



## Excerpts from Joint Deposition

**Timothy Morrison**  
**Former Deputy Assistant to the President and**  
**Senior Director for Europe and Russia, National Security Council**

**Conducted on October 31, 2019**

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

- Q: During the Warsaw visit Ambassador Sondland, I guess, had a sidebar with Yermak?*
- A: Yes. Ukrainian Presidential Adviser Yermak.*
- Q: Did you witness that exchange?*
- A: I witnessed it, yes.*
- Q: Okay. And were you part of the exchange or did you just see it occur?*
- A: I saw it occur.*
- Q: Okay. And what did you learn about that exchange? I guess Ambassador Sondland told you what he told Yermak?*
- A: He came—he essentially walked across a, you know, a—I don't know how to describe the room. He walked across the space and he briefed me on what he said he had said to Mr. Yermak.*
- Q: Okay. What did he tell you?*
- A: He told me that in his—that what he communicated was that he believed the—what could help them move the aid was if the prosecutor general would go the mike and announce that he was opening the Burisma investigation.*

**There was a “second track” of engagement in Ukraine “chiefly led by Ambassador Sondland” that involved Rudy Giuliani and related to “Burisma,” “Hunter Biden,” and “the 2016 server.” (Page 22-23, 24)**

A: As I said in my statement, there was the normal process, where decisionmaking went through the duly appointed personnel, whether that’s the Chief of Mission, Ambassador Taylor, Envoy Volker, the appropriate personnel from the Departments of State and Defense and Energy and intelligence agencies and so forth, as we normally do business under the NSPM-4 process. And there was this second track, chiefly led by Ambassador Sondland, where Rudy Giuliani’s name would come up.

...

Q: And what did she [Fiona Hill] say to you about Rudy Giuliani?

A: She mentioned that Gordon talked with Rudy, and she mentioned that she stayed away from any conversation with Rudy and that I would be wise to do the same.

Q: And we’ll get to Burisma in a minute, but did she mention anything else, other than Burisma, in connection to what Rudy Giuliani’s interest in Ukraine was?

A: She mentioned Rudy—and I should say clearly for the record that, in some cases, I consider Burisma to sort of be a bucket of issues. Burisma is Burisma the company, Burisma is Hunter Biden on the board, and I sometimes lump together Burisma and the 2016 server in my head, chiefly because they are all issues I tried to stay away from.

**The President gave Ambassador Sondland “instruction” on communicating with officials in Ukraine. (Page 230)**

A: Sir, in the context of what I understood to be the parallel process, Ambassador Sondland believed and at least related to me that the President was giving him instruction.

...

Q: And he understood his responsibilities to be doing what the President asked him to do?

A: He related to me he was acting—he was discussing these matters with the President.

Q: And, in fact, every time you went to check to see whether he had, in fact, talked to the President you found that he had talked to the President?

A: Yes, Mr. Chairman.

**Before President Trump’s call with President Zelensky, Ambassador Sondland emailed White House staff “to inform us that he had spoken to the President that morning to brief him on the call.” (Page 30, 101)**

Q: Do you know whether Ambassador Sondland spoke to President Trump about it?

A: I know that Ambassador Sondland told me he spoke to the President about it.

Q: And when did he tell you that?

A: The morning of July 25th.

- Q: And so can you describe the conversation that you had with Ambassador Sondland the morning of July 25th?
- A: Ambassador Sondland emailed me and several other White House staff to inform us that he had spoken to the President that morning to brief him on the call.
- ...
- Q: And I think you've said that you were not aware of the preparation that Ambassador Sondland or others may have provided to the President in this other channel in preparation for the call. Is that right?
- A: I was aware that there was a call between Ambassador Sondland and the President that morning. I confirmed that call did happen. And that was the extent of my knowledge.
- Q: So in terms of evaluating the legality of what happened on the call, you didn't have the advantage of knowing what took place before the call, how the President might have been prepared for that call?
- A: Sir, I did not then and I do not now opine on to—as to the legality.

