



Excerpts from Joint Deposition

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**House Permanent Select Committee on Intelligence
House Committee on Oversight and Reform
House Committee on Foreign Affairs**

“[Ambassador] Gordon [Sondland], had talked to the President, POTUS in sort of shorthand, and POTUS wanted nothing less than President Zelensky to go to microphone and say investigations, Biden, and Clinton.”

“I do not believe the U.S. should ask other countries to engage in politically associated investigations and prosecutions. ... As a general principle, I don’t think that as a matter of policy the U.S. should do that period, because I have spent much of my career trying to improve the rule of law. And in countries like Ukraine and Georgia, both of which want to join NATO, both of which have enjoyed billions of dollars of assistance from Congress, there is an outstanding issue about people in office in those countries using selectively politically motivated prosecutions to go after their opponents. And that’s wrong for the rule of law regardless of what country that happens.”

Ambassador Marie Yovanovitch was recalled because Rudy Giuliani, Lev Parnas, Igor Fruman, and others “started reaching out actively to undermine Ambassador Yovanovitch.” (Page 181)

Q: In your belief, in your understanding, in your experience, why was the Ambassador recalled?

A: Based on what I know, Yuriy Lutsenko, as prosecutor general, vowed revenge, and provided information to Rudy Giuliani in hopes that he would spread it and lead to her removal. I believe that was the rationale for Yuriy Lutsenko doing what he did. Separately, there are individuals that I mentioned before, including Lev Parnas and Igor Fruman, who started reaching out actively to undermine Ambassador Yovanovitch, starting in 2018 with a meeting with former Congressman Pete Sessions on May 9th, 2018, the same day he wrote a letter to Secretary Pompeo impugning Ambassador Yovanovitch’s loyalty and suggesting that she be removed. And others also in 2018 were engaged in an effort to undermine her standing by claiming that she was disloyal. So that’s the early roots of people following their own agendas and using her as an instrument to fulfill those agendas.

Yuriy Lutsenko made a private trip to New York to meet with Rudy Giuliani in order to “throw mud” at State Department officials, including Mr. Kent and Ambassador Yovanovitch. (Page 50-51)

Q: Following this January 9th meeting, when is the next time that you learned about any involvement of Rudy Giuliani in Ukraine matters?

A: On February 11th, there was a seminar hosted at the U.S. Institute of Peace, about the conflict in Donbas, and the Minister of Interior, Arsen Avakov, came and participated presenting his plans for what he calls a plan of small steps. We had a separate meeting, since I’m the leading policymaker focused on the region. And during that meeting, he let me know that Yuriy Lutsenko, the then-prosecutor general of Ukraine, had made a private trip to New York in which he met Rudy Giuliani. I said, did he know what the purpose was, and the Minister of Interior Avakov said it was to throw mud. And I said, throw mud at whom? And he said, a lot of people. I asked him, whom? And he said, towards Masha, towards you, towards others.

Q: Masha is Marie Yovanovitch?

A: Former Ambassador Yovanovitch, yes.

Mr. Giuliani was “almost unmissable” as the “campaign of slander” against Ambassador Yovanovitch and others unfolded in Ukraine and the United States. (Page 57-58, 178-179)

Q: When was the next time that you learned anything being [about] Mr. Giuliani’s involvement in Ukraine, after February 11th?

A: Well, Mr. Giuliani was almost unmissable starting in mid-March. As the news campaign, or campaign of slander against, not only Ambassador Yovanovitch unfolded, he had a very high—a media promise [presence], so he was on TV, his

Twitter feed ramped up and it was all focused on Ukraine, and it was focused on the four story lines that unfolded in those days between March 20 and 23rd.

Q: Where do those story lines unfold?

A: They unfolded both in the U.S. media and the Ukrainian media, simultaneously in peril [parallel].

...

Q: Earlier you mentioned that a media campaign against the Ambassador took place. Were you aware of who was involved with that media campaign?

A: I could only see the figures that voluntarily associated themselves with that campaign in both countries.

Q: And who was that in Ukraine and who was that in the U.S.?

A: Well, in Ukraine, very clearly, the prosecutor general at the time, Yuriy Lutsenko, his press spokeswoman retweeted the tweet of Don Trump, Jr. attacking the Ambassador. So very clearly, it wasn't just him personally as a Ukrainian, but the institution. There were—I made references earlier to what were known as the Porokhobots, the trolls on social media who were active in support of Poroshenko. And 10 days before the election, rather than attacking Russia or attacking his political opponents, as they normally did, they were attacking Ambassador Yovanovitch and me by name. So I would say that is [the] cluster of the Ukrainians who were actively promoting this campaign. And then obviously the people in the United States that were promoting it.

