR. JORDAN: And at some point subsequent to that call you were on a call with the lieutenant colonel or you had some kind of meeting with him?

MR. KENT: It was a call and he gave me a very limited readout, correct.

MR. JORDAN: Okay. And on that limited readout on that call with the lieutenant colonel did he tell you not to talk about what you discuss with anyone else?

MR. KENT: I don't recall how he characterized it. It's just that he said that the information obviously was of very sensitive nature and that's why he could not give me the normal readout of the full content that he normally did.

MR. JORDAN: And the call you had with Lieutenant Colonel Vindman, was that the 26th, the 27th? What day with a that?

MR. KENT: It was a subsequent day. I do not -- I

cannot say for certain which day he called. Normally I kept my notes in a notebook. On this particular occasion I grabbed a piece of paper and started writing. So it was not in a sequential notebook day by day.

MR. JORDAN: Was it within a week or was it in August?

MR. KENT: It was within a week, to the best of my recollection.

MR. JORDAN: So most likely some time in July?

MR. KENT: If the call happened -- the earliest it could have been was the 26th. To the best of my recollection, there were several days. So my guess is the 27th. There's a weekend in there somewhere. I'm not sure which the weekend was. So I would say the last week of July would be the best I could bound it.

MR. JORDAN: And then you discussed what Lieutenant Colonel Vindman told you with whom?

MR. JORDAN: I cannot recall the exact content, particularly since I didn't get as much content as I just got a tonal poem. So I can't recall directly.

MR. JORDAN: Did the lieutenant colonel tell you, look, I'm sharing this with you but no one else, or did you get the impression that he had shared this information with other people maybe in the State Department or other people in our government or anyone else?

MR. JORDAN: I am not aware of who else he might have

given a readout to. In the general course of readouts of that nature, I would be the natural person for him to give a readout at the State Department.

MR. JORDAN: Is the fact that he -- okay. So normally you would get a readout. So was this the normal process that Lieutenant Colonel Vindman would let you know about this call or was this somehow different?

MR. KENT: It was the normal process. He had given me a similar readout for the April 21st call. What was different was that -- his concern that he did not feel at liberty to share all the substantive details of the call. That was what was different. But the readout, that he was giving me a readout, was the normal procedure.

MR. JORDAN: And why wouldn't he share everything with you if it's the normal process that you get briefed, you get a readout of calls between the President of the United States and foreign heads of state in your area, your area of the world that you're responsible for and that you deal with? And on the April call he gave you a full readout. Is that right?

MR. KENT: Correct, although it was a short, nonsubstantive conversation.

MR. JORDAN: Okay. Well, were there other occasion where Lieutenant Colonel Vindman gave you a readout from calls between President Trump and foreign heads of state?

MR. KENT: To the best of my knowledge, these were the only two calls between President Trump and a head of government of the six countries for which I have responsibility.

MR. JORDAN: Got it. Got it. So you have these two. And you got a full readout from the April 21st call or April call, but you didn't --

MR. KENT: In July, correct.

MR. JORDAN: And did you find that unusual?

MR. KENT: He made clear his extreme discomfort that there was discussions in the call that were -- what he described at the beginning was the majority of the call was very sensitive and he would not be giving me a full readout.

MR. JORDAN: And, well, I guess I'm trying to figure out if he's supposed to give you a readout, why didn't he give you the full readout?

MR. KENT: Again, all I can describe is his discomfort in sharing what he shared without -- with his disclaimer right up front that he was not going to give me the full normal readout.

MR. JORDAN: Okay. Thank you.

MR. ZELDIN: In an earlier round we were discussing individual cases where the United States Government had spoken with the Ukrainian Government with regards to cases under the jurisdiction of Ukraine. You cited one case

specifically as possibly the highest profile case that you were tracking.

MR. KENT: After --

MR. ZELDIN: Or one of highest profile cases?

MR. KENT: For that period of time, the second half the 2018, yes.

MR. ZELDIN: Were any of these conversations with the Ukraine Government about corruption cases that we felt Ukraine shouldn't prosecute?

MR. KENT: I'm not aware of us ever telling Ukraine not to prosecute a corrupt individual or a person believed to have engaged in corruption, no.

MR. ZELDIN: Is it true that Ukraine prosecuted cases that were classified as a corruption case but were inappropriately classified as such?

MR. KENT: I will give you a specific example. The National Agency to Prevent Corruption was set up to review the asset declarations of the initially top 1,000 and then they expanded to even more Ukrainian officials.

In the first year of their operations they went after two individuals. One, the reformist head of customs who paid herself an $18 bonus on Women's Day when all the women in her office got it. And they also had launched an investigation of Serhiy Leschenko, the aforementioned member of parliament and former investigative journalist, who purchased an

apartment. And those were the only two investigations that they did, and they were both reformers who were also critics of people who were not engaged in reform.

And there were dozens of billionaire oligarchs and other individuals, and there were no investigations of people whose reputations were that they had engaged in corruption for years.

MR. ZELDIN: So that I understand your testimony correctly, you cited two cases where two individuals were accused of corruption but shouldn't have been.

MR. KENT: As far as I recall, those are the only two individuals or officials of Ukraine that the National Agency to Prevent Corruption went after based on the asset declarations of high ranking officials and members of parliament.

MR. ZELDIN: And to be clear, you just used the word Ukrainian officials. Is there a different answer with regards to Ukrainian citizens or when you said officials did you mean Ukrainians at large?

MR. KENT: I was just trying to give a very specific example for a new institution that we initially helped stand up to help contain corruption based on asset declarations. And instead of using the asset declaration system to identify those who may have used public office to enrich themselves they went after two reformists who were noted critics of the

lack of reform in certain parts of the Ukrainian Government.

MR. ZELDIN: And what was the timeframe for this answer?

MR. KENT: I believe the NAPC, as it was known, was stood up in 2015, and so this would have been 2015, 2016.

MR. ZELDIN: I understand that in a recent round you were answering questions based off of information that you obtained from others related to aid from the United States to Ukraine and the allegation of a quid pro quo. Do you have any firsthand knowledge of United States aid to Ukraine ever being connected to the opening of a new investigation?

MR. KENT: I do not have direct knowledge, no.

MR. ZELDIN: Thank you. That's it.

MR. GOLDMAN: Is that it? All right.

Two more things, 2 minutes.

BY MR. GOLDMAN:

Q I just wanted to touch upon your -- some of the documents that you have been discussing today.

Do you have an understanding as to whether there may be emails or other documents in the custody of the State Department that reflect expressions of concern about some of the topics that we discussed today, separate and apart from your memos to file or other emails that you have referenced?

A I would have imagined that there are quite a number of emails, yes.

Q You discussed having two specific conversations

with Fiona Hill, one in May and one you remember less of in July. And obviously you had other conversations with Lieutenant Colonel Vindman and Tim Morrison.

Were you ever aware of whether there was a separate either individual or individuals at the National Security Council who were providing information to the President on the Ukraine matter outside of ordinary channels?

A I did not hear about it and have no information about that, no.

Q Are you familiar with someone by the name of Kash Patel?

A I am not aware that I've ever met anybody by that name, no.

Q Have you ever heard that name?

A I think Patel is a fairly common South Asian last name.

Q How about Kash?

A I -- less common. I do not -- I cannot imagine -- or I can not recall any time where I was either in the presence of or heard a reference to Kash Patel.

MR. GOLDMAN: Okay. Thank you.

I think we are done. And thank you very much, Mr. Kent, for a long day. Really appreciate it.

And we're adjourned.

[Whereupon, at 7:42 p.m., the interview was concluded.]