**After listening to the call on July 25, 2019, Mr. Morrison immediately advised NSC lawyers John Eisenberg and Michael Ellis to review and restrict access to the written record because it would be “damaging” if “its contents leaked.” (Page 41-42, 42-43, 50)**

- Q: You said that when you heard the server mentioned that confirmed the concerns of Dr. Hill—or, sorry, that concerned the alternative process of Dr. Hill, what do you mean by that?
- A: It merely provided confirmation of the concerns Dr. Hill raised about this parallel process that was completely new to me. This is one of the topics she advised was in that parallel process.
- ...
- Q: Do you recall hearing him [President Trump] mention Bidens?
- A: Yes.
- Q: And what was your immediate reaction to that?
- A: Again, it was more confirmation of what Dr. Hill had informed me was out there.
- Q: You said that an NSC Legal—no one from the NSC Legal Advisor's Office was in the room but that you promptly went to see the NSC Legal Advisor and his deputy to—or you asked them to review it. Who are you referring to, with the NSC Legal Advisor and the Deputy?
- A: The NSC Legal Advisor is John Eisenberg. His deputy is Michael Ellis.
- Q: How promptly after the call did you ask them to review it?
- A: It was fairly contemporaneous. It was—I don't recall if it was the first thing I did after the call, but it was fairly short order.
- Q: And why did you go to speak to them to ask them to review it?
- A: Originally—so my initial concern was, as I said in my statement, there was nobody from the Legal Advisor's Office on the call. I wanted them to have eyes on it. I didn't want it to fall to one of their deputies, one of the line attorneys. I wanted them to put eyes on it.
- Q: Why?

A: Because I was concerned about whether or not they would agree that it would be damaging for the reasons I outlined in my statement if the call package—if the call mem-con or its contents leaked.

...

Q: Was it your practice to go immediately to the legal counsel's office after you listened in on Presidential calls or was this unusual?

A: It was not my practice.

...

Q: Have you ever asked the legal counsel to restrict access on any other Presidential phone call?

A: Could you restate the question?

Q: Had you ever asked the Legal Advisor—

A: No.

Q: —to restrict access? The answer is no.

**President Trump's requests for Ukraine to investigate the Bidens and the 2016 election "had nothing to do with the issues that the interagency was working on" and "was not a part of the formal interagency policy process." (Page 47, 101-102)**

Q: Did the President's discussion of CrowdStrike, the server, and the Bidens, was that consistent with what you understood to be U.S. official policy towards Ukraine?

A: No.

...

Q: Just one more thing on this. You said that you wanted to stay away from the Burisma bucket of investigations. That was your testimony, right?

A: That's what I was advised to do, and that's what I did.

Q: Why did you want to do that?

A: It did not—it was nothing a part of any—the proper policy process that I was involved in on Ukraine, it had nothing to do with the issues that the interagency was working on.

Q: So it wasn't a part of U.S. policy?

A: It was not a part of the formal interagency policy process.

**NSC Legal Advisor John Eisenberg said the July 25 call record was placed on the highly classified system by "mistake," but it nevertheless remained on the highly classified system. (Page 55-56, 121-123)**

Q: To your knowledge, there was nothing in this mem-con that would meet the requirements to be put on a highly classified system, correct?

A: Correct.

...

Q: Mr. Eisenberg told you that it was a—you looked for the mem-con in the system and you couldn't find it. Is that right?

A: Correct.

Q: And then you went and asked—what did you do—let me ask it this way: What did you do after you couldn't find it?

A: I called the NSC Executive Secretariat staff to say, essentially, what gives?

Q: And what did they say?

A: They said John Eisenberg had directed it be moved to a different server .

Q: What did you do next?

A: I talked to John.

Q: And what did he say to you?

A: He said he did not.

Q: What did you say back to him?