The State Department reached “the breaking point of our disillusionment with Yuriy Lutsenko,” the Ukrainian prosecutor general, when they discovered he was “essentially colluding with a corrupt official” to undermine a legitimate investigation into fake passports. (Page 145-146)

So I would say the breaking point of our disillusionment with Yuriy Lutsenko came in late 2017, by that point he had been in office for a year and a half, and there was a specific case, and it was as emblematic as the diamond prosecutor case had been for Shokin. The National Anti Corruption Bureau, NABU, became aware because of [a] complaint that there was a ring of Ukrainian state officials that were engaged in selling biometric passports, Ukrainian passports, to people who did not have the right to the passports, including foreigners. And the ring included [the] deputy head of the migration service, a woman named Pimakova (ph), as well as people collaborating in the security service of Ukraine. And, obviously, for our own integrity, you know, we want to know that a passport from a country is issued to the correct person. And as this case was developing, Lutsenko became aware of it, and this corrupt official who was sort of the apex of the scheme went to him or to the prosecutors and became essentially a cooperating witness for them. And so they basically busted up the ring or they busted up the investigation by NABU. And then he went further and exposed the undercover agents that had been a part of this case. So that's obviously a fundamental perversion of law and order to expose undercover agents. They were actually engaged in pursuing an actual crime, whereas, he was essentially colluding with a corrupt official to undermine the investigation. And so this case was critical to us because when we searched the database it turned out that a number of the passports that had been issued as part of these

schemes had gone to individuals who had applied for U.S. visas. So we were very angry and upset because this threatened our security, and it potentially also threatened their ability to retain their visa free status in the European Union.

Mr. Kent unsuccessfully pressed the State Department to issue a “clear statement of support for Ambassador Yovanovitch” after a series of “falsehoods” and “Tweets by members of the Presidential family.” (Page 65-66)

- Q: So what else did the State Department do? I mean, this seems like it is a major threat to the Ambassador, and major threat to the State Department. What type of additional full-throated maneuvers did the State Department take here?
- A: The request from the embassy endorsed by the European Bureau, there should be a high-level endorsement of Ambassador Yovanovitch.
- Q: And then what happened there?
- A: There was no high-level Department endorsement of Ambassador Yovanovitch.
- Q: What did the State Department do? You described a series of complete falsehoods in your words.
- A: Yes.
- Q: Fabrications, a fake list, that is going to the heart of the ability of the Ambassador to serve effectively.
- A: Correct.
- Q: And so is it fair to say this was a big league crisis for the Ambassador?
- A: This particularly after there were Tweets by members of the Presidential family, it was clearly a crisis for Ambassador Yovanovitch and a crisis that was threatening to consume the relationship. So our recommendation to our superiors was that there should be a clear statement of support for Ambassador Yovanovitch.

Ambassador Gordon Sondland suggested that Ambassador Yovanovitch “do a video or tweet declaring full support for the foreign policy of President Trump.” (Page 67)

- Q: And what does the State Department do? It didn’t seem like the efforts were sufficient.
- A: There were exchanges at this point with officials, including, to the best of my recollection, Under Secretary Hale. It may have included the Counselor of the Department, Brechbuhl, at that point. And there was a suggestion made, and I can’t remember by whom, initially, but eventually, Gordon Sondland, our Ambassador to the E.U. also joined some of the back and forth that Ambassador Yovanovitch should issue a statement, or do a video or tweet declaring full support for the foreign policy of President Trump, essentially asking her to defend herself as opposed to having the State Department defend her.

The United States “had our Ambassador just removed through actions by corrupt Ukrainians in Ukraine as well as private American citizens back here.” (Page 133-134)

- Q: On April 29th, Bill Taylor sent a WhatsApp message to Kurt Volker describing a conversation that you had with Bill Taylor in which you talked about two, quote,

two snake pits, one in Kyiv, and one in Washington. And then Mr. Taylor went on to say that you, Mr. Kent, described much more than he knew, and it was very ugly. Do you recall having that conversation along these lines with Mr. Taylor?

A: I had many conversations with Chargé Taylor, and my reference to the snake pits would have been in the context of having had our Ambassador just removed through actions by corrupt Ukrainians in Ukraine as well as private American citizens back here.