A: I said, well, that you need to talk to Exec Sec because they think you directed it.

Q: And then what did he say to you? When did he say it was a mistake?

A: After he talked to—well, I don't recall if it was in that exact same conversation or a separate conversation, but at some point he checked in with the Exec Sec to find out why they thought he directed them to do that. And he came back and said, well, I agreed with you to restrict access. They took that as a direction to move it to a different server, which was not my—which was not his instruction nor my recommendation.

Q: And so was it your understanding that at the point of that meeting the third week of August, Mr. Eisenberg was not aware that the transcript had been moved to the highly classified system?

A: That's my recollection, yes.

...

Q: You said earlier that he indicated that the transfer of the mem-con to the highly classified system was a mistake. Do you know if it was taken off of that system after that discussion that you had with him?

A: As of the third week of September, it was not—it had not been taken off.

Q: Do you know why?

A: No.

**President Zelensky raised the fact that U.S. assistance to Ukraine was frozen during a meeting with Vice President Pence on September 1, 2019. (Page 231-232)**

Q: Well, I'm talking about Zelensky. Zelensky raises the aid in the meeting with Vice President Pence?

A: Yes, sir.

**After the Vice President's meeting, Ambassador Sondland told Ukrainian official Andriy Yermak that "what could help them move the aid was if the prosecutor general would go to the mike and announce that he was opening the Burisma investigation." (Page 134, 155-156, 182)**

Q: During the Warsaw visit Ambassador Sondland, I guess, had a sidebar with Yermak?

A: Yes. Ukrainian Presidential Adviser Yermak.

Q: Did you witness that exchange?

A: I witnessed it, yes.

Q: Okay. And were you part of the exchange or did you just see it occur?

A: I saw it occur.

Q: Okay. And what did you learn about that exchange? I guess Ambassador Sondland told you what he told Yermak?

A: He came—he essentially walked across a, you know, a—I don't know how to describe the room. He walked across the space and he briefed me on what he said he had said to Mr. Yermak.

Q: Okay. What did he tell you?

A: He told me that in his—that what he communicated was that he believed the—what could help them move the aid was if the prosecutor general would to go the mike and announce that he was opening the Burisma investigation.

...

Q: At that time, Sondland is trying to get the Ukrainians to do something public, correct?

A: Yes.

Q: With regard to investigations?

A: Yes.

Q: And I guess my question is, did you have a concern with anything related to, you know, investigations, or was it just specific investigations?

A: My concern was what Gordon was proposing about getting the Ukrainians pulled into our politics.

Q: Okay. So if the Ukrainians had issued a generalized statement about anticorruption efforts and reform, that would have been okay with you?

A: They had, in fact.

Q: Okay. So it's only when they get into Burisma and 2016 and the Bidens and so forth that it became problematic in your mind?

A: Yes.

...

A: I mean, it was the first time something like this had been injected as a condition on the release of the assistance. So it was not something I had been tracking as part of our process for calculating how do we get the President the information he needs to make the decision that it was within American interest to release the assistance.

Q: Okay. So Ambassador Taylor, on the top of page 11, says that this was also the first time that he had heard that the security assistance and not just the White House meeting was conditioned on the investigation. So are you saying that this was the first time that you'd ever heard anyone say that the release [of] the Security Assistance was going to be conditioned on the Burisma bucket investigations?

A: Yes.

**Mr. Morrison immediately contacted Ambassador Bolton, Ambassador Taylor, and NSC lawyers to inform them about the conversation between Ambassador Sondland and Mr. Yermak. (Page 137, 182)**

Q: Okay. When he came back to you and related what he just exchanged with Mr. Yermak, did you give him any feedback, such as, why did you do that? Or did you just—or you were just receiving?

A: I took it on board and immediately started thinking about who I wanted to call about it.

Q: Okay. And who did you call about it?

A: Ambassador Bolton, Ambassador Taylor. And I made sure to—there were no NSC lawyers on this trip. I made sure to communicate the same to the lawyers when I got back.

Q: Okay. And you just related the communication?

A: Yes.

Q: And your concern about it?

A: Yes.

Q: Okay. And did any of those parties give you any advice or recommendations on how to handle it, or was it just noting it for the file?

A: Ambassador Bolton's direction, consistent with my instinct, was make sure the lawyers are tracking.

...

Q: And when did you report it to Ambassador Bolton?

A: About an hour or two after the debriefing by Ambassador Sondland occurred.

Q: Okay. And what was his reaction?

A: His reaction was: Stay out of it, brief the lawyers.

**Mr. Morrison was “not comfortable with any idea that President Zelensky should allow himself to be involved in our politics.” (Page 154-155)**

Q: Were you comfortable with any aspect of this public statement or public affirmation that Zelensky, you know, make at the behest of U.S.—you know, the U.S. Government?

A: So keeping in mind when I learned about a statement, I was not comfortable with any idea that President Zelensky should allow himself to be involved in our politics.

**President Trump told Ambassador Sondland that “President Zelensky must announce the opening of the investigations,” adding that “there was no quid pro quo, but President Zelensky had to do it and he should want to do it.” (Page 185, 190-191, 228-229)**

Q: It says, 2 days later, on September 7th, Ambassador Taylor had a conversation with you in which you described a phone conversation earlier that day between Ambassador Sondland and President Trump. And let me just stop you there. How did you know about this conversation between Ambassador Sondland and President Trump?

A: I believe because he called me not long after—  
Q: He?  
A: He, Ambassador Sondland, called me not long after to let me know of it.  
...  
Q: And what did Ambassador Sondland tell you in the phone call?  
A: In the phone call, he told me that he had just gotten off the phone—the September 7th phone call—he told me he had just gotten off the phone with the President. I remember this because he actually made the comment that it was easier for him to get a hold of the President than to get a hold of me, which led me to respond, “Well, the President doesn’t work for Ambassador Bolton; I do,” to which Ambassador Sondland responded, “Does Ambassador Bolton know that?” But that’s why I have a vivid recollection of this. And he wanted to tell me what he had discussed with the President.  
Q: And what did he tell you?  
A: He told me, as is related here in Ambassador Taylor’s statement, that there was no quid pro quo, but President Zelensky must announce the opening of the investigations and he should want to do it.  
Q: Okay. I think that clarifies things then. So, in Warsaw, Ambassador Sondland tells you that he’s conveyed to Yermak the prosecutor general has to make these statements. He later conveys to you after talking with the President several days later that the requirement is actually that Zelensky has to commit to these investigations.  
A: Yes. And I had already heard that from Ambassador Taylor.  
...  
Q: Now, I think you testified earlier that Ambassador Sondland told you in Poland that he had told Yermak that the prosecutor general needed to commit to these investigations to get the military aid, right?  
A: Yes, sir.  
Q: And then it was subsequently on the phone where he came back to you, Ambassador Sondland that is, and said, no, the prosecutor general is not going to be sufficient, President Zelensky has to commit to that, right?  
A: Yes, sir. He related the President told him there was no quid pro quo, but President Zelensky had to do it and he should want to do it.

**Mr. Morrison had a “sinking feeling” because President Zelensky was being asked to “involve himself in our politics.” (Page 145, 185-186)**

Q: And do you think—was Ambassador Sondland—had he related to you that the President had said this?  
A: Yes.  
Q: Okay. And you had a sinking feeling about this. Could you explain why?  
A: Well, it’s September 7th. September 30th is coming. I was growing pessimistic that we would be able to see the tumblers align to get the right people in the room with the Presidents to get the aid released. I also did not think it was a good idea for the Ukrainian President to—at this point I had a better understanding—involve himself in our politics.

...