Q: And what corrupt Ukrainians in the Ukraine were you talking about?

A: The series of corrupt former—or still current prosecutors who engaged former Mayor Giuliani and his associates, and those included former Prosecutor General Shokin, the then Prosecutor General Yuriy Lutsenko, who no longer is, the special anticorruption prosecutor, Nazar Kholodnytsky, and another deputy prosecutor general named Kostiantyn Kulyk.

Rudy Giuliani “had been carrying on a campaign for several months full of lies and incorrect information,” and his “assertions and allegations against former Ambassador Yovanovitch were without basis, untrue, period.” (Page 130-131)

Q: On May 14, Rudy Giuliani told Ukrainian journalists that the Ambassador was recalled because she was part of the efforts against the President. Were you aware of Mr. Giuliani’s statement at the time?

A: I do not know that I saw that statement at that time, no, but I did see an interview that he gave with a Ukrainian publication, censor.net, that I believe was published on May 27 that expressed a variant of that opinion, yes.

Q: And what was your reaction to Mr. Giuliani’s statement?

A: Mr. Giuliani, at that point, had been carrying on a campaign for several months full of lies and incorrect information about Ambassador Yovanovitch, so this was a continuation of his campaign of lies.

Q: So you did not think it was true at the time that the Ambassador was removed because she was part of the efforts against the President?

A: I believe that Mr. Giuliani, as a U.S. citizen, has First Amendment rights to say whatever he wants, but he’s a private citizen. His assertions and allegations against former Ambassador Yovanovitch were without basis, untrue, period.

After Rudy Giuliani attacked Ambassador Taylor, Under Secretary of State David Hale warned him to “keep my head down and lower my profile in Ukraine.” (Page 249-250)

Q: Did you have any discussions with anyone else at the State Department by mid-July, and 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 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 [sic] from Under Secretary Hale.
- Q: Do you know if it became [sic] 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.

Ambassador Kurt Volker, Ambassador Sondland, and Energy Secretary Rick Perry asserted that they “had the mandate to take the lead on coordinating efforts to engage the new Ukrainian leadership.” (Page 202-203)

- 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.

Ambassador Volker had a private discussion with President Zelensky “to underscore the importance of the messaging that Zelensky needed to provide to President Trump about his willingness to be cooperative.” (Page 242-244)

- Q: Was there any discussion in that meeting in Toronto 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 Zelensky 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 Zelensky, his chief of staff, Bohdan, and the translator. I was standing about 10 feet [out] of the way, introducing myself to Andriy Yermak and talking to him. So that was—Volker had several minutes with Zelensky, 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 Zelensky needed to be signaling something in his cooperative attitude towards something the President was interested in.

Ambassador Volker said “he planned to start reaching out to” Rudy Giuliani because “it was clear that the former mayor had influence on the President in terms of the way the President thought of Ukraine.” (Page 246-247)

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 the rule of law.

Ambassador Volker was “thinking tactically” about interacting with Rudy Giuliani, but Mr. Kent was “concerned strategically.” (Page 249)

Q: Did you discourage him [Ambassador Volker] 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.

There was “great confusion” during a call on July 18, 2019, when an OMB official announced that “the acting chief of staff, Mick Mulvaney, at the direction of the President had put a hold on all security assistance to the Ukraine.” (Page 303-304, 310)

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 secure 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 [sic] 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 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.

After the call between Presidents Trump and Zelensky on July 25, 2019, Lt. Col. Alexander Vindman was “uncomfortable” and said “he could not share the majority of what was discussed because of the very sensitive nature of what was discussed.” (Page 163-165)