Q: Ambassador Taylor says that you said that he—you—had a sinking feeling after learning about this conversation from Ambassador Sondland. According to you, President Trump told Ambassador Sondland that he was not asking for a quid pro quo, but President Trump did insist that President Zelensky go to a microphone and say he is opening investigations of Biden and 2016 interference and that President Zelensky should want to do this himself. Is that an accurate recitation of what you told Ambassador Taylor on September 7th?

A: Yes.

Q: Okay. Do you recall anything else about the conversation with Ambassador Taylor? Did you tell him anything else about what Ambassador Sondland and President Trump had discussed?

A: I mean, not to my knowledge. I believe what's related here by Ambassador Taylor is correct.

**Mr. Morrison reported the September 7, 2019, conversation with Ambassador Sondland to Ambassador Bolton and NSC attorneys. (Page 269-270)**

A: So there was the general admonition from Ambassador Bolton when I first took over and I told him about my first non-Ukraine conversation with Ambassador Sondland, where he said, just essentially, ignore him, don't talk to him. And there was—on Ukraine, the first conversation I would've had with Ambassador Bolton about what Ambassador Sondland was doing would've been on—it was the September 1 call. And then, again, I went over to his office after the September 7th call. So that's what I'm trying to keep straight in my head.

...

Q: [D]id you discuss with him [John Eisenberg] any concerns about Ambassador Sondland and his efforts?

A: Yes. Certainly after the 1 September phone call. Certainly after the 7 September phone call.

**On or around July 15, 2019, Deputy National Security Advisor Charlie Kupperman stated that “the chief of staff's office had informed OMB that it was the President's direction to hold the assistance.” (Page 161-162)**

Q: When was the first time you learned about the hold?

A: So I don't have a clear recollection. This was not a scheduled meeting between Dr. Kupperman and myself. But it was some—it was on or about 15 July.

Q: Okay. And what did Mr. Kupperman tell you about the hold?

A: Only that OMB had—the chief of staff had informed OMB—I should be clear—the chief of staff's office had informed OMB that it was the President's direction to hold the assistance. Dr. Kupperman stated that we owe the President the views of the interagency, make sure all the departments and agencies are aligned as to the importance of the aid, in order to provide the President on up through the interagency process the endorsement of the interagency behind the continuation of the aid.

- Q: Are you aware that by that point, July 15th, when you learned that, the Department of Defense, in consultation with the Department of State, had already certified that Ukraine had met the preconditions to receive the aid under the National Defense Authorization Act?
- A: I don't know when I became aware of that. It might have been at the PCC [Policy Coordination Committee] I chaired. But I did become aware of that.

**OMB representatives confirmed on July 23, 2019, that “the hold had been imposed by the Chief of Staff’s office, and they had been informed it was that the direction of the President.” (Page 162-163)**

- Q: Okay. Let’s talk about the PCC you chaired. When did that take place?
- A: I believe it was 23 July.
- Q: Okay. And did anyone from OMB participate at that meeting?
- A: Yes.
- Q: Who were the representatives of OMB?
- A: There were two personnel from OMB. I don’t—I did not bring with me their names.
- Q: Okay. What, if anything, did the—either of the reps from OMB say about the hold at that meeting?
- A: That the hold had been imposed by the chief of staff’s office, and they had been informed it was at the direction of the President.
- Q: What were the views of the other interagency participants at the meeting?
- A: That the aid is essential to Ukraine’s security, the U.S. relationship with Ukraine, and it should be released at the earliest opportunity.
- Q: Was there any reason provided by the OMB reps or anyone else at the meeting for the hold?
- A: No.

**At a Deputies’ Meeting on July 26, 2019, agency representatives “endorsed that the principals meet and recommend to the President the prompt disbursement of the funding,” but the principals never met. (Page 164, 165)**

- Q: So you said the next step was going to be a deputies meeting. Was there a deputies meeting?
- A: There was.
- Q: When did that take place?
- A: I don’t recall exactly.
- Q: Was it on or about July 26th, a few days within the PCC?
- A: About a week later.
- Q: Okay. And did you participate in that meeting?
- A: Yes.
- Q: Can you tell us what happened at that meeting?
- A: Deputies endorsed that the principals meet and recommend to the President the prompt disbursement of the funding, among other things, but the only one that’s within the scope of this meeting.

Q: Do you know whether the NSC ever issued a statement of conclusions after the deputies meeting?

A: We did.

Q: And the agreed next steps were to recommend a principals meeting?

A: Yes.

Q: Okay. Do you know whether the principals meeting ever took place?

A: It did not.

...

Q: Going back to the deputies meeting for a minute, was there any reason provided at that time that meeting for the hold?

A: I believe at that meeting OMB represented that—and the Chief of Staff's Office was present—that the President was concerned about corruption in Ukraine, and he wanted to make sure that Ukraine was doing enough to manage that corruption.

**Ambassador Bolton had a “one-on-one meeting” with President Trump on late August 2019, “related to Ukraine security assistance,” but the “President was not yet ready to approve the release of the assistance.” (Page 266-268)**

Q: Did the President have a meeting with Ambassador Bolton, a one-on-one meeting, related to Ukraine security assistance?

A: Yes.

Q: When was that meeting?

A: I don't recall exactly.

Q: Before Warsaw?

A: No, I don't think so.

Q: After Warsaw?

A: Well, so excuse me. It was before Warsaw. I hesitated because I believe it was—I believe it was also before Bedminster.

Q: Oh, it was before Bedminster.

A: Yes.

Q: Okay. And can you describe for us whether there was a change of course in your duties that flowed from that meeting? Were there any instructions for you that flowed from that meeting?

A: I was told to continue to look for opportunities to get the principals together to have the direct, in-person conversation with the President about this topic.

Q: Did you understand, at that point, that the President was open to releasing the security assistance, based on what you understood occurred at that meeting?

A: Ambassador Bolton's one-on-one meeting with the President—

Q: Yes.

A: —sometime prior to Bedminster?

Q: Right.

[Discussion off the record.]

A: The President was not yet ready to approve the release of the assistance.

**It was “the unanimous position of the entire interagency” and of the principals in the interagency process that the aid should be disbursed to Ukraine. (Page 264)**

- Q: What was the reason that Ambassador Bolton gave you for not holding the Principals Committee meeting?
- A: He believed that it was unnecessary, that he already had a reasonable idea of where the principals were, and he wanted to get directly to the President as early as possible in the most effective way.
- Q: And where did he understand that the principals were?
- A: That they were all supportive of the continued disbursement of the aid.
- Q: And, in fact, that was pretty much the unanimous position of the entire interagency, right?
- A: It was the unanimous position of the entire interagency.

**On September 11, 2019, President Trump, Vice President Pence, Chief of Staff Mick Mulvaney, and Senator Rob Portman had a meeting to discuss lifting the freeze on Ukraine aid, but neither Ambassador Bolton nor Secretary of State Pompeo participated. (Page 242, 243)**

- Q: Okay. I want to ask you about the September 11th meeting where it was decided to lift the freeze on the assistance.
- A: Okay.
- Q: Do you know who participated in that meeting?
- A: My understanding, because I was not there, was that it was the President, it was the Vice President, it was Senator Portman, and it was Chief of Staff Mulvaney.
- Q: Okay. Do you know when the meeting occurred on September 11th?
- A: I believe it was the afternoon or the evening of September 11th. I’m basing that off of Dr. Kupperman hearing from the chief of staff’s office around 8 p.m. that night that the hold was lifted.
- ...
- Q: So I just want to establish who wasn’t there. To your knowledge, Ambassador Bolton didn’t participate in that meeting?
- A: He did not, to my knowledge.
- Q: And Secretary of State Pompeo didn’t, wasn’t there?
- A: To my knowledge, he was not.