- Q: What did he tell you to the best of your recollection?
A: It was different than any read-out call that I had received. He felt—I could hear it in his voice and his hesitancy that he felt uncomfortable. He actually said that he could not share the majority of what was discussed because of the very sensitive nature of what was discussed. He first described the atmospherics and compared it to the previous call, which was April 21st. That had been a short, bubbly, positive, congratulatory call from someone who had just won an election with 73 percent. He said this one was much more, the tone was cooler, reserved. That President Zelensky tried to turn on the charm, and he is a comedian and a communicator, but that the dynamics didn't click in the way that they had on April 21st. Again, he did not share the majority of what was said. I learned the majority of the content after reading the declassified read-out. He did share several points. He mentioned that the characterization of the Ambassador as bad news. And then he paused, and said, and then the conversation went into the direction of some of the most extreme narratives that have been discussed publicly. That's all he said. Later on, he said that he made reference to a back and forth about the prosecutor general, that would be Lutsenko, saying, you've got a good guy, your prosecutor general, and he's being attacked by bad guys around you, is how I recall Lieutenant Colonel Vindman characterizing it. And then he, in summation, he said in his assessment, Zelensky did not cross any line. He said that Zelensky said, if anything bad had happened in the past, that was the old team. I'm a new guy, I've got a new team, and anything we do will be transparent and honest.
Q: And is that as much as you can remember from your—
A: And then there was—I think the last thing that Lieutenant Colonel Vindman mentioned was there about a brief mention by Zelensky about U.S.—interested in working on energy-related issues. Previously, I should have said, at the front earlier in the conversation, that he said that[,] Lieutenant Colonel Vindman told

me that President Zelensky had thanked the U.S. for all of its military assistance. That the U.S. did a lot for Ukraine. And Lieutenant Colonel Vindman told me that the President replied, yes, we do, and it's not reciprocal.

In August 2019, Mr. Kent had “growing concerns that individuals were pushing communications with Ukrainians that had not been discussed and endorsed in the formal policy process.” (Page 266-267)

Q: Now, at this 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: 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.

...

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

With respect to President Trump's request that Ukraine investigate former Vice President Biden, Mr. Kent stated: “I do not believe the U.S. should ask other countries to engage in politically associated investigations and prosecutions.” (Page 112-114, 158)

Q: I want to ask you actually about what the President said, because he didn't talk generically about corruption. He asked for a favor involving an investigation into CrowdStrike and that conspiracy theory and for an investigation into the Bidens. Is it appropriate for the President of the United States in the context of an ally seeking military support to ask that ally to investigate his political rival?

A: The first time I had detailed knowledge of that narrative was after the White House declassified the transcript that was prepared—not transcript, the record of conversation that was prepared by staff at the White House. As a general principle, I do not believe the U.S. should ask other countries to engage in politically associated investigations and prosecutions.

Q: Particularly those that may interfere with the U.S. election?

A: As a general principle, I don't think that as a matter of policy the U.S. should do that period, because I have spent much of my career trying to improve the rule of law. And in countries like Ukraine and Georgia, both of which want to join NATO, both of which have enjoyed billions of dollars of assistance from Congress, there is an outstanding issue about people in office in those countries using selectively politically motivated prosecutions to go after their opponents. And that's wrong for the rule of law regardless of what country that happens.

Q: And since that is really U.S. policy to further the rule of law and to discourage political investigations, having the President of the United States effectively ask for a political investigation of his opponent would run directly contrary to all of the anticorruption efforts that we were making. Is that a fair statement?

A: I would say that request does not align with what has been our policy towards Ukraine and many other countries, yes.

...

A: I believe it is a matter of U.S. policy and practice, particularly since I have worked in the area of promoting the rule of law, that politically related prosecutions are not the way of promoting the rule of law, they undermine the rule of law.

Q: But is that written as a policy somewhere or is that just standard practice?

A: I have never been in a position or a meeting where I've heard somebody suggest that politically motivated prosecutions are in the U.S. national interest.

Asking Ukraine to investigate someone for political reasons “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.” (Page 261-262)

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 attachés 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 ideas. Some of them 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.

After Ambassador Volker raised with a senior aide to President Zelensky that President Trump and Rudy Giuliani were interested in initiating investigations, Mr. Kent said, “that's wrong, and we shouldn't be doing that as a matter of U.S. policy.” (Page 262-263)

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 or the 16th, because the next day, I had a conversation with Chargé 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 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.

In August 16, 2019, Mr. Kent memorialized these conversations in a memorandum, in which he expressed “concerns that there was an effort to initiate politically motivated prosecutions that were injurious to the rule of law, both Ukraine and U.S.” (Page 263-265)

A: 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 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 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?

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 Zelensky was elected.

In September 2019, according to Ambassador Sondland, “POTUS wanted nothing less than President Zelensky to go to microphone and say investigations, Biden, and Clinton.” (Page 267-268, 274-275)

A: I came back after Labor Day. The next communication or data point that I can recall was a WhatsApp message that Chargé 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: Chargé 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. 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 Zelensky to go to microphone and say investigations, Biden, and Clinton.

...

Q: Okay. Moments ago you referenced the name Clinton?

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—Zelensky 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.

Ambassador Sondland was “pushing” for President Zelensky to “send a public signal of announcing a willingness to pursue investigations” in order to “clear the way for both the White House visit as well as the resumption or the clearing of the administrative hold on security assistance,” despite claims by Mr. Morrison and Mr. Sondland that they did not believe the issues were “linked”. (Page 268-269)

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 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 Chargé Taylor indicated that Ambassador Sondland was pushing a line that included having President Zelensky 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, Chargé Taylor asserted to me that both Tim Morrison and Gordon Sondland specifically said that they did not believe that the two issues were linked.

The State Department delayed in issuing internal instructions to collect documents in response to the Committees' September 9 or September 23 letters, or the September 27 subpoena. (Page 26-27)

- Q: Was there, at any point, did you take issue with any of the directives or suggestions that you received from the State Department?
- A: The letter of instruction that was issued after the close of business on October 2nd was the first formal instruction that any of us had received in response to the subpoena to the Department and the personal letters which had been sent at the end of September 27th, so there was not any formal structured interaction, as I mentioned, that I'd had initial interaction with [redacted], and she directed me to await formal guidance.

On October 1, 2019, Mr. Kent alerted the Director General of the Foreign Service and the Acting Legal Adviser of the State Department that Secretary Pompeo's letter to the Committees, sent earlier that day, was inaccurate. (Page 26-27)

- A: I did have several interactions with other State Department officials on Tuesday, October 1st.
- Q: With whom?
- A: With the director general of the Foreign Service, and with the acting L [Acting Legal Adviser], so to speak, Marek [Marik] String.
- Q: And what was the purpose of those conversations?
- A: I approached the director general late in the afternoon—mid-afternoon on October 1st, because I had not had any contact from any member on the leadership of the Department. And there was a letter sent to these committees that characterized interactions that I do not feel was accurate.
- Q: Can you explain what you didn't feel was accurate?
- A: Well, there was a line in there that the committees had been attempting to bully, intimidate, and threaten career foreign service officers. And I was one of two career foreign service officers which had received letters from the committees, and I had not felt bullied, threatened, and intimidated. There was another line in there that suggested that the career Foreign Service officers had requested the committees to route all communications through House liaison and I think your colleague who—[Committee staff], who sent the initial email on Friday night received my reply, which indicated that I acknowledged receipt, and that our congressional liaison had requested that the information be routed to them. So I was concerned that the letter itself did not accurately characterize the interaction.
- Q: When you're talking about the letter, you're talking about the letter from Secretary Pompeo?
- A: Correct.

On October 3, 2019, Mr. Kent raised concerns with State Department officials about their delay in responding to the Committees' subpoena and inaccuracies in Secretary Pompeo's October 1, 2019, letter to the Committees. (Page 31-36)

A: The exchange started when we were discussing the issue of who needed to be responsive to the records collection. The individuals listed primarily were in the European Bureau. And I noted several people who should have been listed who played key roles on staff at the embassy in Kyiv. And then I mentioned Consular Affairs Assistant Secretary Risch, because he had spoken to Rudy Giuliani several times in January about trying to get a visa for the former corrupt prosecutor general of Ukraine, Viktor Shokin. And my read of the request would include that. [State Department counsel] took issue with my raising the additional information, and the conversation rapidly, I would say, either escalated or degenerated into a tense exchange.

Q: So what was his response to your suggestions of additional custodians?

...

A: He objected to my raising of the additional information and said that he didn't think—I do not remember his exact words, but—he made clear that he did not think it was appropriate for me to make the suggestion. I took the opportunity, then, to point out that that was the first—the meeting was the first time that we were discussing guidance for being responsive to a subpoena. At this point, it was already October 3rd. The request for the documents and the request for submission had been delivered on September 27th and we had less than 2 business days to be responsive.

...

Q: Did you provide that memo to the State Department to be turned over?

A: I believe—yes, I did.

Mr. Kent produced all relevant documents in his possession to the State Department. (Page 23, 182-183)

Q: Are you aware of the status of that document production by the State Department related to your personal documents—or professional documents, I should say?

A: I collected all the different types of records that possibly could be considered part of the request and provided them to the listed authority at the State Department.

...

Q: 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 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?

A: The, if you will, 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.

Q: Anything else that comes to mind?

A: Likely the WhatsApp exchange between me and Ambassador, or sorry, Chargé Taylor.